

OFFICIAL ZONING ORDINANCE

MONROE TOWNSHIP CUMBERLAND COUNTY, PENNSYLVANIA

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Table of Contents

Page

Article 1 Background Provisions

Section 101	Short Title.....	1
Section 102	Purpose	1
Section 103	Scope	1
Section 104	Interpretation	1
Section 105	Conflict	1
Section 106	Validity	2
Section 107	Uses Not Provided For	2
Section 108	Establishment of Zones	2
Section 109	Zoning Map	2
Section 110	Zone Boundary Lines	2
Section 111	Community Development Objectives	3
Section 112	Definitions	3

Article 2 Zone Regulations

Section 200	Conservation Zone (C)	33
Section 201	Agricultural Zone (A)	36
Section 202	Suburban Residential Zone (R-1)	45
Section 203	Village Zone (V)	47
Section 204	Village Overlay Zone(VO)	49
Section 205	Manufactured Housing Park Zone ((MHP)	65
Section 210	Neighborhood Commercial Zone (NC)	67
Section 211	Highway Commercial Zone (HC)	70
Section 220	Industrial Zone(I)	73

Article 3
General Provisions

Section 300	General Provisions	78
Section 301	Accessory Uses and Structures	78
	301.1. Fences and Walls	78
	301.2. Swimming Pools	78
	301.3. Recreation Courts	78
	301.4. Satellite Dish Antennas	79
	301.5. Ornamental Ponds and Wading Pools	79
	301.6. All Natural or Man-Made Lakes, Dams, Ponds and Impoundments .	79
	301.7. Garage/Yard Sales	79
	301.8. Accessory Repair of Personal Motor Vehicles	79
	301.9. Outdoor Fireplaces and Recreational Fires.....	80
Section 302	Unenclosed Storage	81
	302.1. Recreational Vehicles, Boats, Campers, Trailers and Trucks	81
	302.2. Outdoor Stockpiling	82
	302.3. Trash, Garbage, Refuse or Junk	82
	302.4. Dumpsters	83
	302.5. Domestic Composts	83
	302.6. Parking and Storage of Unlicensed or Uninspected Motor Vehicles	83
	302.7. Parking and Storage of Commercial Trucks and Trailers	83
	302.8. Temporary Storage	83
Section 303	Setback Modifications	83
	303.1. Front setback of Buildings on Built-Up Streets	83
	303.2. Accessory or Appurtenant Structures	83
	303.3. Setback Reductions in the Agricultural Zone	84
Section 304	Height Limit Exceptions	84
Section 305	Corner Lots	85
Section 306	Erection of More Than One Principal Use on a Lot	85
Section 307	Required Vehicular Access	85
Section 308	Driveway Requirements (Single-Family Dwelling)	86
Section 309	Access Drive Requirements	87
Section 310	Off-Street Parking Requirements.....	88
Section 311	Off-Street Loading Facilities.....	92
Section 312	Landscaping and Screening Requirements	93
	312.1. Yard Ground Cover	93
	312.2. Landscaping Requirements	94
	312.3. Screening	94
	312.4. Selection of Plant Materials	94

	Page
Section 313	Outdoor Signs 94
	313.1. General Intent 94
	313.2. General Regulations for All Signs 95
	313.3. Specific Sign Requirements 98
	Permanent Sign Requirements 99
	Temporary Sign Requirements 102
	Planned Center Signs
	(Less than 50,000 Square Feet of Gross Leasable Floor Area) ... 105
	Planned Center Signs
	(More Than 50,000 Square Feet of Gross Leasable Floor Area) 106
	313.4. Amortization of Nonconforming Signs 107
	313.5. Sign Permits 107
	313.6. Electronic Variable Message Signage..... 108
Section 314	Roadway Classifications 109
Section 315	Zoning Requirements for Use of On-Lot Sewage Disposal Systems..... 109
Section 316	Permanent/Temporary Occupancy Requirements..... 110
Section 317	Operations and Performance Standards..... 110
Section 318	Common Open Space Requirements..... 110
Section 319	Required Nutrient Management Plans 112
Section 320	Materials and Waste Hauling Requirements..... 112
Section 321	Outdoor Storage and Display Requirements..... 113
	321.1. Shopping Cart Storage..... 113
	321.2. Seasonal Sidewalk Displays..... 113
	321.3. Special Event Sales..... 114
	321.4. Sale of Personal Vehicles..... 114
	321.5. Screening of Non-Residential Uses..... 115
Section 322	Floodplain Requirements..... 115
Section 323	Public Utilities Structures..... 115
Section 324	Buffer Zones..... 115
Section 325	Accessory Structures 116
Section 326	Forestry Operations 116
Section 327	Outdoor Wood-Fired Boilers 119

Article 4 Specific Criteria

Section 400	Specific Standards for Special Exception and Conditional Use.....	121
Section 401	Adult-Related Uses.....	121
Section 402	Airports/HeliportsAmusement Arcades.....	122
Section 403	Amusement Arcades.....	123
Section 404	Automobile Auctions and/or Automobile Parking or Storage Compounds.....	123
Section 405	Automobile Filling Stations (Including Minor Incidental Repair).....	124

	Page
Section 406	Automobile, Bus, Class I Recreational Vehicle, Boat, Motorcycle, and Snowmobile Service and Repair Facilities 125
Section 407	Bed and Breakfast 126
Section 408	Billboards..... 126
Section 409	Boarding Houses 127
Section 410	Campgrounds 127
Section 411	Car Washes 128
Section 412	Churches and Related Uses..... 129
Section 413	Cluster Developments..... 130
Section 414	Commercial Day-Care Facilities..... 135
Section 415	Commercial Recreation Facilities..... 136
Section 416	Commercial Stockyards and/or Feedlots..... 137
Section 417	Communication Antennas, Towers and Equipment 137
Section 418	Distilleries, Breweries, Pickling Processes, and Sugar Refineries..... 139
Section 419	Drive-Thru and/or Fast-Food Restaurants..... 139
Section 420	Dry Cleaners, Laundries, and Laundromats..... 140
Section 421	ECHO Housing..... 140
Section 422	Farmers Market and/or Flea Market..... 142
Section 423	Flag-Lot Residences 142
Section 424	Funeral Homes, Mortuaries and Crematoriums..... 144
Section 425	Golf Courses 145
Section 426	Group Day-Care Facilities..... 146
Section 427	Heavy Equipment Sales, Service and/or Repair Facilities..... 146
Section 428	Heavy Industrial Uses..... 147
Section 429	Historic Structures Conversions 147
Section 430	Home Improvement and Building Supply Stores..... 149
Section 432	Hunting, Fishing, Skiing, and Boating Lodges..... 149
Section 433	Junkyards 150
Section 434	Kennels..... 151
Section 435	Warehouses..... 151
Section 436	Nightclubs..... 152
Section 437	Noncommercial Keeping of Livestock..... 152
Section 438	Off-Track Betting Parlors..... 153
Section 439	Office Conversions 155
Section 440	Principal Waste Handling Facilities 155
Section 441	Private and Commercial Schools 158
Section 442	Private Clubhouses..... 158

		Page
Section 443	Quarries and Other Extractive-Related Uses	159
Section 444	Recycling Facilities for Paper, Plastic, Glass, and Metal Products.....	163
Section 445	<i>Reserved for Future Use</i>	163
Section 446	Riding Schools and Stables.....	163
Section 447	Sawmills.....	164
Section 448	Reserved for Future Use.....	164
Section 449	Shooting Ranges.....	164
Section 450	Shopping Centers.....	166
Section 451	Slaughtering, Processing, Rendering, and Packaging of Food Products and their By-Products which are Produced from the Remains of Animals	167
Section 452	Temporary Farm Employee Housing	168
Section 453	Truck Stops or Motor Freight Terminals.....	169
Section 454	Two-Family Conversions	170
Section 455	Warehousing and Wholesale Trade Establishments.....	171
Section 456	Wholesale Produce Auctions.....	171
Section 457	Helistop.....	172
Section 459	Wind Energy Facilities.....	173
Section 460	Solar Energy Systems.....	186

Article 5 Nonconformities

Section 500	Continuation	193
Section 501	Abandonment.....	193
Section 502	Extension of a Nonconforming Use of Land.....	193
Section 503	Expansion or Alteration.....	193
Section 504	Substitution or Replacement	194
Section 505	Restoration	195
Section 506	Previously Expanded Nonconforming Uses and Structures	195
Section 507	Nonconforming Lots	195

Article 6 Zoning Hearing Board

Section 600	Establishment and Membership	196
Section 601	Organization of Zoning Hearing Board	196
Section 602	Expenditures for Services	197
Section 603	Hearings	197
Section 604	Zoning Hearing Board's Functions.....	200
Section 605	Parties Appellant Before the Zoning Hearing Board.....	204

		Page
Section 606	Time Limitations.....	205
Section 607	Stay of Proceeding.....	205
Section 608	Appeal	205

**Article 7
Administration**

Section 700	Administration and Enforcement.....	207
Section 701	Permits	209
Section 702	Fees	216
Section 703	Amendments.....	216
Section 704	Conditional Uses	221
Section 705	Repeals and Inconsistencies.....	225
Section 706	Effective Date	225

Section 9	Zoning Map Changes	226
Section 10	Continuation.....	226
Section 11	Effective Date.....	227
Section 12	Severability	227
Section 13	Relationship to Other Ordinances	227

Appendix 1

Historic Houses in Monroe Township	228
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Appendix 2

Traditional Design Guidelines	233
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Article 1

Background Provisions

Section 101 Short Title

This Ordinance shall be known and cited as the “Monroe Township Zoning Ordinance of 2014”.

Section 102 Purpose

This Ordinance is enacted to preserve the agricultural nature of the community, to promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements, as well as to prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood panic or other dangers. This Ordinance is enacted in accordance with an overall planning program, and with consideration for the character of the Township, its various parts and the suitability of the various parts for particular uses and structures.

Section 103 Scope

From and after the effective date of this Ordinance, the use of all land and every building or structure or portion of a building or structure erected, altered with respect to height and area, added to, or relocated, and every use within a building or structure or use accessory thereto, in the Township, shall be in conformity with the provisions of this Ordinance. Any lawfully existing use, building, or land not in conformity with these regulations on the effective date of this Ordinance herein prescribed shall be regarded as nonconforming but may be continued.

Section 104 Interpretation

In interpreting and applying the provisions of this Ordinance, said provisions shall be held to be the minimum requirements for the promotion of the agricultural nature of the community and to promote the health, safety, and general welfare of the residents of the Township.

In interpreting the language of zoning ordinances to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.

Section 105 Conflict

It is not intended by this Ordinance to repeal, abrogate, annul, or interfere with any existing ordinances or resolutions, or with any rule, regulation or permit adopted or issued thereunder, except as provided, any only to the extent permitted by Section 508(4) of the Pennsylvania Municipalities Planning Code (the Act). Where this Ordinance imposes greater restrictions upon the use or development of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than the provisions of a previous ordinance, resolution, rule,

regulation or permit, then the provisions of this Ordinance shall control. Furthermore, except as noted in Sections 400 and 204.2. of this Ordinance, if a discrepancy exists between any regulations contained within this Ordinance and any other Township regulations, the regulation which imposes the greater restriction shall apply.

Section 106 Validity

Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or of any other part thereof.

Section 107 Uses Not Provided For

Whenever, under this Ordinance, a use is neither specifically permitted nor denied, and an application is made by an applicant to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Board of Supervisors to hear and decide such request as a conditional use. The Board of Supervisors shall have the authority to permit the use or deny the use in accordance with the standards governing conditional use applications. The use may be permitted if it is similar to and compatible with the permitted uses in the zone in which the subject property is located, is not permitted in any other zone under the terms of this Ordinance, and in no way is in conflict with the general purposes and intent of this Ordinance. The burden of proof shall be upon the applicant to demonstrate that the proposed use meets the foregoing criteria and would not be detrimental to the public health, safety and welfare of the neighborhood. For the purposes of this section, a specifically denied use shall be considered a use that is not a permitted use in the zone in question, but is a permitted use in another zoning district.

Section 108 Establishment of Zones

For the purpose of this Ordinance, Monroe Township is hereby divided into zones which shall be designated as follows:

Conservation Zone (C)	Manufactured Housing Park Zone (MHP)
Agricultural Zone (A)	Neighborhood Commercial Zone (NC)
Suburban Residential Zone (R)	Highway Commercial Zone (HC)
Village Zone (V)	Industrial Zone (I)
Village Overlay Zone (VO)	

Section 109 Zoning Map

The areas within Monroe Township, as assigned to each zone and the location of the zones established by this Ordinance, are shown upon the Zoning Map, which together with all explanatory matter thereon, is attached to and incorporated herein and declared to be a part of this Ordinance.

Section 110 Zone Boundary Line

The zone boundary lines shall be known as shown on the Zoning Map. Zone boundary lines are intended to coincide with lot lines; center lines of streets, alleys, railroad right-of-way, and streams at time of passage of this Ordinance; the corporate boundary of the Township; or as dimensioned on the map. In the event of dispute about the location of the boundary of any zone,

the Zoning Officer shall investigate and render a written decision on the location of the line. Appeals shall be made to the Zoning Hearing Board.

Section 111 Community Development Objectives

This Ordinance is enacted in accordance with the Monroe Township Comprehensive Plan and has been formulated to implement the purpose set forth in Section 102 above. The Ordinance is enacted with regard to the community development objectives listed in the Official Comprehensive Plan, Monroe Township, Cumberland County, PA.

Section 112 Definitions

- A. WORD USAGE - Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined differently within this section. Ordinary context shall be defined by definitions presented in an unabridged dictionary of the English language.
- B. LANGUAGE INTERPRETATION - In this Ordinance, when not inconsistent with the context:
1. Words in the present tense imply also the future tense.
 2. The singular includes the plural.
 3. The male gender included the female gender.
 4. The word "person" includes an individual, incorporator's association, member(s) of a partnership or the officers of a corporation, as well as any similar entity.
 5. The term "shall" or "must" is always mandatory.
- C. SPECIFIC WORDS OR PHRASES - The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this Ordinance.

ACCESS DRIVE - An improved cartway designed and constructed to provide for vehicular movement between a public road and a tract of land containing any use other than one single-family dwelling unit or farm.

ACCESSORY APARTMENT - A separate dwelling unit that is (1) contained upon the same lot as an owner-occupied, single-family detached dwelling and (2) is contained within the principal dwelling building or occupies one of its accessory buildings.

ACCESSORY FARM OCCUPATION - An accessory use to the principal active agricultural use of a property in which residents engage in a secondary occupation conducted on the farm.

ACCESSORY USE - A use customarily incidental and subordinate to the principal use or building and located on the same lot as the principal use or building. On a vacant lot adjacent to a lot with a developed principal use under the same ownership as the vacant lot, a single structure and driveway may be considered an Accessory Structure if erected for use as a residential storage structure or Private Garage as defined herein.

ACREAGE, NET - The total land area contained within a property or proposed site, exclusive of lands within a public or private street right-of-way, private easement, or public utility right-of-way or easement.

ACT - The latest version of the Pennsylvania Municipalities Planning Code, as amended.

ADULT-RELATED USES - A business or club which engages in one or more of the following areas of sale, services or entertainment:

1. Adult Bath House: An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy during which specified anatomical areas are displayed or specified sexual activity occurs. This section shall not apply to hydrotherapy treatment practiced by, or under the supervision of a medical practitioner. A medical practitioner, for the purpose of this Ordinance, shall be a medical doctor, physician, chiropractor or similar professional licensed by the Commonwealth of Pennsylvania.
2. Adult Body Painting Studio: Any establishment or business which provides the service of applying paint or other substance whether transparent or non-transparent to or on the human body when specified anatomical areas are exposed
3. Adult Bookstore: Any establishment which has twenty percent (20%) or more of its stock in trade consisting of:
 - A. Books, films, videotapes, magazines or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas;
 - B. Instruments, devices or paraphernalia (excluding prophylactics) which are designed for use in connection with specified sexual activities.
4. Adult Cabaret: A nightclub, theater, bar or other establishment which features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.
5. Adult Massage Establishment: Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, tanning salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.
6. Adult Mini-Motion Picture Theater - An enclosed or unenclosed building with a capacity of more any five (5), but less than fifty (50), persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
7. Adult Model Studio: Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any

“figure studio” or “school of art” or similar establishment which meets the requirements established in the Education Code of the Commonwealth of Pennsylvania for the issuance or conferring of, and is in fact authorized thereunder, to issue and confer a diploma.

8. Adult Motel: A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
9. Adult Motion Picture Arcade: Any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
10. Adult Motion Picture Theater: An enclosed or unenclosed building with a capacity of fifty (50) or more persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
11. Adult News Rack: Any coin-operated machine or device which dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.
12. Adult Out-Call Service Activity: Any establishment or business which provides an out-call service which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service during which time specified anatomical areas are displayed or specified sexual activity occurs.
13. Adult Sexual Encounter Center: Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two (2) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas, excluding psychosexual workshops, operated by a medical practitioner licensed by the Commonwealth, to engage in sexual therapy.
14. Adult Theater: A theater, concert hall, auditorium or other similar establishment, either indoor or outdoor which regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
15. Adult Video Store: Any establishment which has fifty (50%) percent or more of its stock in trade consisting of video tapes, video discs, or both, which are distinguished or characterized by an emphasis, depiction or description of specified sexual activities or specified anatomical areas.

16. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or related to “specified sexual activities” or “specified anatomical areas”.

AGRICULTURE - The tilling of soil, the raising of crops, forestry, horticulture and gardening, including the keeping or raising of livestock such as cattle, cows, hogs, horses, sheep, goats, poultry, rabbits, birds, fish, bees, and other similar animals. This definition includes greenhouses for stock to be distributed wholesale, but excludes greenhouses with retail sales and mushroom houses as defined herein.

AGRICULTURAL MARKETING ENTERPRISE – An accessory use to an agricultural operation for the purpose of directly marketing agricultural products produced by the agricultural operation in their natural or manufactured state. The term shall include any on-farm processing, packaging or other activity performed in the course of direct marketing of the farmer's agricultural products. Examples include but are not limited to farm stands, creameries, pick-your-own operations, Christmas tree farms, etc.

AGRICULTURAL OPERATION - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AGRITOURISM ENTERPRISE – An accessory use to an agricultural operation at which activities are offered to the public or to invited groups for the purpose of recreation, entertainment, education or active involvement in the agricultural operation. These activities must be related to agriculture or natural resources and incidental to the primary operation on the site. These activities may include a fee for participants. Examples include but are not limited to hay rides, corn mazes, farm tours, rodeo, educational exhibits, agriculturally related events, recreation related tours and activities, etc.

AIRPORT - A principal use where aircraft are stored, maintained, repaired, and refueled, and where aircraft take-off and land. Airports may also include other accessory accommodations for aircraft passengers, cargo, or both.

AIRSTRIP - A principal or accessory use that is privately owned and operated at which the owners' aircraft are stored, take-off, land, or any combination thereof. Additionally, invited guests may use an airstrip so long as no fees or other remuneration are charged for such use, and such use only involves the temporary storage of aircraft.

ALLEY - Right-of-way intended to provide vehicular access to the side, rear or both, of property with frontage on a street.

ALTERATIONS - An action involving any of the following:

1. A change in the size of a building, structure, or both;
2. A change in the use of property; and,
3. A rearrangement or relocation of a building, structure, use, or any combination thereof, upon a property.

ALTERNATIVE SEWER - A public sewer system which principally relies upon natural wastewater treatment systems, rather than a man-made/mechanical treatment plant system. Examples include, but are not limited to, wetlands, community drain fields, aerated ponds, lagoons, and spray irrigation.

AMUSEMENT ARCADE - A commercial establishment which provides as a principal use, amusement devices, games of skill or chance, or both (e.g., pinball machines, video games, squabble, electronic or water firing ranges and other similar devices).

ANIMAL HOSPITAL - Any establishment offering veterinary services that includes outdoor and overnight boarding of animals.

ATTACHED STRUCTURE - That which is physically connected to or part of a structure by materials including breeze-ways, coverings, overhangs or canopies.

ATTIC - That part of a building which is immediately below the wholly or partly within the roof framing. Within a dwelling unit, an attic shall not be counted as floor area unless it is constructed as or modified into a habitable room by an average ceiling height of five feet (5') or more, and a permanent stationary interior access stairway to a lower building story.

AUTOMOBILE FILLING STATION - Any area of land, including structures thereon, that is principally used for the sale of any motor vehicle fuel. Automobile filling stations can also include the accessory sales of motor vehicle lubricants, additive treatments, compressed air, and other accessory items. The minor incidental repair of motor vehicles is also permitted.

BASE FLOOD - See definition of "ONE HUNDRED YEAR FLOOD".

BASE FLOOD ELEVATION - The projected flood height of the base flood.

BED AND BREAKFAST - A single-family detached dwelling, where between one (1) and six (6) rooms are rented to overnight guests on a daily basis for periods not exceeding eight (8) weeks. Meals may be offered only to registered overnight guests.

BEEKEEPING - An agricultural use or an accessory residential use in which bees are raised, kept or both.

BILLBOARD - A sign upon which images, messages, or both, of any kind are printed, posted, or drawn, whether freestanding or attached to a surface of a building or other structure, located on a lot that does not contain the subject of the content. Signs permitted under Section 313 located on the same lot as a principal use or activity shall not be considered billboards. This definition shall exclude the use of a logo or trademark integrated into the primary lettering to identify a name of an individual, business or other activity.

BOARD - The Zoning Hearing Board of Monroe Township.

BOARDING HOUSE - A detached building arranged or used for the temporary sheltering, or sheltering and feeding, for more than five (5) and not more than ten (10) individuals that do not constitute a family, for periods not exceeding 30 days.

BUFFER ZONE - A required area open to the sky in which the construction of any structure or the disturbance of natural land is prohibited. The tilling of soil for agricultural purposes is not to be considered a disturbance of land in this regard.

BUILDING - Any structure having walls and a roof or other covering, designed or used for the shelter or enclosure of any person, animal, property, or any combination thereof.

Detached: A building which has no common wall.

Semi-Detached: A building which has only one common wall.

Attached: A building which has more than one common wall.

BUILDING AREA - The total of areas taken on a horizontal plane at the average grade level of the principal building and all accessory buildings, exclusive of uncovered porches, patios, decks, awnings, terraces, and steps.

BUILDING CODE OFFICIAL - The duly constituted municipal official designated to administer and enforce the Pennsylvania Uniform Construction Code in accordance with its literal terms.

BUILDING SETBACK LINE - An imaginary line established by setback requirements listed in Article 2 for the purpose of determining where structures may be located. No structure shall be permitted within the area between the building setback line and the property or street right-of-way line, except as modified in Section 303.

CAFÉ - An exterior seating area associated with a restaurant or tavern which is under constant supervision by an employee of the business.

CAMPGROUND - A lot, tract, or parcel of land upon which two or more campsites are located or established, intended and maintained for occupation by transients in recreational vehicles or tents.

CAMPSITES - A plot of ground within a campground intended for occupation by a recreational vehicle or tent.

CAR WASH - A principal or accessory use whereby structures equipped with apparatuses for the washing, waxing, vacuuming or any combination thereof, of vehicles are provided.

Automatic Car Wash: A self-serve car wash in which the vehicle enters a washing bay and is cleaned solely by a mechanized process.

Full Service Car Wash: A car wash in which attendants are responsible for some portion of the washing process.

Self-Service Car Wash: A car wash in which the vehicle enters a washing bay and is cleaned by the vehicle's occupants.

CARPORT - An unenclosed structure for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts except that one or more walls are the walls of the main building to which the carport is accessory.

CARTWAY - The surface of a street, access drive, driveway or alley available for vehicular traffic, including travel lanes and parking lanes, but not including curbs, sidewalks, or swales.

CELLAR - Space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and one-half feet (6 ½’).

CEMETERY - Land used or intended to be used for the burial of the deceased, including columbariums, crematoria, mausoleums, and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof.

CENTER FOR LOCAL GOVERNMENT SERVICES - The Governor’s Center for Local Government Services located within the Department of Community and Economic Development.

CERTIFICATE OF OCCUPANCY - A statement signed by the Zoning Officer, setting forth that a building, structure or use legally complies with the Zoning Ordinance, other applicable codes and regulations, and the zoning permit. Where a Building Permit is required under the Uniform Construction Code, the Building Code Official shall execute the certificate of occupancy.

CHANNEL - A natural or artificial watercourse with a definite bed and banks which confine and conduct continuously or periodically flowing water.

CHURCH AND RELATED USES - A building, structure, or group of buildings or structures, including accessory uses, designed or intended for public worship. This definition shall include rectories, convents, church-related schools, church-related day care facilities, recreational facilities, church-related accessory structures, or any combination thereof.

CLEAN WOOD - Natural wood that has no paint, stains, or other types of coatings, and natural wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol.

COMMERCIAL ACTIVITY - An activity characterized by the sales of goods and services for monetary gain and/or the visitation of patrons to obtain said goods and services. Activities meeting the definition of “Home Occupation” shall not be considered a commercial activity under this definition.

COMMERCIAL LIVESTOCK OPERATION - An agricultural use requiring a nutrient management plan.

COMMERCIAL RECREATION FACILITY - An activity operated as a business, open to the public, for the purpose of public recreation or entertainment, including but not limited to, bowling alleys, drive-in motion picture facilities, swimming pools, health clubs, miniature golf courses, museums, etc.

COMMERCIAL STOCKYARD OR FEEDLOT - Agricultural business that collects and temporarily stores livestock.

COMMERCIAL TRAILER - A non-motorized vehicle intended to be pulled by another vehicle for the purpose of hauling cargo whose length is in excess of 25', not including recreational vehicle as defined herein.

COMMERCIAL TRUCK - A powered vehicle that exceeds a gross vehicle weight (truck plus rated on-board payload) of twelve thousand (12,000) pounds, not including towing capacity, or is greater than 20' in length or 10' in height, not including recreational vehicles.

COMMON OPEN SPACE - Open space within a development site designed and arranged for use by all residents of the development or the general public. The following items shall not be classified as common open space and shall not be included in the calculation of common open space area:

1. Area within street right-of-way lines or private access easements.
2. Area within storm water management basins with impervious surfaces.
3. Area located within 15' of any structure not designated for community use.
4. Area between the required building setback line and the property of street right-of-way line.
5. Area between the required building setback line and a private access easement, interior access drive or parking area.
6. Area located on lots held in single and separate ownership not intended for community use.
7. Area within the footprint of any enclosed structure.

Recreation areas located within common open space areas defined above which contain impervious surfaces such as athletic courts or walking paths can be considered part of the common open space. Common open space shall be principal use of the lot.

COMPREHENSIVE PLAN - The most recently adopted version of the Official Comprehensive Plan, Monroe Township, Cumberland County, PA, including any amendments.

CONDITIONAL USE - A use which may be appropriate to a particular zoning district, only when specific conditions and criteria prescribed for such uses have been complied with.

CONDOMINIUM - A form of property ownership providing for individual ownership of a specific dwelling unit, or other space, together with an undivided interest in the land or other parts of the structure in common with other owners.

CONSISTENCY - An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

CONVENIENCE STORE - A retail sales business which specializes in providing household products and foods. Convenience stores may also provide for any or all of the following as an accessory use:

1. The rental of video tapes provided that an adult bookstore is specifically prohibited;
2. The preparation and sales of delicatessen sandwiches and foods provided that no patron seating is provided; and,
3. The use of no more than two amusement devices (e.g., pinball machines, video games, and other similar devices).

Convenience stores shall not include the dispensing of gasoline or other vehicle fuels, unless the appropriate approvals for an automobile filling station (as defined herein) have been obtained.

CONVERSION APARTMENTS - The adaptive reuse of any existing single family dwelling for two (2) or more dwelling units subject to the requirements of this Ordinance.

COUNTY COMPREHENSIVE PLAN - A land use and growth management plan prepared by the county planning commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulations.

CUL-DE-SAC - A dead-end street equipped with a circular vehicle turnaround at its terminus.

DAY-CARE - The offering of care or supervision over minors or special needs adults in lieu of care or supervision by family members. The definition does not include the offering of overnight accommodations.

Day-Care, Family: A day-care facility that is operated as an accessory use to a dwelling unit, whereby care and supervision is offered to no more than three (3) nonresidents of the site during any calendar day.

Day-Care, Group: A day-care facility that is operated as an accessory use to a dwelling unit, in which the care and supervision is offered to between four (4) and six (6) nonresidents of the site during any calendar day. Overnight accommodations of clients or patients shall be prohibited. Group day-care facilities must be registered by the Department of Public Welfare of the Commonwealth of Pennsylvania.

Day-Care, Commercial: A day-care facility that offers care and supervision to more than six (6) nonresidents of the site during any calendar day. Commercial day-care facilities can be operated as principal uses or as accessory uses associated with other uses (e.g., schools, churches, industries, residential complex, etc.): however, in no case shall a commercial day-care be considered an accessory use to one dwelling unit. Commercial day-care facilities shall include “group child day-care homes” and “child day-care centers”, as defined and regulated by the Department of Public Works of the Commonwealth of Pennsylvania. All commercial day-care centers must obtain a valid certificate of compliance from the Department of Public Welfare of the Commonwealth of Pennsylvania, prior to operation.

DENSITY, NET - The number of dwelling units permitted in relation to the land area actually in use or proposed to be used for residential purposes, exclusive of any public, private streets, private access agreements, and public utility rights-of-way or easements.

DEP - Pennsylvania Department of Environmental Protection

DEVELOPMENT - Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations.

DEVELOPMENTAL DISABILITY - A disability of a person which has continued or can be expected to continue indefinitely; a disability which is:

1. Attributable to mental retardation, cerebral palsy, epilepsy, autism, injury, trauma, or any combination thereof.
2. Found to be attributable to any other conditions which result in similar impairment of general intellectual functioning or adaptive behavior or requires treatment and services similar to those required for such persons.

DEVELOPMENTALLY DISABLED PERSON - A person with a developmental disability.

DISTRIBUTION - A process whereby materials, goods, or products are imported or stored by one person, and then delivered to another.

DOMESTIC PETS - The noncommercial keeping of non-farm animals that are locally available for purchase as pets, as an accessory use to a dwelling unit.

DRIVEWAY - An improved cartway designed and constructed to provide vehicular movement between public or private road and a tract of land serving one single-family dwelling unit or farm, shared between two single-family dwellings, or a public utility structure or communications tower.

DWELLING - Any building or portion thereof designed and used exclusively for residential occupancy, including those listed below, but not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourists courts, and the like, offering overnight accommodations for guests or patients.

1. **Single-Family Detached (SFD)**: A freestanding building containing one dwelling unit for one family, and having two (2) side yards, one (1) front yard, and one (1) rear yard; in the case of a corner lot, the building will have two (2) front and (1) side and rear yards. Manufactured houses can be considered single-family detached dwellings, if, in addition to the requirements listed for all dwellings, they are permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the frost line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting, or settling unevenly, due to frost action. Travel trailers, as defined herein, shall not be construed as dwellings. Modular homes can be considered single-family detached dwellings so long as they comply with the general requirements of a dwelling. (Figure 1)

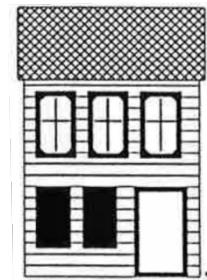


Figure 1

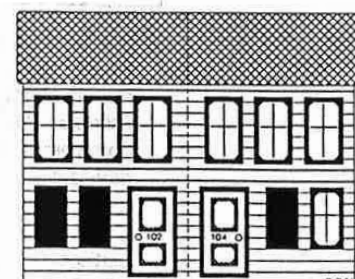


Figure 2

2. Duplex (Two-family; single-family semi-detached): A freestanding building containing two dwelling units for two families, arranged in a side-by-side (Figure 2) or over-and-under (Figure 3) configuration.
3. Multiple Family: A building containing three or more dwelling units, at least one of which must be located above or below the remaining units. (Figure 4)
4. Townhouses: A building containing between three and eight dwelling units arranged in a side-by-side configuration with two or more common walls. (Figure 5)
5. Manufactured Houses: For the purposes of this Ordinance, all manufactured houses, except those contained within manufactured housing parks, shall be governed by all regulations applicable to single-family detached dwellings of this Ordinance. Manufactured houses located within manufactured housing parks shall be governed by Article 7 of the SLDO.
6. Quadraplex: One detached building that contains four separate dwelling units, all of which share one or two points of exterior access.



Figure 3

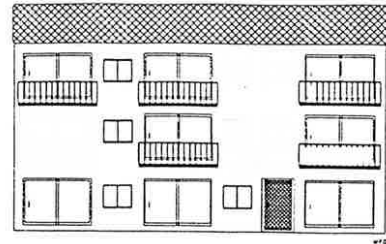


Figure 4



Figure 5

DWELLING UNIT - A building or portion thereof arranged or designed for occupancy by a single family and having both cooking and sanitary facilities. A physical separation between units is not required to constitute a dwelling unit.

EARTHMOVING ACTIVITY - Any construction or other activity which disturbs the surface of the land including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth, excluding the tilling of the soil.

ECHO HOUSING - An additional temporary dwelling unit, detached or integral to the principal dwelling unit, placed on a property for occupancy by either an elderly, handicapped, or disabled person related by blood, marriage, or adoption, to the occupants of the principal dwelling.

ELECTION SIGNS - A sign designed, used or intended to induce voters to vote for either the passage or defeat of a measure appearing on the ballot of any election, or for the election or defeat of a candidate for nomination or election to any public office in any election; and constructed of unreinforced cardboard, paper or similar product; and includes without limitation banners, campaign signs, posted handbills and notices of any kind.

EPA - United States Environmental Protection Agency

EROSION AND SEDIMENT CONTROL PLAN - A plan including a map(s) and narrative that outlines an erosion sediment control plan for an identified parcel of land,

prepared in accordance with the Cumberland County Conservation District and Chapter 102 of the Pennsylvania Code.

FAMILY - An individual or individuals related by blood, marriage, or adoption (including persons receiving foster care) that maintain one common household and live within one dwelling unit. Additionally, up to six (6) individuals who maintain a common household and live within one dwelling unit may be considered a family. Finally, a family shall also expressly include up to six (6) unrelated persons who reside within a licensed group home, as defined herein.

FARM - Any parcel of land with ten (10) or more acres which is used for a principal agricultural use, which may include one dwelling and other necessary farm structures, and the storage of equipment customarily incidental to the primary use.

FARMERS/FLEA MARKET - A retail sales use where more than one vendor displays and sells general merchandise that is new or used.

FARM OCCUPATION - An accessory use to an agricultural operation at which goods and services are rendered in support of local agricultural operations or to supplement on-farm income. Examples include but are not limited to tractor repair services, custom cabinetry, welding shop, internet based business, auctions, repair services, catering, home occupations, traditional trade businesses, etc.

FENCE - A structure designed as a barrier to restrict the movement of persons, animals, vehicles or any combination thereof or to provide privacy.

FILL - Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

FINANCIAL INSTITUTION - A bank, savings and loan association, credit union, finance or loan company, etc.

FIRE, RECREATIONAL - An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

FIREPLACE, OUTDOOR - An outdoor, solid-fuel or LP gas burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. An outdoor fireplace may be portable or stationary, open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas from the overland flow of watercourses, or from the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODPLAIN - An area of land adjacent to the channel of a watercourse which has been or is likely to be flooded, or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOR AREA, GROSS - The sum of the floor areas of a building as measured to the outside surfaces of exterior walls and including all areas intended and designed for the

conduct of a business or use.

FLOOR AREA, GROSS LEASABLE - The total floor area designed for occupancy by an owner or tenant, as measured to the center of interior joint walls and the exterior of outside walls.

FLOOR AREA, HABITABLE - The sum of the floor areas of a dwelling unit as measured to the outside surfaces of exterior walls and including all rooms used for habitation, such as living room, dining room, kitchen, bedroom, bathroom, closets, hallways, cellars, stairways, but not including attics, service rooms or areas such as utility rooms, unheated areas such as enclosed porches or attached garages.

FOOT CANDLE - A measure of illumination produced by 1 candle, at a distance of 1 foot on a 1 square foot area.

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

FRONTAGE - The linear measurement taken along a property's common boundary with an adjoining street right-of-way, other than that of a limited access highway.

FUNERAL HOME - A principal use for the preparation and viewing of the dead prior to burial or cremation. Funeral homes include mortuaries and crematoriums.

GARAGE, PRIVATE - An accessory building for the storage of one or more automobiles, other vehicles accessory and incidental to the primary use of the premises, or both; provided however, that one (1) vehicle used for commercial purposes that has a gross vehicle and payload rating not greater than six (6) tons and that is not incidental to the primary use of the premises may be stored therein.

GENERAL CONSISTENCY, GENERALLY CONSISTENT - That which exhibits consistency.

GEOLOGICAL HERITAGE SITE - Unique, exemplary, or illustrative geological feature of Pennsylvania as defined and inventoried by the Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Geological Survey.

GOLF COURSE - An outdoor area sufficient in size to accommodate at least nine (9) holes of golf with a minimum total course length of 2,800 yards.

GROUP CARE FACILITY - A dwelling operated with a program to provide a supportive living arrangement for individuals where special care is needed by the individual served due to age, emotional, mental or physical handicap. This definition shall expressly include facilities for the supervised care of developmentally disabled persons and those under treatment for alcohol, drug abuse, or both. Group homes be licensed where required by any appropriate government agencies, and a copy of any such licenses must be delivered to the Township prior to beginning the use. Group homes shall be subject to the same limitations and regulation by the Township as single-family dwellings.

HAZARDOUS MATERIAL - Substances or materials which, because of their chemical, physical, or biological nature, pose a potential risk to life, health, or property if they are

released. A “release” may occur by use, spilling, leaking, emitting toxic vapors, or any other process that enables the material to escape its container, enter the environment, and create a potential hazard. The separate and authoritative definitions are in the U.S. OSHA, U.S. EPA, U.S. NRC, and U.S. DOT regulations. These agencies and their state counterparts provide the authoritative definitions of hazardous wastes, radioactive materials, and related definitions.

HAZARDOUS WASTE FACILITY - Any structure, group of structures, aboveground or underground storage tanks, or any other area or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through the Township.

HEALTH AND FITNESS CLUB - A commercial business that offers active recreational activities, fitness activities, or both. Such activities are provided only to club members and their guests. Such facilities do not include golf courses.

HEAVY EQUIPMENT - Machinery, vehicles and other devices that are not normally used for domestic purposes upon a residential dwelling lot. Examples include, but are not limited to, farm machinery, excavation equipment, commercial trucks and trailers, yachts, industrial machinery, etc.

HEIGHT, BUILDING - A building’s vertical measurement taken from average grade level along the face of the building which is nearest the property line adjacent to a public or private street right-of-way to the highest point of the roof.

HEIGHT, STRUCTURE - A structure’s vertical measurement taken from average grade along the face of the structure which is nearest the property line adjacent to a public or private street right-of-way to the highest point of the structure.

HELIPORT - A use where one or more helicopters may land/take-off and be stored. Such use may also include support services such as fueling and maintenance equipment, passenger terminals and storage hangars.

HELISTOP - A use on a roof or on the ground to accommodate helicopters for the purpose of picking up and discharging passengers or cargo with no service facilities.

HOSPITAL - An institution, licensed in the Commonwealth of Pennsylvania as a hospital, which renders inpatient and outpatient medical care on a twenty-four (24) hours per day basis; and provides primary health services and medical/surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. A hospital use can also include attached and detached accessory uses provided that all accessory uses are contained upon the hospital property.

HOTEL - A facility which provides lodging to boarders for compensation, which contains more than eight (8) rooms with less than twenty-five percent (25%) of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building, and which may provide meals and other services as a part of the compensation.

IMPERVIOUS SURFACE - Any material that covers the natural land’s surface which differs from the surface’s natural material, including but not limited to buildings, stone, and semi-impervious surfaces, pavement, and porous pavements.

IMPORTANT NATURAL HABITAT - Any land area characterized by any or all of the following:

1. Wetlands as defined by criteria of the U.S. Natural Resources Conservation Service;
2. Pennsylvania Natural Diversity Inventory (PNDI) confirmed extant plant and animal species and communities that are listed as Pennsylvania Threatened or Pennsylvania Endangered; and,
3. PNDI confirmed extant plant and animal species and communities that have a State Rank of S1 or S2.

JUNK - Used materials, discarded materials, or both, including, but not limited to, waste paper, rags, metal, building materials, house furnishings, machinery, vehicles, or parts thereof, which are being stored awaiting potential reuse or ultimate disposal.

JUNKYARD - An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials, including but not limited to, waste paper, rags, metal, building materials, house furnishings, machinery, vehicles, or parts thereof, with or without the dismantling, processing, salvage, sale, or other use or disposition of the same. The deposit or storage on a lot of two (2) or more motor vehicles (or major parts thereof) which are unlicensed and inoperable, and do not have a current and valid inspection sticker as required by the motor vehicle laws of the Commonwealth of Pennsylvania, shall be deemed to constitute a "junkyard". (A disabled vehicle is a vehicle intended to be self-propelled that shall not be operable under its own power for any reason, or a vehicle that does not have a valid current registration plate or that has a certificate of inspection which is more than sixty (60) days beyond the expiration date.)

KENNEL - Any lot on which two or more animals that are older than six months (except relating to a farm) that are kept, boarded, raised, bred, treated, or trained for a fee, including but not limited to dog or cat kennels.

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, shall be deemed to be a landowner for the purposes of this Ordinance.

LIVESTOCK - Those class of animals that are customarily kept and housed outside the home or in enclosures such as pens, barns, corrals or paddock areas. Livestock includes, but is not limited to, horses, cattle (beef and dairy), llamas, mules, swine, sheep, goats, chickens, and fowl. Animals customarily considered to be domesticated such as dogs, cats and other small pets are not considered Livestock under this ordinance.

LOADING SPACE - An off-street paved space suitable for the loading or unloading of goods and having direct usable access to a street or alley.

LOT - Any parcel, plot or tract of land intended as a single unit for purposes of ownership, transfer of ownership, use, rent, improvement or development. Contiguous nonconforming lots of record under single and separate ownership shall be considered one lot for the purposes of this Ordinance. A lot as herein defined may or may not coincide with a lot of record.

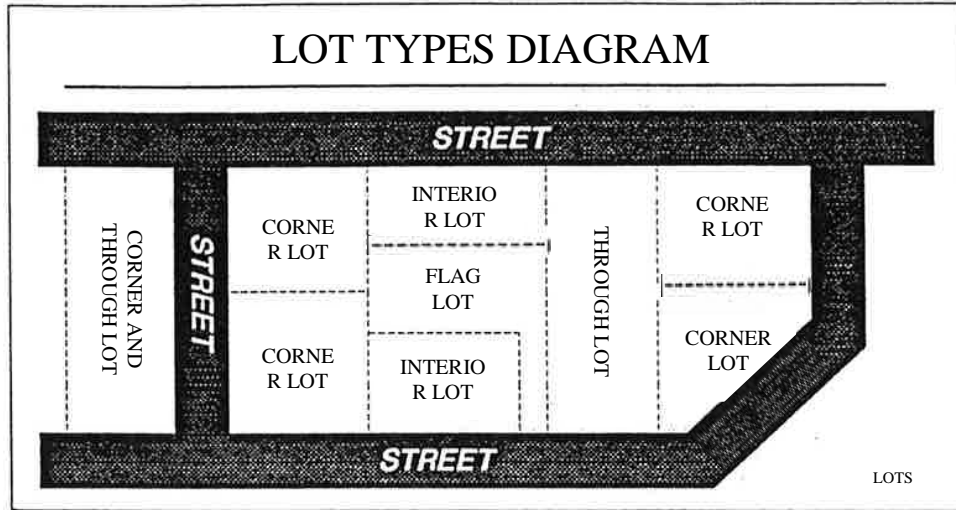
Lot, Corner: A lot which has an interior angle of less than one hundred thirty-five degrees (135E) at the intersection of two (2) street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior

angle of less than one hundred thirty-five degrees (135E).

Lot, Flag: A lot whose frontage does not satisfy the minimum width requirements for the respective zone but that does have sufficient lot width away from the lot's frontage.

Lot, Interior: A lot other than a corner lot, the sides of which do not abut a street.

Lot, Double Frontage, Through or Reverse Frontage: An interior lot having frontage on two parallel or approximately parallel streets.



LOT AREA - The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way, but including the area of any easement.

LOT COVERAGE - Expressed as a percentage of the lot which is covered with impervious surfaces, including buildings, driveways, parking area, sidewalks or any other “non-green” cover, including semi-impervious or porous pavement materials.

LOT DEPTH - The horizontal distance measured between the street right-of-way line and the rear property line. On corner lots, reverse frontage lots, and triangular or other irregularly shaped lots, the depth shall be measured along the property line adjacent to the side yard which extends from the street of address to the opposite property line. Where a rear yard is formed by angled or offset property lines, the lot depth shall be measured as the weighted average distance from the street right-of-way line to the farthest rear property line.

LOT LINE - A line of record which divides one (1) lot from another lot, or from a public or private road or any other public space. Where a lot abuts a public right-of-way, the lot line for regulatory purposes shall be the right-of-way line. Also known as road or street line.

LOT OF RECORD - A lot identified on a subdivision plan or on a deed or other instrument of conveyance recorded in the Office of the Recorder of Deeds in and for Cumberland County, Pennsylvania.

LOT WIDTH - The horizontal distance measured between side property lines. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite property line. Unless otherwise noted, lot width shall be measured at the building setback line and the street frontage.

MANUFACTURE - A function involving either the processing or production of materials, goods, or products.

MANUFACTURED HOUSE - Any structure intended for or capable of permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially known, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and travel trailers. Manufactured houses placed in parks shall meet the requirements for Manufactured Housing Parks listed in Article 7 of the SLDO, as may be amended. Manufactured houses placed on individual lots shall be considered “dwellings”, and be bound by the requirements there-imposed.

MANUFACTURED HOUSING LOT - A parcel of land in a manufactured housing park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single manufactured house.

MANUFACTURED HOUSING PARK - A parcel or contiguous parcels of land which have been so designated and improved to contain two or more manufactured housing lots for the placement thereon of manufactured houses.

MANURE - The fecal and urinary excrement of livestock and poultry, often containing some spilled feed, bedding or litter.

MANURE STORAGE FACILITY - A structure or other improvement built to store manure for future use, or disposal. Types of storage facilities are as follows: underground storage, in ground storage, earthen bank, stacking area, and above-ground storage.

MEDICAL OR DENTAL CLINIC - Any building or group of buildings occupied by licensed medical practitioners and related services for the purpose of providing health services to people on an outpatient basis.

MESSAGE SEQUENCING - A series of related text and/or images that involve two or more message displays. Message Sequencing does not include scrolling.

MINERALS - Any aggregate or mass of mineral matter, whether or not coherent. The terms includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MINIMAL IMPACT HOME-BASED BUSINESS – A limited 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 limited customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, as defined below. The limited business or commercial activity must satisfy the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

2. The business activity may not exceed 25% of the habitable floor area of the dwelling unit.
3. The business activity may be conducted in a single detached accessory structure, not to exceed the total habitable floor area of the principal use dwelling.
4. The business shall employ no more than one (1) employee other than family members residing in the dwelling.
5. Customer, client or patient traffic shall be limited to no more than two individuals per resident family member not to exceed five (5 total at any given time), and shall be on an appointment only basis.
6. Limited display and retail sales of products incidental to the business which are not produced on-site shall be permitted, limited to a display area no more than 10% of the floor area of the business operation. There shall be no stockpiling of inventory of a substantial nature.
7. Any outside appearance of a business use, including, but not limited to, parking or lighting, shall be consistent with a residential setting and screened from all adjacent properties in accordance with Section 312.3.
8. One identification sign not to exceed six (6) square feet shall be permitted, subject to the requirements of Section 313.
9. The property on which the business use is conducted shall be located within 1,500 feet of an arterial or collector road as measured along the public right-of-way
10. 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.
11. Hours of operation shall be limited to 7:00 am to 7:00 pm
12. The business activity may not generate any solid waste, in volume or type, which is not normally associated with residential use in the neighborhood.
13. The assignment of additional sewage related fees (EDU and tapping fees) pursuant to the current Resolution of the Board of Supervisors related to this matter and/or the Rules; Regulations; Specifications; and Details Governing the Construction of Sanitary Sewers as amended from time to time.
14. Outdoor stockpiling of any material shall be strictly prohibited.
15. The business may not involve any illegal activity.

MOTEL - A facility which provides lodging to boarders for compensation, which contains more than eight (8) rooms with at least twenty-five percent (25%) of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building, and which may provide meals and other services as a part of the compensation.

MOTOR FREIGHT TERMINAL OR DISTRIBUTION CENTER - A principal use at which trucks are stored, maintained, serviced, and dispatched to pick up and deliver materials and goods to other locations.

MOTOR VEHICLE SALES - Any building or land utilized for the retail sales of passenger vehicles, including accessory service and repair facilities if conducted within a wholly-enclosed building.

MOTOR VEHICLE SERVICE - The retail repair, servicing, maintenance and reconstruction of passenger vehicles but not including car washes as defined herein.

MUSHROOM HOUSE - A use in which mushrooms are cultivated for retail sales, wholesale distribution, or both.

NEW CONSTRUCTION - Structures for which the start of construction commenced on or after the effective date of this section.

NIGHTCLUB - Any building used for on-site consumption of alcoholic or nonalcoholic beverages where live entertainment is offered. For the purposes of this definition, “live entertainment” is meant to include the use of disk-jockeys for the purposes of supplying musical entertainment. Nightclubs may also provide for on-site consumption of food. Additionally, nightclubs may offer the retail sale of carry out beer and wine as an accessory use. This is also meant to include an “under 21” club which features entertainment.

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. The business or commercial activity must satisfy the following requirements:

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 may 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 may not involve any illegal activity”.

NON-COMMERCIAL KEEPING OF LIVESTOCK - An accessory use to a residential dwelling unit involving the breeding, raising, caring for, housing, and principally the hobby / personal use of livestock and products derived from livestock by the occupant, owner or leaser of the lot on which such use is located.

NONCONFORMING LOT - A lot, the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the Zone in which it is located by reason of such adoption or amendment. Lots created through the Conditional Use approval process shall not be considered nonconforming lots.

NONCONFORMING STRUCTURE - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in the Zoning Ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE - A use, whether of land or of structure, which does not comply with the applicable use provisions in the Zoning Ordinance or amendment heretofore or hereafter enacted where such use was lawfully in existence prior to the enactment of such ordinance, or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

NONCONFORMITY, DIMENSIONAL - Any aspect of a land use that does not comply with any size, height, bulk, setback, distance, landscaping, coverage, screening, or any other design or performance standard specified by this Ordinance, where such dimensional nonconformity lawfully existed prior to the adoption of this Ordinance or amendment thereto.

NON-PHASE 2 OUTDOOR WOOD-FIRED BOILERS - An OWB that has not been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units (BTU) output or lower and is labeled accordingly.

NONPROFIT USE - A use whose purpose or purposes do not involve pecuniary profit, incidental or otherwise.

NURSING, REST OR RETIREMENT HOMES - Facilities designed for the housing, boarding, and dining associated with some level of nursing care.

OFFICE - A place where the primary use is conducting the affairs of a business, profession, service, or government, including administration, record keeping, clerical work, and similar business functions.

OFFICE CONVERSIONS - The adaptive reuse of existing dwellings for an office subject to the specific requirements set forth in this Ordinance.

OFF-TRACK BETTING PARLOR - A commercial use at which persons can visit to wager upon, and observe by remote television, the outcomes of events that are taking place elsewhere.

ON-LOT SEWER SERVICE - The disposal of sewage generated a user on land by safe and healthful means, as approved by the Township On-Lot Management Ordinance.

ON-LOT WATER SERVICE - The provision of a safe, adequate and healthful supply of water to a user from a private well.

ONE HUNDRED (100) YEAR FLOOD - A flood which is likely to be equaled or exceeded once every one hundred (100) years (i.e. that has a one percent (1%) chance of being equaled or exceeded in any given year.)

ONE HUNDRED (100) YEAR BOUNDARY - The outer boundary of the one hundred year flood.

ONE HUNDRED (100) YEAR FLOOD ELEVATION - The water surface elevations of the one hundred (100) year flood.

OPEN SPACE - A space unoccupied by buildings or paved surface open to the sky on the same lot with a principal use.

OUTDOOR WOOD-FIRED BOILER (OWB) - Also known as outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters, water stoves, etc. A fuel-burning device:

1. Designed to burn clean wood or other approved solid fuels;
2. That the manufacturer specifies for outdoor installation or for installation in structures not normally intended for habitation by humans or domestic animals, including structures such as garages and sheds; and
3. Which heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

OUTPARCEL SIGN - A sign affixed to a freestanding unit of occupancy contained within a planned center.

PA DEP - Pennsylvania Department of Environmental Protection

PARKING LOT - An accessory use in which required, and possibly, additional parking spaces are provided.

PARKING SPACE - An off-street space available for the parking of one (1) motor vehicle and having usable access to a street or alley.

PARKS, PUBLIC/NONPROFIT - Those facilities designed and used for recreation purposes by the general public that are (1) owned and operated by a government or governmental agency/authority, or (2) are operated on a nonprofit basis. This definition is meant to include the widest range of recreational activities, excluding adult entertainment uses, amusement arcades, off-track betting parlors and shooting ranges.

PennDOT - Pennsylvania Department of Transportation.

PESTICIDE - Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.

PETROLEUM PRODUCT - Oil petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.

PHASE 2 OUTDOOR WOOD-FIRED BOILER - An outdoor wood-fired boiler that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million Btu output and is labeled accordingly. Phase 2 outdoor wood-fired boiler models will be identified with a white hang tag.

PLANNING COMMISSION - The Planning Commission of Monroe Township.

PLANNED CENTER - A group of uses planned and designed as an integrated unit with controlled ingress and egress and shared off-street parking provided on the property as an integral part of the unit. Such centers also may include “planned center signs” as regulated herein.

PRE-COMMERCIAL TIMBER STAND IMPROVEMENT – A forest practice, such as thinning or pruning, which results in better growth, structure, specific composition, or

health for the residual stand but does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.

PREMISES - The property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incident to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses.

PRESERVATION OR PROTECTION - When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

PRINCIPAL WASTE HANDLING FACILITY - A principal use whereby waste is brought to the site for storage, processing, treatment, transfer, or disposal.

PRIME AGRICULTURAL LAND - Land used for agricultural purposes that contains soils of the first, second or third class, or is considered to be unique agricultural land, all as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.

PRIVATE CLUB - An organization catering exclusively to members and their guests, or premises or buildings for social, recreational and administrative purposes which are not conducted for profit, provided there are not conducted any vending stands, merchandising or commercial activities except as required for the membership of such club. Clubs shall include but not be limited to, service and political organizations, labor unions, as well as social and athletic clubs. Private clubs shall not include adult-related facilities, off-track betting parlors, golf courses, shooting ranges, nightclubs, campgrounds, airports, unless the respective requirements of this Ordinance are satisfied.

PROCESSING - A function which involves only the cleaning, sorting, sizing, packaging, or any combination thereof, of products and materials.

PROFESSIONAL BIOLOGIST - An individual with at least a graduate degree in aquatic biology, terrestrial biology, ecology, or any combination thereof, and with a depth of knowledge in organisms and the processes of ecological systems.

PUBLIC - Owned, operated, or both, by the township, its authority, a Township-supported fire company, or a Township-supported ambulance association.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action on zoning-related matters.

PUBLIC MEETING - A forum held pursuant to notice under 65 Pa.C.S. Ch. 7 (relating to open meetings.)

PUBLIC NOTICE - Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days, and the second publication shall not be less than seven days from the date of the hearing. Public notice for rezoning, special exception, variance, or any combination thereof, requests shall also include the posting of a sign(s) at a conspicuous location(s) upon the site to notify potentially interested citizens;

this sign(s) shall be posted at least one week prior to the hearing and will exhibit the nature, date, time and location of the hearing.

PUBLIC SEWER - A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection.

PROTECTION UTILITIES - Use or extension thereof which is operated, owned or maintained by a municipality or municipal authority or which is privately owned and approved by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal, treatment, or both; public water supply, storage, treatment, or any combination thereof; or for the purpose of providing the transmission of energy or telephone service.

PUBLIC WATER - A municipal water supply system, or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection.

RADIOACTIVE MATERIAL - Any natural or artificially produced substance which emits radiation spontaneously.

RECREATION VEHICLE - A portable structure, primarily designed to provide temporary living quarters for recreation, camping or travel purposes.

RECYCLING COLLECTION FACILITY - A principal use at which recyclable material is collected, sorted and stored within a wholly enclosed structure for shipment to an off-site processing facility.

RENTALS - A procedure by which services or personal property are temporarily transferred to another person for a specific time period for compensation.

REPAIR - A function involved in correcting deficiencies of products that affect its performance, appearance, or both.

RESTAURANT - An establishment that serves prepared food primarily for table service by staff or self-service with an on-site dining facility, but can provide for incidental carry-out service so long as the area used for carry-out service does not exceed five percent (5%) of the total patron seating area nor eighty (80) square feet (whichever is less). Caterers shall be included in this definition.

RESTAURANT - DRIVE-THRU OR FAST-FOOD - An establishment in excess of 2,000 net square feet of dining and service floor area counter or any facility with a drive-thru window that serves prepared food generally packaged in paper wrappers, disposable plates and containers, or both. Such food can be consumed either on or off the site.

RETAIL - Those businesses whose primary activities involve the display and sales of goods and products to the general public. This term shall not include adult-related uses as defined herein.

RIDING STABLE - A principal use whereby equestrian instruction is offered and/or horses are kept, bred, trained, exercised, or any combination thereof.

RIGHT-OF-WAY - A corridor of publicly owned or leased land for purposes of maintaining primary vehicular and pedestrian access to abutting properties, including but not limited to, roads, streets, highways and sidewalks.

SATELLITE DISH ANTENNA - A device incorporating a reflective surface which is solid, open mesh or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit, receive, or both, radio or electromagnetic waves between terrestrially-based uses, orbitally-based uses, or both. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.

SCHOOL - A principal use in which supervised education or instruction is offered according to the following categories:

1. **Commercial School**: A school that may offer a wide range of educational or instructional activities (excluding vocational-mechanical trade schools as defined below) that may, or may not be operated as a gainful business by some person or organization other than the public school district.
2. **Private School**: A school that offers Pre-school, elementary, secondary, post-secondary, post graduate, or any combination thereof, education that may, or may not, be operated as a gainful business.
3. **Public School**: A school licensed by the Department of Education for the purpose of Providing Pre-school, elementary, secondary, and adult education, and operated by the School District.
4. **Vocational Trade School**: A school that may, or may not, be operated as a gainful business that principally offers training in an occupation.

SCREENING - An assemblage of materials that are arranged so as to block the ground level views between grade and a height of six feet (6').

SCROLL - A mode of message transition where the message is changed by the apparent vertical or horizontal movement of the letters or graphic elements of the message.

SEASONAL RESIDENCE - A dwelling, cabin, lodge or summer house which is intended for occupancy less than one hundred eighty-two (182) days of the year.

SETBACK - The minimum required horizontal distance between a setback line and a property or street right-of-way line.

Setback, Front: The minimum distance between the street line and the building setback line projected the full width of the lot. Commonly, called "required front yard".

Setback, Rear: The minimum distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "required rear yard".

Setback, Side: The minimum distance between the side lot line and the side setback line projected from the front yard to the rear yard. Commonly called "required side yard".

SETBACK LINE - A line within a property and parallel to a property or street line which delineates the required minimum distance between some particular use of property and that property or street line.

SFD - Single-family detached dwelling.

SHADE TREE - A deciduous tree that shall have a clear trunk at least five feet (5') above the finished grade.

SHOOTING RANGE - A place where firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery cross-bows, etc.) can be shot for recreation, competition, skill development, training, or any combination thereof.

SHOPPING CENTER - A single store with more than 40,000 square feet of gross leaseable area, or planned center of stores designed for the site on which it is built, functioning as a unit, with shared off-street parking provided on the property as an integral part of the unit.

SIGN - A device for visual communications that is used to bring the subject to the attention of the public. A sign shall not include flags or other insignia of any government or fraternal organization.

Directional Sign: A sign which displays an arrow or other directional cues such as Left Turn, Right Ahead, etc. which is not located on the property to which the directional information refers.

Flat Wall Sign: A sign that is displayed, mounted, or both, upon or generally parallel to the same plane as the face of a wall, such that no portion of the sign extends more than twelve inches (12") from said wall.

Freestanding Sign: A sign erected upon a permanently-affixed, independent structure (legs or base).

Outparcel Sign: A sign affixed to a unit of occupancy contained within a planned center.

Permanent Sign: A sign that is expected to be continuously displayed during the presence of a principal land use.

Temporary Sign: A sign that is only permitted for specified periods of time, associated with some temporary event or work, conducted on the site.

Under Canopy Sign: A sign that identifies one (1) leasable unit within a shopping center and is hung from an overhead canopy of the shopping center, or is provided as a wall projecting sign attached to the front wall of the unit where no canopy is provided.

Wall Projecting Sign: A sign that is mounted to a building wall such that its principal display area is not parallel to the building wall. A wall projecting sign can also be attached to a marquee.

SIGN, VARIABLE MESSAGE - A sign or portion thereof that displays electronic images, graphics and/or text information, defined by a small number of matrix elements using

different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade or repixelization. Electronic Variable message signs include, but are not limited to, computer programmable, microprocessor controlled electronic or digital displays.

SINGLE AND SEPARATE OWNERSHIP - The ownership of a lot by one or more persons, which ownership is separate and distinct from that of any abutting or adjoining lot. Ownership shall be considered separate and distinct where lots have been separately described as such, by metes and bounds, in a recorded deed or conveyance prior to the enactment of this Ordinance, or an amendment thereto, and have continued since that date to be so separately described in all subsequent recorded deeds of conveyance.

SLDO - The latest version of the Township's Subdivision and Land Development Ordinance, as may be amended.

SOIL SURVEY - The latest published version of the United State Department of Agriculture's *Soil Survey for Cumberland County, Pennsylvania*.

SPARK ARRESTER - A device (located at the top of a chimney) to prevent sparks, embers or other ignited material above a given size from begin expelled to the atmosphere.

SPECIAL EXCEPTION - A use that is generally compatible with a particular zone once specified criteria have been met. Special exception uses are listed by zone and approved by the Zoning Hearing Board in accordance with Section 604.3 of this Ordinance.

SPECIFIED ANATOMICAL AREAS - Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, female breasts below a point immediately above the top of areolae, human male genitals in a discernible turgid state, or any combination thereof, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES - For the purposes of this Ordinance, this term shall include any of the following:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral, anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or
2. Clearly depicted human genitals in a state of sexual stimulation, arousal or turnescence; or
3. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
4. Fondling or touching of nude human genitals, pubic region, buttocks or female breasts; or
5. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain; or
6. Erotic or lewd touching, fondling or other contact with an animal by a human being; or
7. Human excretion, urination, menstruation, vaginal or anal irrigation.

STACK - Any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a furnace, especially that part of a structure extending above a roof.

STORAGE - A function involving the deposition of materials, goods, products, vehicles, equipment, or any combination thereof, for safekeeping and intended for future use.

STOREFRONT - The wall of a unit of occupancy which faces the front yard within a planned center, as defined herein.

STORM WATER MANAGEMENT BASIN - Any facility used to retain or detain storm water, that is part of a storm water management system.

STORY - That part of a building located between a floor and the floor or roof next above.

1. The first story of a building is the lowest story, having fifty percent (50%) or more of its wall area above grade level.
2. Half story's is a story under a roof, the wall plate of which on at least two (2) opposite exterior walls is not more than two (2) feet above such story.

STREET - Includes street, avenue, boulevard, road, highway, freeway, lane, viaduct and any other dedicated and adopted public right-of-way, or private right-of-way, used or intended to be used by vehicular traffic, pedestrians, or both.

STREET CENTERLINE - A baseline used for the layout of lots and the construction of a cartway generally midway between the street lines.

STREET LINE (Right-of-Way Line) - A line defining the edge of a street right-of-way and separating the street from abutting property or lots.

STRUCTURE - Any assembly of materials constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, any portion of which is above the natural surface grade, including, but not limited to buildings, sheds, cabins, manufactured houses and trailers, pavilions, pagodas, tents, kennels, swimming pools, dumpsters, fences, dams, culverts, roads, railroads, bridges, storage tanks, and signs.

Structure, Accessory: A structure associated with an accessory use, (e.g., swimming pools, patios, antennas, tennis courts, garages, utility shed, etc.).

Structure, Principal: A structure associated with a primary use.

Structures shall not include such things as temporary fences, sandboxes, decorative fountains, swing sets, doghouses, birdhouse, bird feeders, mailboxes, and any other similar non-permanent improvements.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the fair market value of the structure either (a) before the improvement or repair is started or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure.

SWIMMING POOLS - Any pool, not located within a completely enclosed building, and containing, or normally capable of containing, water to a depth at any point greater than twenty four (24) inches. Farm ponds, ornamental ponds and lakes are not included, provided that swimming was not the primary purpose for their construction.

TAVERN - An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food, but no live entertainment shall be permitted.

TESTING - A function involving the examination and assessment of qualities, performances, capabilities, or any combination thereof, of a product, good or material.

TOWNSHIP - Monroe Township.

TRUCK STOP - A planned center in which three (3) or more different truck and transport-related uses are provided on a common site.

TWO-FAMILY CONVERSION - The conversion of an existing single-family detached dwelling unit to contain two separate dwelling units.

UNENCLOSED STORAGE - Storage outside of a fully enclosed free standing building containing walls and a roof. Storage under or within fabric carports or canopies, vehicle covers, tarps, or buildings whose walls are not fully opaque shall constitute unenclosed storage.

UNIFORM CONSTRUCTION CODE - Act 45 of 1999 establishing a state-wide building code in the Commonwealth of Pennsylvania.

USE - The specific purpose for which land or a structure is designed, arranged, intended, occupied or maintained.

Use, Accessory: A use customarily incidental and subordinate to the principal use or building and located on the same lot with this principal use or building.

Use, Principal: The main or primary use of property or structures.

VARIANCE - A modification of any provision of this Ordinance granted by the Zoning Hearing Board subject to findings specified by the Act.

WAREHOUSE - One or more buildings divided into separate units for personal property, property associated with some business or other organization, or both. These units shall be used solely for dead storage and no processing, manufacturing, sales, research and development testing, service and repair, or other non-storage activities shall be permitted.

WATERCOURSE - A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water carrying or holding surface water, whether natural or artificial.

WATERCOURSE OBSTRUCTION - Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, (1) which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or (2) which is placed where the flow of the water might carry the same downstream to the

damage of life and property.

WATERSHED - All the land from which water drains into a particular watercourse.

WETLAND - Area with the characteristics of wetland, as defined by the U.S. Natural Resources Conservation Service.

WHOLESALE - Any distribution procedure involving persons who, in the normal course of business, do not engage in sales to the general public.

WINDOW - An opening to the outside other than a door which provides all or part of the required natural light, natural ventilation or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window in regard to provision of natural light.

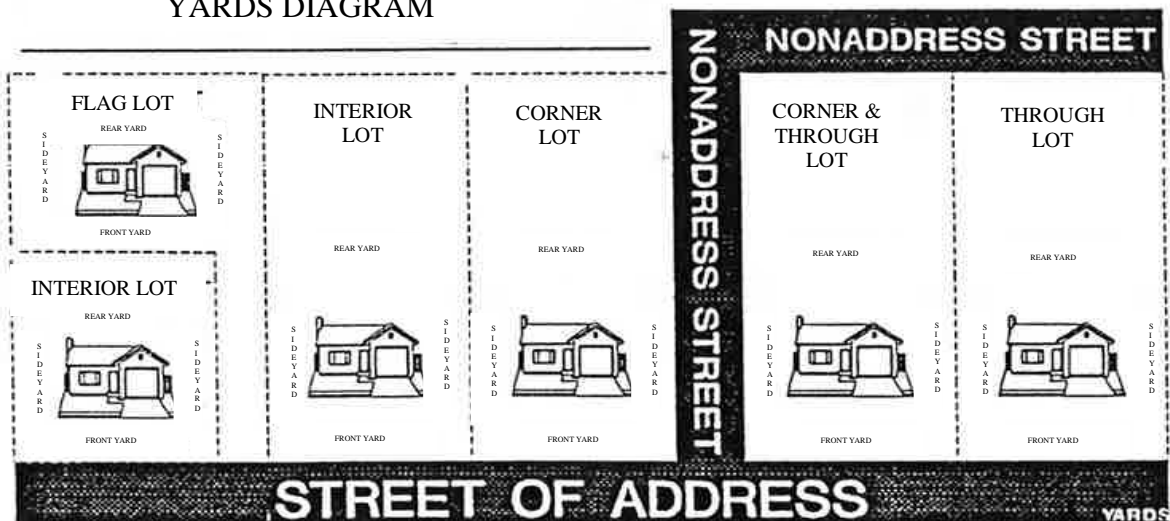
YARD - An area between the permitted structures and the property lines.

Yard, Front: The area contained between the street right-of-way line and the principal structure. For flag lots, the front yard shall be that area between the principal structure and that property line which is most parallel to the street that provides access and is not part of the flagpole.

Yard, Rear: The area contained between the principal structure and the property line directly opposite the street of address. For flag lots, the rear yard shall be that area between the principal structure and that lot line which is directly opposite the above described front yard.

Yard, Side: The area (s) between a principal structure and any side lot line(s). On corner lots, the side yard shall be considered those areas between the principal structure and the property lines directly opposite the non-address street(s). For flag lots, the side yards shall be the area between the principal structure and that one (1) outermost lot line which forms the flag and pole, plus the area on the opposite side of the principal structure. (See the Flag-Lot Diagram in Section 423 for a graphic depiction of the yard locations.)

YARDS DIAGRAM



ZONING - The designation of specified districts within the Township, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING OFFICER - The duly constituted municipal official designated to administer and enforce this Ordinance in accordance with its literal terms.

Article 2

Zone Regulations

Section 200 Conservation Zone (C)

200.1. Purpose - This Zone seeks to protect large concentrations of environmentally-sensitive features that also have significant value for passive and active recreational pursuits, most specifically, forested areas and steep slopes. Permitted uses within this Zone encourage the most appropriate conservation/recreation activities for these areas; some forms of development are allowed under prescribed criteria. The provisions of this Zone have been specifically formulated to satisfy Section 604. (1) of the Pennsylvania Municipalities Planning Code, which requires local zoning ordinances to “promote, protect and facilitate the preservation of the natural, scenic and historic values in the environment and preservation of forests”.

200.2. Permitted Uses

1. Agriculture, *excluding* commercial livestock operations;
2. Aquaculture and fisheries;
3. Forestry (see Section 326);
4. Horticulture and forestry-related uses;
5. Natural areas or wildlife refuges;
6. No-Impact Home-Based Business;
7. Public and nonprofit parks and playgrounds;
8. Public uses and public utilities underground structures;
9. Seasonal residences; and,
10. Accessory uses customarily incidental to the above permitted uses.
11. ECHO Housing, integral to the principal dwelling unit, subject to the following requirements:
 - A. Minimum Lot Size: 1/2 acre
 - B. Conditions contained in Section 421.1 and 421.2 are met, where applicable
12. Family Day Care Facilities
13. Single family detached dwellings;

200.3 Reserved for Future Use

200.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Bed and breakfast (see Section 407);
2. Campgrounds (see Section 410);
3. Communication antennas, towers and equipment (see Section 417);
4. ECHO housing, integral to the dwelling unit on lots less than one half (1/2) acre in size, or located within a detached structure separate from the principal residence (See Section 421);
5. Group Day-Care Facilities (see Section 426);

- 6. Flag lot residences (see Section 423);
- 7. Historic structures conversions (see Section 429);
- 8. Hunting, fishing, or skiing lodges (see Section 432);
- 9. Non-commercial keeping of livestock (see Section 437)
- 10. Quarries and other extractive-related uses (see Section 443);
- 11. Shooting ranges (see Section 449);
- 12. DELETED**
- 13. Wind Energy Facilities (see Section 459).
- 14. Minimal Impact Home-Based Business

200.5. Design Requirements

Use	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Minimum Yard Setbacks			Maximum Permitted Building Height
				Front	Sides One (Both)	Rear	
Agriculture, horticulture or forestry-related uses.	See Section 201 of this Ordinance						
Public &/or nonprofit parks & playgrounds, public utilities structures, public uses, natural areas or wildlife refuges	5,400 sq. ft.	60 ft.	40%	50 ft.	20ft (40ft.)	35 ft.	35 ft.
Single-family dwellings & seasonal residences, provided both public sewer & public water are utilized	2 acres	100 ft.	35%	35 ft.	15 ft. (30 ft.)	35 ft.	35 ft.
Single-family dwellings, seasonal residences & other permitted uses.	2 acres ¹	150 ft.	20%	35 ft.	15 ft. (30 ft.)	35 ft.	35 ft.
Single-family dwellings, seasonal residences, & other permitted uses, if more than 50% of the site possesses slopes in excess of 15% ²	2 acres ¹	150 ft.	10%	35 ft.	15 ft. (30 ft.)	35 ft.	35 ft.
Residential accessory buildings & structures	N/A	N/A	N/A	Not permitted in required front yard	10 ft (20 ft.)	10 ft.	20 ft.

¹ All uses relying upon on-lot disposal systems must comply with the Monroe Township On-Lot Management Ordinance

² For purpose of this section, the ground slope area shall be calculated based upon conditions as they exist as of the effective date of this Ordinance. Where subdivision of a tract is proposed, the calculations shall be performed on the parent lot and the minimum lot area and maximum lot coverage shall apply to all lots subdivided from the parent tract.

200.6. Woodland Preservation Requirements - Wooded areas existing as of the effective date of this Ordinance containing steep slopes in excess of 15% or greater shall not be removed or clear cut. Limited tree removal shall be permitted for the construction of improvements permitted under the issuance of a

valid zoning permit or depicted on an approved Subdivision or Land Development Plan. Only those areas necessary for the construction of buildings, structures, roads, stormwater management facilities and performance of grading, and other work authorized under the permit shall be cleared of existing woodland. Dead or diseased trees may be removed in any area within the Conservation Zone.

- 200.6.1** When required by the Pennsylvania Department of Environmental Protection or other State agency having appropriate authority and jurisdiction, an Erosion and Sedimentation Control Plan, in acceptable form, must be filed with the Township and with the Cumberland Conservation District prior to the commencement of logging or the harvesting of forest products on land located in the Conservation Zone if the land has a grade of five percent (5%) or greater.
- 200.6.2** Grading plans shall conform with the existing grade as much as possible to limit the required amount of tree removal. Alternate grading plans will be required to preserve large stands of existing trees.
- 200.6.3** On any lot containing or intended for a residential use, a minimum of 50% of the existing number of trees of a minimum trunk caliper of 4" or more measured 48" above the ground shall not be removed and be protected during construction activities or forestry operations.
- 200.6.4** Vacant lands on which trees have been removed shall have replacement trees planted within one year of tree removal. Replacement trees shall have a minimum caliper of 2" measured at a height of 48" above the ground. Where a Forest Stewardship Plan, prepared by a licensed Professional Forester concludes that planning of replacement trees would be harmful to the preservation and long-term health of forested areas, this requirement shall not apply.
- 200.6.5** Applicant shall meet the requirements of Section 326 for all Forestry Operations.
- 200.7.** **Permit Requirements** - In addition to the requirements for permit applications set forth in Section 701.2, zoning permit applications within the Conservation Zone that proposed tree removal in excess of 1,000 square feet shall contain a scaled plan prepared by a professional surveyor illustrating the following:
1. Existing topographic contours at 5' intervals (minimum) and spot elevations at critical locations;
 2. Steep slope areas in excess of 15%;
 3. Location of existing tree masses or existing woodlines;
 4. Location of all trees to be removed with a minimum trunk caliper of 4" or greater;
 5. Proposed grading and spot elevations;
 6. Limit of proposed tree removal with dimensions from existing features to readily locate such line in the field
 7. Calculations illustrating conformance with Section 200.6.3;
 8. Plans, sections and details of any proposed retaining wall over four (4') feet in height, signed and sealed by a professional engineer.

Section 201 **Agricultural Zone (A)**

201.1. **Purpose** - The primary purpose of this zone is to promote the economic and profitable continuation of agricultural activities. This Zone was specifically constructed to present minimal impediment to and/or interference with the conduct of the Township's agricultural operations so as to enhance the local farming economy.

201.2. **Permitted Uses**

1. Agriculture, *excluding* commercial livestock;
2. Horticulture and forestry-related uses, including timber harvesting;
3. Forestry (see Section 326);
4. No-Impact and Minimal Impact Home-Based Business;
5. Public and nonprofit parks and playgrounds;
6. Public uses and public utilities underground structures;
7. Single Family Dwellings;
8. Retail sale of agricultural, nursery and garden materials, and operation of landscape contracting and landscape maintenance business subject to the following requirements:
 - A. Minimum lot size - 3 acres;
 - B. All uses shall be located within 1,500 feet of an arterial or collector road as measured along public right-of-way;
 - C. All outdoor display areas shall be setback at least twenty-five feet (25') from the street right-of-way line;
 - D. All outdoor storage areas shall be setback at least ten feet (10') from adjoining property lines and located in the side or rear yard;
 - E. All parking, loading and storage areas shall be screened from adjoining residential properties in accordance with Section 321.5;
 - F. The display and sale of items not grown on the property or directly adjacent properties and nursery, garden or agricultural equipment shall be incidental to the nursery and agricultural operation;
 - G. One flat wall or wall projecting attached sign may be permitted advertising the business. Such sign shall not exceed six (6) square feet in size
9. Family Day-Care Facilities
10. Churches and related uses, subject to the standards listed in Section 412.1.1-412.1.4;
11. Non-Profit Historical Fair Grounds, including accessory activities for fundraising purposes, and Equine Tack Shops, subject to the requirements set forth in Section 201.2.8A and B;
12. Accessory uses customarily incidental to the above permitted uses, including, but not limited to the following:
 - A. Agricultural Marketing Enterprises, subject to the following requirements:
 1. A minimum of 50 percent of the commodities sold must be produced by the farmer(s) operating the enterprise;
 2. Permanent structures shall be located a minimum of forty (40') feet from the street right-of-way. Temporary structures shall be located a minimum of fifteen (15') feet from the street right-of-way;

3. An Agricultural Marketing Enterprise must comply with the access and driveway provisions in Section 308 of this ordinance. A shared use driveway with an existing driveway is encouraged;
 4. The applicant must provide for sufficient off-street parking spaces and off-street loading spaces for all of those uses proposed. A minimum of two off street parking spaces shall be provided for permanent structures;
 5. Structures containing Agricultural Marketing Enterprises are limited to a retail display area of 1,000 square feet of net floor area;
 6. Signage for an Agricultural Marketing Enterprise shall be in accordance with Individual Business Signs contained in Section 313 of this Ordinance, but limited to a maximum area of 18 square feet per sign;
 7. A farm is permitted to have a combination of more than one Agricultural Marketing Enterprise, Farm Occupation and/or Agritourism Enterprise if requirements of the underlying zoning district and specific use criteria are met. Each enterprise or business must obtain appropriate zoning permit or land development approvals as required by this ordinance.
- B. Beekeeping, subject to the following:
1. It shall be the duty of the beekeeper to maintain each colony so as to not create a public nuisance;
 2. In no case shall hives be located within twenty-five feet (25') of any residential property line; furthermore, any hives located within seventy-five feet (75') of any adjoining property line or street shall be separated from such property line or street by a minimum six foot (6') high solid fence or vegetative obstruction that will direct the flight path of the bees above traffic and pedestrians; and
 3. Hives shall not be oriented to children's play areas or neighboring properties.
- C. Manure storage facilities, as an accessory use to a farm, subject to the following regulations:
1. All manure storage facilities shall be designed in compliance with the guidelines outlined in the publication *Manure Management for Environmental Protection*, Bureau of Water Quality Management Publication No. 43, and any revisions, supplements and replacements thereof, published by the Pennsylvania Department of Environmental Protection;
 2. All manure waste storage facilities' designs shall be reviewed by the County Conservation District. The applicant shall furnish a letter from the Conservation District attesting to approval of the design of the proposed facility; and,
 3. Construction and subsequent operation of the waste storage facility shall be in accordance with the permit and the approved design. Any design changes during construction or subsequent operation will require the acquisition of another review by the

County Conservation District a record of which should be filed with the Zoning Officer.

D. Accessory Farm Occupation, subject to the following:

1. Only one accessory occupation is permitted per farm which must be conducted as an accessory use to the farm;
2. No more than the equivalent of six (6) nonresidents shall be employed by the accessory occupation, and at least one (1) owner of the accessory occupation must reside on the site. For the purpose of this section, "employed" shall be defined as involved in the on-site conduct of the accessory occupation;
3. The use must be conducted within one (1) completely enclosed building. No external activities and/or storage shall be permitted. Where practicable the accessory occupation shall be conducted within an existing farm building. However, any new building constructed for use by the accessory occupation shall be located so as not to interfere with site drainage and clear sight triangle and, if possible, behind the farm's principal buildings, or must be not less than fifty feet (50') from any adjoining roads or properties;
4. Any new building constructed for use by the accessory occupation shall be of a design so that it can be readily converted to agricultural use, or removed, if the accessory occupation is discontinued;
5. No part of an accessory occupation shall be located within one hundred feet (100') of any side or rear lot line, nor three hundred feet (300') of any land within a residential zone. Such distances shall be measured as a straight line between the closest points of any physical improvement associated with the accessory occupation and the property/zoning line;
6. The accessory occupation shall occupy no more than four thousand (4,000) square feet of gross floor area, nor more than one (1) acre of lot area. However, any access drive serving the accessory occupation and the farm shall not be calculated as land serving the accessory occupation. Vehicular access to the accessory occupation shall be limited to the existing cartways of the farm;
7. No more than fifty percent (50%) of the land devoted to an accessory occupation shall be covered by buildings, structures, parking or loading areas, or any other impervious surfaces;
8. Any sign used for an accessory occupation shall not exceed twelve (12) square feet in size, and shall be set back a distance at least equal to its height from every lot line;

9. For farm parcels of up to fifty (50) acres in size, while any accessory occupation exists, no non-farm subdivision of the site shall be permitted;
 10. Retail sales shall be limited to goods and materials that are incidental to production on the site. In no case shall the area devoted to retail sales comprise more than twenty percent (20%) of the gross floor area; and,
 11. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Cumberland County which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the accessory occupation change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner of the farm operation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section;
- E. Noncommercial keeping of livestock, subject to the following criteria:
1. Minimum Lot Area – one-half (1/2) acre for chickens and fowl, one acre for all other types of livestock. Additionally, the following list specified additional area requirements by size of animals kept:
 - GROUP 1 - Chickens and fowl, regardless of weight, and animals whose average adult weight is less than ten (10) pounds, shall be permitted at an animal density of eight (8) per acre with a maximum number of forty (40) animals
 - GROUP 2 - Animals whose average adult weight is between ten (10) and sixty-five (65) pounds shall be permitted at an animal density of two (2) per acre, with a maximum number of twenty (20) animals; and,
 - GROUP 3 - Animals whose average adult weight is greater than sixty-five (65) pounds shall be permitted at an animal density of one (1) per acre, with a maximum number of five (5) animals.

The keeping of a combination of animal types (Groups 1, 2 and 3) shall require an animal density equal to the ratio of the number of animals, by type. In no case shall a lot contain more than fifty (50) total animals;

2. The following lists minimum setbacks (from all property lines) imposed upon the placement of any structure used to house noncommercial livestock. Should one structure be used to house a combination of animal types, the most restrictive setback shall apply:

GROUP 1 – A ten (10') foot setback (side & rear);

GROUP 2 – A twenty five (25') foot setback (side & rear);

GROUP 3 – A twenty five (25') foot setback (side) and fifty (50') foot setback (rear)

3. All structures used to house noncommercial livestock shall be prohibited from placement in the front yard;
4. All outdoor pasture/recreation areas shall be enclosed with fencing to prevent the escape of the animals; and,
5. All animal wastes shall be stored and disposed of, so as not to be objectionable at the site's property line. All animals, their housing, and their outdoor pasture/ recreation areas shall be maintained so as not become a nuisance to adjoining properties;
6. In addition to the regulations listed above, the keeping of chickens or fowl are subject to the following requirements:
 - a. All chickens shall be provided with a covered, predator-proof cage or other shelter, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the chickens exclusive of areas used for storage of materials or vehicles. If an outside run is permitted, it shall be no bigger than ten (10') feet per chicken and shall be enclosed in a way that contains the chicken.
 - b. Coops shall be maintained of hen droppings, uneaten feed, feathers and other waste weekly and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance
 - c. Feces and deceased chickens or fowl shall be disposed of in a legal manner that does not become a nuisance to adjoining properties.
 - d. Roosters are not permitted as an accessory use to an existing residential use.

F. Incidental slaughter of livestock raised on the site.

G. Agritourism Enterprises, subject to the following requirements:

1. The minimum lot size for an Agritourism Enterprise shall be three (3) acres. The retail and parking area of an Agritourism Enterprise shall not occupy more than (15%) of the lot;
2. All uses shall be located within 1,500 feet of an arterial or collector road as measured along the public right-of-way;
3. Activities or structures included in an Agritourism Enterprise must comply with the setbacks for principal structures in the district in which is located unless utilizing an existing structure.
4. An Agritourism Enterprise must comply with the access and driveway provisions in Section 308 of this ordinance. The ingress/egress shall be improved with a dustless surface;
5. The applicant must provide for sufficient off-street parking spaces and off street loading spaces for all of those uses proposed according to the off street parking and loading provisions of this Ordinance. If, at any time after the opening of the facility, the Township determines that parking, loading or traffic back-ups are occurring on adjoining roads, and such are directly related to the lack of on-site facilities on the subject property, the Township can require the applicant to revise and/or provide additional on-site parking and/or loading space to meet the off street parking and loading provisions of this Ordinance and require implementation within 15 days. The Township may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. All parking areas shall contain fencing or other appropriate devices to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
6. Agritourism Enterprises are encouraged to use existing structures whenever possible. Structures for Agritourism Enterprises shall not exceed more than 50% of the aggregate of the square footage of the structures engaged in the principal use;
7. Signage for Agritourism Enterprises shall be in accordance with shall be in accordance with Individual Business Signs contained in Section 313 of this Ordinance, but limited to a maximum area of 18 square feet per sign;
8. The hours of operation shall be limited to 8 am to 9 pm and protect neighbors from noise, disturbance or interruption;
9. Agritourism Enterprises shall be owned or operated by the landowner, landowner's immediate family member, operator of the farm (as identified by written contract), or persons in residence of the farm;
10. Agritourism Enterprises shall be conducted in such a way that no traffic congestion, noise, glare, air pollution, odor, smoke, vibration,

fire hazards, safety hazards, electromagnetic interference, or otherwise, shall be noticeable at or beyond the property line;

11. Agritourism Enterprises shall provide adequate sewerage disposal facilities for the operation;
12. Applicants proposing an Agricultural Marketing Enterprise with a permanent structure or Agritourism Enterprise must submit a commercial zoning permit application in accordance with Section 701.3.
13. ECHO Housing, integral to or detached from the principal dwelling unit, subject to the following requirements:
 - A. Minimum Lot Size: 1/2 acre for units integral to the dwelling; 80,000 s.f. for detached structures
 - B. Conditions contained in Section 421.1 and 421.2 are met, where applicable
14. Group Day-Care Facilities, subject to the following requirements:
 - A. Minimum Lot Size: 80,000 s.f.

201.3 **Reserved for Future Use**

201.4. **Conditional Uses** (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Airport/heliports (see Section 407);
2. ECHO housing, integral to the dwelling unit on lots less than one half (1/2) acre in size, or located within a detached structure separate from the principal residence on a lot less than 80,000 s.f. in size (See Section 421);
3. Temporary farm employee housing (see Section 452);
4. Cluster developments (see Section 413);
5. Commercial stockyard, feedlot and/or commercial livestock operations (see Section 416);
6. Flag lot residences (see Section 423);
7. Historic structures conversions (see Section 429);
8. Helistop (see Section 457).
9. Bed and breakfasts (see Section 407);
10. Kennels (see Section 434)
11. Riding schools and stables (see Section 446);
12. Two-family conversions (see Section 454);
13. Group Day-Care facilities on lots less than 80,000 s.f. (see Section 426);
14. Wind Energy Facilities (see Section 459);
15. Principal Solar Energy Systems (see Section 460).

201.5. Area and Design Requirements.

Uses	Minimum Required Lot Area	Minimum Required Lot Width		Minimum Required Lot Depth	Required Minimum Yard Setbacks ¹				Maximum Permitted Impervious Lot Coverage	Maximum Permitted Building Height
		At Building Setback	At Lot Frontage		Front	One Side	Both Sides	Rear		
Agriculture, horticulture and forestry-related uses	10 acres for uses existing on the effective date of this Ordinance; 20 acres for new uses	200 ft.	N/A	As required to meet Minimum Lot Area Requirements	60 ft.	25 ft. on each side		50 ft.	10%	150 ft., provided each structure is set back a distance at least equal to its height from each property line.
Single-family detached dwellings and other principal uses.	80,000 sq. ft.	200 ft	150 ft.	As required to meet Minimum Lot Area Requirements.	75 ft.	40 ft.	80 ft.	75 ft.	30%	35 ft.
Public and nonprofit parks and public utilities underground structures	5,400 sq. ft	60 ft.	60 ft.	As required to meet Minimum Lot Area Requirements	25 ft.	20 ft.	40 ft.	35 ft.	40%	35 ft.
Residential accessory buildings and structures	N/A	N/A	N/A	As required to meet Minimum Lot Area Requirements	Not permitted in required front yard	10 ft.	20 ft.	10 ft.	Same as above	20 ft.

¹ Subject to the reduction provisions contained in Section 303.3

Note: Section 201.2.1 allows, as a permitted use, agriculture, excluding commercial livestock operations. Section 201.5 establishes the minimum required lot area for agricultural, horticultural and forestry-related uses at ten (10) acres for uses existing on the effective date of the Zoning Ordinance and twenty (20) acres for new use established thereafter. If a lot devoted to agricultural uses in the Agricultural Zone is less than the required minimum lot sizes, as set forth in Section 201.5, the owners of said lot would not have the various protections afforded to them under the laws of the Commonwealth of Pennsylvania for agricultural use of their land. The land in question can be used for agricultural uses as defined and set forth in Section 201.

201.6. Agricultural Nuisance Disclaimer - All lands within the Agricultural Zone are located within an area where land is used for commercial agricultural production. Owners, residents and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations, including, but not limited to, noise, odors, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides, and pesticides. Owners, occupants and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations, and are hereby put on official notice that Section 4 of Pennsylvania Act 133 of 1982, “The Right to Farm Law”, may bar them from obtaining a legal judgement against such normal agricultural operations. From the effective date of this Ordinance, all subsequent subdivision plans submitted with this Zone shall require a note which duplicates this section and which must be transferred to the purchaser by the seller.

201.7. Vegetation Setback Requirement - On any separate non-farm parcel, any plant or tree within ten (10') and twenty feet (20') from the property line, respectively, must be non-poisonous, and shall not include any of the following:

POISONOUS PLANTS	
Scientific Name	Common Name
Trees	
Acer rubrum Aesculus Gymnocladus Purnus Quercus Robinia	Red Maple Horse chesnut/buckeye Kentucky coffee-tree Wild Black Cherry/Choke Cherry Oak Black Locust
Ornamental Plants	
Arisaema Buxus Celastrus Colchicum Convallaria Delphinium Dicentra Dieffenbachia Digitalis purpurea Euonymus Hedera Helleborus Hydrangea Hypericum Ipomoea Iris Kalmia Lathyrus Ligustrum Valgare Lobelia	Jack-in-the-pulpit Boxwood Bittersweet Autumn crocus Lily-of-the-valley Larkspur/delphinium Dutchman’s breeches/Bleeding Heart Dieffenbachia Foxglove Burning bush English Ivy Winter-aconite/Christmas Rose Hydrangea St. John’s wort Morning glory Iris Mountain laurel Wild pea/flat pea Privet Indian Tobacco

POISONOUS PLANTS	
Scientific Name	Common Name
Ornamental Plants Continued	
Phoradendron Rheum Rhododendron Taxus	Mistletoe Rhubarb Azalea/rhododendron Yew
Other Plants	
Agrostemma githago Amanita Anagallis arvensis Asclepias Caltha Chelidonium Cicuta Conium macalatum Crotalaria sagittalis Datura stramonium Equisetum arvense Eupatorium rugosum Euphorbia Glecoma hederacea Helenium autumnale Pteridium Ranunculus Sanguinaria Solanum nigrum Xanthium	Corncockle Death Cap mushroom/fly mushroom scarlet pimpernel milkweed marsh marigold celandine water hemlock poison hemlock/spotted hemlock/deadly hemlock/poison parsley rattlebox Jimson-weed/moon-lily/datura common horsetail white snakeroot/snakeroot cypress spurge/snow-on-the-mountain ground ivy/creeping charlie sneezeweed Bracken fern buttercup blood root black nightshade/deadly nightshade/ common nightshade/garden nightshade cocklebur

201.8. **Required Conservation Plan** - Any agriculture, horticulture or forestry-related uses which involves earthmoving activities, or the commercial harvesting or timbering of vegetation, shall require the acquisition or an approved conservation plan by the County Conservation District pursuant to Chapter 102 Erosion Control of Title 25 Rules and Regulations, Department of Environmental Protection. All onsite activities shall then be in compliance with the approved conservation plan.

201.9. All uses shall comply with all applicable General Provisions contained within Article 3 of this Ordinance.

Section 202 Suburban Residential Zone (R-1)

202.1. **Purpose** - This Zone is meant to accommodate suburban detached residential growth within the Township. Cluster plans using alternative systems for sewage disposal are encouraged.

202.2. **Permitted Uses**
 1. Agriculture, **excluding** commercial livestock operations, subject to the standards listed in Section 201 of this Ordinance;

2. Forestry;
3. Horticulture and forestry-related uses, subject to the standards listed in Section 201 of this Ordinance;
4. No-Impact Home-Based Business;
5. Public and/or non-profit parks and playgrounds, public uses, and public utilities structures, subject to the applicable design standards listed in Section 323;
6. Single-family detached dwellings;
7. Accessory uses customarily incidental to the above permitted uses;
8. Family Day-Care facilities; and
9. Churches and related uses, subject to the standards listed in Section 412.1.1-412.1.4.
10. ECHO Housing, integral to the principal dwelling unit, subject to the following requirements:
 - A. Minimum Lot Size: 1/2 acre
 - B. Conditions contained in Section 421.1 and 421.2 are met, where applicable

202.3 Reserved for Future Use

202.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Cluster developments (see Section 413);
2. Golf courses (see Section 425);
3. ECHO Housing, integral to the dwelling unit on lots less than one half (1/2) acre in size, or located within a detached structure separate from the principal residence (See Section 421);
4. Historic structures conversions (see Section 429);
5. Village Overlay Zone (see Section 204).
6. Bed and breakfasts (see Section 407);
7. Group day-care facilities (see Section 426);
8. Noncommercial keeping of livestock (see Section 437); and,
9. Two-family conversions (See Section 454).
10. Minimal Impact Home-Based Business

202.5. Principal Use Design Standards

Utilized Public Utilities	Minimum Lot Area	Minimum Lot Width at Building Setback Line & (Frontage)	Maximum Lot Coverage	Minimum Yard Setbacks			Maximum Permitted Height
				Front	Sides One (Both)	Rear	
On-lot Sewage and Public Water	43,560 sq. ft. ¹	200 ft. (180 ft.)	20%	35 ft.	15 ft. (15 ft.)	35 ft.	35 ft.
Public Sewer	32,000 sq. ft.	180 ft. (160 ft.)	30%	35 ft.	15 ft. (15 ft.)	35 ft.	35 ft.
Both Public Sewer and Public Water	20,000 sq. ft.	140 ft. (120 ft.)	35%	35 ft.	15 ft. (15 ft.)	35 ft.	35 ft.

¹ All uses relying upon on-lot sewers must comply with the Monroe Township On-Lot Management Ordinance.

- 202.6. Accessory Use Design Standards**
1. Maximum permitted height - Twenty feet (20');
 2. Minimum setback requirements:
 - A. Front yard - Not permitted in required front yard;
 - B. Side yards - Three feet (3') on each side (6 feet total); and,
 - C. Rear yard - Three feet (3').

- 202.7. Agricultural Setback Requirement** - No poisonous plant or tree shall be planted within ten feet (10') and twenty feet (20'), respectively, of any parcel within the Agricultural Zone.

- 202.8.** All uses permitted within this Zone shall also comply with the General Provisions contained in Article 3 of this Ordinance.

Section 203 Village Zone (V)

- 203.1. Purpose and Intent** - This Zone provides for the continuation of the development patterns that have evolved in the Village of Churchtown. Specifically, this village has developed into an historic setting that consists primarily of residences, but also includes some limited commercial and civic uses. Site designs, too, vary with the “village-core” consisting of tightly-knit historic buildings on deep and narrow lots with small setbacks.

- 203.2. Permitted Uses**
1. Churches and church-related uses;
 2. Family day-care facilities;
 3. Forestry;
 4. No-Impact Home-Based Business;
 5. Public and/or nonprofit parks;
 6. Public schools;
 7. Public uses and public utilities structures, subject to the standards listed in Section 201.6. of this Ordinance;
 8. Single-family detached dwellings;
 9. Office conversions for properties that abut Trindle Road, subject to the following:
 - A. Such conversions shall only be permitted within structures that existed on the effective date of this Ordinance;
 - B. The applicant shall furnish evidence that any alterations, improvements, will be accomplished in a manner that complements the character of adjoining properties;
 - C. The applicant shall furnish evidence of an approved means of water supply and sewage disposal;
 - D. The applicant shall obtain any necessary land development approvals; and,
 - E. One (1) sign shall be permitted which is no larger than six (6) square feet and is located at least ten feet (10') from all lot lines, or affixed to the front of the building; and,
 10. Accessory uses customarily incidental to the uses permitted within this Zone.
 11. ECHO Housing, integral to the principal dwelling unit, subject to the following requirements:

- A. Minimum Lot Size: 1/2 acre
- B. Conditions contained in Section 421.1 and 421.2 are met, where applicable

203.3 Reserved for Future Use

203.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance).

- 1. Bed and breakfasts (see Section 407);
- 2. Boarding houses (see Section 409);
- 3. Commercial day-care facilities (see Section 414);
- 4. Noncommercial keeping of livestock (see Section 437);
- 5. Office conversions (see Section 439);
- 6. Two-family conversions (see Section 454); and,
- 7. Historic structure conversions (see Section 429)
- 8. Minimal Impact Home-Based Business
- 9. Group Day Care Facilities (see Section 426)

203.5. Design Standards - When new or replacement construction is proposed, applicants are required to follow architectural guidelines listed in Section 204.9 of this Ordinance.

- 1. The following table presents minimum design standards. Also, lots must also contain pedestrian sidewalks along all public street frontage(s), and required off-street parking only in a rear yard.

Minimum Lot Area (sq. ft.)	Minimum Lot Width	Maximum Lot Coverage	Required Front Yard ¹	Minimum Side Yard		Minimum Rear Yard
				One Side	(Both Sides)	
6000'	30'	25%	10'	10'	20'	50'

¹ All uses relying upon on-lot sewers shall also comply with the Monroe Township On-Lot Management Ordinance.

203.6. Maximum Permitted Height

- 1. Principal structures - Thirty-five feet (35').

203.7. All uses permitted within this Zone shall also comply with the General Provisions contained in Article 3 of this Ordinance.

203.8. All accessory structures shall be located outside of the required front yard and set back a minimum of five feet (5') from all side and rear property lines.

203.9. Waste Products - All non-residential trash dumpsters shall be located within a side or rear yard, set back at least fifteen feet (15') and screened from adjoining roads and properties, and be completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate. Such enclosure should follow the design guidelines listed in Section 204.9. of this Ordinance.

Section 204 Village Overlay Zone (VO)

204.1. Purpose and Intent - In compliance with Sections 605.(2) and 605.(3) of the Municipalities Planning Code, this Zone provides an optional set of design standards that can be applied to property located within the R-1 Residential Zone. These optional design standards seek to achieve a “village” type setting that is characteristic of much of Cumberland County’s environment and heritage. All of the design standards of this Zone are vital if the “village” atmosphere is to be achieved. While many of the following requirements deal with issues that typically transcend zoning jurisdiction, they are provided as design options, and are, therefore, considered voluntarily self-imposed by prospective developers, but enforceable by the Township.

It is the further intent of the Board of Supervisors to encourage flexibility, economy and ingenuity in the development of tracts within this Zone. To this end, the Board of Supervisors shall, by conditional use approval, permit the developer to modify the design standards of this Section 204 if such modifications will enable the design of a better development. It is the specific intent of the Board of Supervisors to permit developers to consider and utilize innovative methods of design.

Some of the specific development objectives of the Zone include the design and construction of neighborhoods that:

1. Are distinct in their incorporation of important natural and cultural features;
2. Provide for a diversity of housing types, sizes, and costs with particular emphasis on scattered-site affordable housing opportunities;
3. Provide for convenient vehicular access to the neighborhood’s edge but increased reliance upon pedestrian movements within its bounds;
4. Integrate local businesses and trades to enhance resident convenience and offer limited employment opportunities;
5. Make efficient use of local infrastructure and services;
6. Reflect the historic and traditional building styles so abundant within the region;
7. Reverse and feature civic uses and open spaces as community focal points;
8. Provide safe, efficient, and compatible linkages with existing nearby land uses, streets, sidewalks, etc.;
9. Invite regular and frequent social interaction among its inhabitants; and,
10. Blend all of these above-described features in a way that promotes Community identification and a “sense-of-belonging” for the residents.

These development objectives will be used as a measure of conformance with any proposed development within this Zone.

204.2. Relationship to Other Ordinances and Sections of this Zoning Ordinance - The provisions of this Section 204 create a conditional use overlay zone which may be applied to lands within the R-1 Zone. This Zone may only be applied to property upon approval by the Board of Supervisors and written acceptance by the landowner of all requirements of this section, and any valid conditions of approval attached by the Board of Supervisors. Such overlay zone establishes different land use and design requirements from those contained in this and other

ordinances of the Township. To the extent the regulations within this section differ (are more, or less restrictive) from others, those within this section shall govern. However, all other provisions of this and other ordinances of the Township shall remain in full force.

204.3. Severability and Repealer - Should any part of this Section 204 be declared invalid by the courts, the entire Section 204 shall be automatically repealed.

204.4. Review Procedures - All proposals within this Zone are considered and shall be governed by the application and review procedures for conditional uses according to Section 400 of this Ordinance. The remaining requirements of this Zone shall be used as the specific criteria for evaluating the approval of any conditional use(s).

204.5. Conditional Uses

1. Churches and related uses;
2. Duplexes;
3. Group day-care facilities, subject to the criteria listed in Section 426 of this Ordinance;
4. Public and or/non-profit parks;
5. Public uses and public underground utilities structures;
6. Quardraplexes;
7. Single-family detached dwellings;
8. Townhouses with no more than five (5) units per building;
9. Accessory building apartments with no more than (1) dwelling unit, subject to the criteria listed in Section 454 of this Ordinance;
10. The following locally-oriented businesses:
 - A. Barber, beauty, tanning, and health salons;
 - B. Tailors, off-site dry cleaning, and shoe repair services;
 - C. Retail sales and/or rental of goods such as, but not limited to, antiques, apothecaries, recorded music and video materials, books, clothing, confections, dry goods, flowers, fresh or packaged food, furniture, gifts, hardware, jewelry, newspapers, notions, personal and household supplies, photographic supplies, sporting goods, stationery;
 - D. Delicatessens, bakeries, ice cream shops, caterers, restaurants, and fast-food restaurants, provided no drive-through facilities are used;
 - E. Photographic, music, art and dance studios;
 - F. Professional, medical, and/or dental offices;
 - G. Banks, including outdoor tellers if pedestrian-oriented, and similar financial institutions, provided no drive-through facilities are utilized; and,
 - H. Repair of clocks, jewelry, cameras, electronics, and small household appliances.
11. Historic structures conversions (see Section 429); and,
12. Accessory uses customarily incidental to the above permitted uses.

204.6. Minimum Area Requirements - All applications for this Zone shall contain no less than thirty (30) contiguous acres. However, applications that expand previously approved Village Overlay Zone development shall have no minimum area requirements.

204.7. Required Mixture of Uses - All Village Overlay Zone developments shall provide a mixture of uses that conform with the following ratios of net acreage, as defined herein:

Use	Required Percentage
Public, Civic, Open Spaces	Minimum 40%
Single-Family Detached Dwellings (including accessory building apartments)	Minimum 35%
Other Dwellings (duplexes, townhouses, quadraplexes	10 - 30%
Local Commercial Uses	Maximum 5%

204.8. Maximum Coverage - In no case shall more than fifty-five percent (55%) of a Village Overlay Zone development site be covered with buildings and/or other impervious surfaces.

204.9. Architectural Considerations - All proposals within the Village Overlay Zone must incorporate architectural treatments and styles that complement the Township’s historic resources. All applications shall include the preparation of textual and “typical” graphic descriptions by a Commonwealth-registered architect, of proposed architectural features and styles, which shall be presented and analyzed with the following criteria. Applicants are directed to the Traditional Design Guidelines and photographs of the Village of Churchtown as a reference for projects within proximity to the Village of Churchtown. For projects in other areas, the architectural style illustrated in the Guidelines would also be highly appropriate, since it is the predominant historic style found in the township’s historic houses. However, depending on the architecture of contiguous communities, other styles may also be appropriate. Refer to the Photographs of Monroe Township’s Historic Houses for examples of the predominant and variant styles townships wide.

1. Proportion of Building’s Front Facades - The relationship between the width of the front of the building and the height of the front of the building.
2. Proportion of Openings Within the Building - The relationship of width to height of windows and doors.
3. Rhythms of Solids to Voids in the Front Facade - Since rhythm is a repeated and recurrent alteration of strong and weak architectural elements, a rhythm of masses to openings in a building should be maintained.
4. Rhythm of Spacing of Buildings on Streets - In moving past a series of buildings, a rhythm of recurrent ore repeated building masses to spaces between them should be experienced.
5. Rhythm of Entrance and/or Porch Projections - Moving past a series of structures, one experiences a rhythm of entrances or projections at an intimate scale.
6. Relationship of Materials - Within an area, the predominant materials maybe brick, stone, stucco, wood siding, or other approved synthetic materials.
7. Relationship of Textures - The pre-dominant textures of an area may be smooth, such as stucco, or rough as brick with tooled joints or horizontal wood siding, or other textures.

8. Walls of Continuity - Physical ingredients, such as brick walls, wrought iron fences, evergreen landscape masses, building facades, or combinations of these form continuous, cohesive walls of enclosures along the street.
9. Relationship of Landscaping - There may be a predominance of a quality and quantity of landscaping, although emphasis here-in shall be with the amounts and continuity of landscaping.
10. Paving Materials - There may be a predominance in the use of brick pavers, cobblestones, granite blocks or approved others.
11. Directional Expressions of Front Elevation - Structural shape, planning of openings and architectural detail may provide a predominantly vertical, horizontal, or non-directional character to the building's facade.
12. Scale - Scale is created by the size of units of construction and architectural detail that relate to the size of man. It can also be determined by building mass and how it relates to open space. The major elements of scale may be brick or stone units, window or door openings, porches, and balconies, etc.
13. Relationship of Color - Insofar as the mass and detail, such as trim, are concerned, a predominant color that may be of a natural material or a patina colored by time. Blending colors of trim is also a factor. In the Village Overlay Zone, from building to building, the color of the cladding shall vary from color family to color family to avoid monotony.
14. Relationship of Architectural Details - Architectural details and their relationship to the structure in question and adjacent ones, including, but not limited to, cornices, lintels, arches, quoins, balustrades and ironwork, chimneys, etc.
15. Relationship of Roof Shapes - Buildings should have compatible roof shapes, such as gable, mansard, hip, flat, gambrel and/or other kinds of roof shapes.
16. A description of any nonstructural site improvements (buffering, landscaping, and screening) that will be used to protect the integrity of the historic resources.

204.10. Design Requirements

1. Lot Design Standards - See following table:

Permitted Dwelling Type	Maximum Permitted Density (Units/Net Acres)	Minimum Lot Width at Building Line	Maximum Lot Coverage ³	Front Build-to Line ¹	Minimum Yard Setbacks ²		
					One Side	Both Sides	Rear
Single-Family Detached ⁴	5	50 ft.	50%	5-15 ft.	6ft.	12 ft.	20 ft.
Duplex	5	40 ft. per unit	70%	5-15 ft.	6 ft. per unit	N/A	20 ft.
Townhouses ⁵	5	18 ft. per unit	70%	5-15 ft.	10 ft. end units	N/A	20 ft.
Quadraplex	5	30 ft. per unit	70%	5-15 ft.	10 ft. end units	N/A	20 ft.

¹ No less than seventy percent (70%) of a building’s front facade (including the front facade of any covered or uncovered porches) must be located on the front build-to-line; except, however, no less than fifty percent (50%) of any townhouse or quadraplex building must be located on the front build-to-line. Front build-to-lines shall be measured between the edges of the street right-of-way and the closest facade to the building, including porches. No part of any building shall extend closer to a street than the front build-to-line.

² Required setbacks for accessory structure shall be six feet (6') from rear and side lot lines. No accessory buildings shall be permitted within the front yard.

³ Maximum lot coverage requirements shall not apply to porches located within the front yard.

⁴ In addition to the principal dwelling, an accessory building apartment is permitted by special exception, subject to the criteria listed in Section 454. Such accessory building apartments shall not be calculated as part of the maximum permitted density depicted for single-family detached dwellings in this table.

⁵ No townhouse shall contain more than five (5) units. For each townhouse building containing more than four (4) units, no more than sixty-seven percent (67%) of such units shall have the same front yard setbacks; the minimum variation of setback shall be five feet (5'). In addition, no more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane. All townhouse buildings shall be set back a minimum of fifteen feet (15') from any interior access drives, or parking facilities contained on commonly-held lands. All townhouse buildings shall be set back at least thirty feet (30') from any perimeter boundary of the development site. In those instances where several townhouse buildings are located on the same lot, the following separation distances will be provided between each building.

- a. Front to front, rear to rear, or front to rear parallel buildings shall have at least fifty feet (50') between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten feet (10') at one end if increased by similar or greater distance at the other end.
- b. A minimum yard space of thirty feet (30') is required between end walls of the building may be reduced to a angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty feet (20').
- c. A minimum yard space of thirty feet (30') is required between end walls and front or rear faces of buildings.
- d. All townhouse buildings shall be set back a minimum of fifteen feet (15') from any interior access drives or parking facilities contained on commonly-held lands.

2. Residential Building Design Standards - All residences shall comply with the following:

- A. Building Height - All principal residences shall be between one and one-half (1 1/2), and three (3) stories in height. Accessory buildings shall be no more than twenty feet (20') high, unless an accessory building

apartment is provided; in such cases, an accessory building can extend up to two stories;

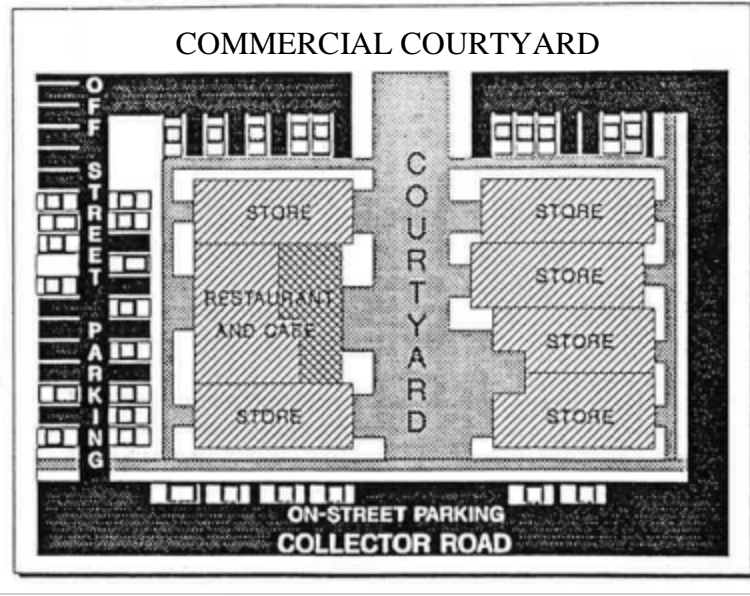
- B. Building Orientation and Porches - All residential buildings' main entrances shall face the lot's front yard. At least fifty percent (50%) of all detached dwellings located along a public street within the same block shall include porches located within the front yard. When a dwelling with a porch is located on a corner lot, the porch shall extend parallel along both front lot lines; and,
 - C. Residential Building Width - No residential dwelling shall be greater than one hundred feet (100') wide as measured parallel, or approximately parallel, with any street line.
3. Vehicular Access and Parking Requirements for Residences - All driveways and off-street parking shall be provided within the rear yard. However, one joint-use driveways shall be permitted to extend into the front yard to connect adjoining residences. Driveway widths shall range between ten (10) and twelve feet (12'). In no case shall any joint use driveway serve more than four (4) dwelling units.

For purposes of this Zone, Section 308 of this Ordinance is partially waived to allow the creation of dwelling lots that do not have public street frontage; however, such lots must front along a commonly-held pedestrian path, and have direct access to a public alley, or a joint-use driveway. In such cases, the lot's front yard shall be that which is along the common pedestrian path. Furthermore, the lot's front build-to-line shall be measured from the edge of the common pedestrian path.

- 4. No above-ground accessory residential swimming pools, except portable "kiddie pools" no deeper than 12", shall be permitted.

204.11. Commercial Design Requirements - Within the Village Overlay Zone, those limited commercial activities listed in Section 204.5.11. shall be permitted in one or a combination of the two following alternative design schemes:

- 1. Commercial Courtyard - This design scheme provides for a centralized pedestrian-oriented commercial courtyard that provides a maximum separation of commercial patrons from vehicular traffic:
 - A. Where practicable, all commercial land uses shall be centralized within one area which is generally equidistant from the peripheral edges of the development, or any adjoining residential neighborhood(s) whose residents would also patronize the commercial courtyard;
 - B. Commercial courtyards shall also be integrated upon a system of sidewalks and/or pedestrian pathways, such that all inhabitants of the development and adjoining neighborhoods to be served will have safe and convenient pedestrian access to the commercial courtyard;



- C. Where practicable, commercial courtyards will be contiguous or directly across a street from common greens as required by Section 204.12.1 of this Ordinance. Furthermore, commercial courtyards shall also incorporate, or be located in close proximity with, civic uses and amenities (e.g., postal gang boxes, bus stops, community centers or pavilions, playgrounds, etc.);
- D. Commercial courtyards shall consist of one minimum thirty-five foot (35') wide pedestrian path which generally runs perpendicular from adjoining streets. Such pedestrian path shall have a dust-free impervious surface with lamp posts, trash receptacles, shade tree beds, pedestrian benches, and similar amenities;
- E. Each commercial building's main facade, sign, and customer entrance must front on the commercial courtyard. At least fifty percent (50%) of the commercial buildings' main facades shall be placed upon a five foot (5') build-to-line, as measured from the nearest edge of the courtyard's pedestrian path; however, this requirement can be waived for outdoor cafes, so long as a three foot (3') high fence is placed along the same build-to-line;
- F. Outdoor restaurant cafes, including awnings, umbrellas, table and chairs, and trash receptacles are permitted, so long as they architecturally and visually complement the overall appearance and function of the commercial courtyard. All activities on-site shall be controlled so as not to constitute a nuisance by means of noise, and litter;
- G. One sidewalk display bin for retail merchandise shall be permitted per use between the main facade of the building and the courtyard's pedestrian path. Such bin shall be located against the facade and shall not extend more than two feet (2') perpendicular from it. Sidewalk display bins shall not exceed an overall length of fifteen feet (15'), nor an

overall height of three feet (3'). Sidewalk bins shall only be exhibited during the use's business hours;

- H. Signs for commercial uses within the commercial courtyard shall only include flat wall signs or wall projecting signs. Overall sign size shall be limited to six (6) square feet per sign, per business. Each business will be permitted one such sign along the courtyard pedestrian path, plus another oriented to its street side. The commercial courtyard is also permitted one freestanding archway which crosses over the common pedestrian path. Such archway must be used to identify a common name of the commercial courtyard;
- I. Vehicular access, off-street parking, and off-street loading shall be located in the commercial use's front yard (directly opposite the common pedestrian path or courtyard) between the building and a public street. As an alternative, off-street parking and loading can be provided on a separate common area shared by adjoining businesses. Such common parking and loading shall be not more than three hundred feet (300') from any of the uses it serves, shall be linked via a sidewalk to the courtyard's common pedestrian path, and shall be screened from the common pedestrian path, adjoining roads, and adjoining residential areas;
- J. Required Off-Street Parking - Minimum required off-street parking spaces for commercial uses are computed on the basis of one (1) per three hundred (300) square feet of total floor area, except that convenience stores, and/or offices of physicians, dentists, and veterinarians shall require one space per two hundred (200) square feet of total floor area. Off-street parking lot design standards shall follow those specified for all commercial uses contained within Section 607 of the SLDO. All off-street parking for commercial uses shall be set back no less than twenty-five feet (25') from any adjoining property used principally for residential purposes. Furthermore, any street access to any off-street parking space must be set back at least forty feet (40') from the right-of-way lines of any intersecting street, or five feet (5') from a fire hydrant;
- K. For each commercial use, one upper-floor apartment with a separate ground level access and one off-street parking space must be provided;
- L. No business shall comprise more than two thousand (2,000) square feet of gross floor area (excluding the upper-floor apartment);
- M. For each thirty (30) dwelling units occupied, one commercial use may be constructed;
- N. Lot Area Requirements - Five thousand (5,000) to ten thousand (10,000) square feet per use;
- O. Lot Width Requirements - Twenty-five feet (25') to eight feet (80') per store front, except that, when a commercial use adjoins a lot or lots used principally for residential purposes, the maximum lot width shall be

increased to accommodate a required twenty-five foot (25') wide landscape buffer strip;

P. Maximum Lot Coverage - Ninety percent (90%);

Q. Minimum Required Setbacks - See following table;

Use	Front Yard	Side Yards Abutting Other Commercial Uses	Side Yards Abutting Public or Residential Uses	Rear Yard
Building	54 ¹	None	25 ft.	See Section 204.11.1.E.
Off-Street Parking	See Section 204.11.1.J.	None	25 ft.	Not Permitted.
Off-Street Parking	10 ft.	None	50 ft.	Not Permitted.
Dumpster	25 ft.	None	50 ft.	Not Permitted.

¹ Building front yard setbacks can be reduced in two separate instances. First, a minimum twenty-foot (20') setback can be used when no off-street parking nor loading is provided between the building and the adjoining street. In such cases, this area shall be used for a minimum eight foot (8') wide sidewalk and a planting strip that comprises at least twenty-five percent (25%) of the area contained within the front yard. Second, the building front yard setbacks can be reduced to thirty feet (30') when perpendicular or angles "head-in" parking spaces directly front an access easement. In this case, the thirty foot (30') strip shall be comprised of a minimum ten foot (10') wide landscapes strip with sidewalk, and the balance used for actual parking spaces.

R. Required Off-Street Loading - See Section 311 of this Ordinance.

S. Height Requirements - All buildings shall have two (2), two and one-half (2 1/2), or three (3) stories to a maximum height of 35';

T. Outdoor Storage - No outdoor storage is permitted;

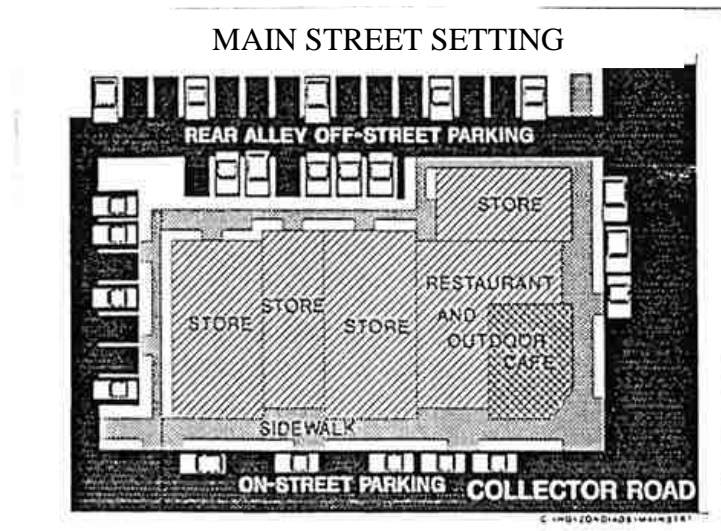
U. Waste Products - Dumpsters maybe permitted within the side or front yard, provided such dumpsters are screened from any adjoining roads and/or properties. All dumpsters shall be set back a minimum of fifty feet (50') from any adjoining properties used for a principal residence. All waste receptacles shall be completely enclosed within a masonry or "sight-tight" fenced enclosure equipped with a self-latching door or gate;

V. Architectural Considerations - All commercial buildings are subject to the regulations of Section 204.9.;

W. Landscaping - Any portion of the site not used for buildings, structures, parking lots, loading areas, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings; and,

X. Commercial Operations Standards - All commercial operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal government regulations, as required by the most recent regulations made available from these governmental bodies.

2. Main Street Setting - This design scheme provides for a centralized main street streetscape similar to that characterized by many of the historic villages and boroughs of the County.



- A. Unless impractical, all commercial land uses shall be centralized within one area which is generally equidistant from the peripheral edges of the development, or any adjoining residential neighborhood(s) whose residents would also patronize the commercial uses;
- B. Main street settings shall be integrated upon a system of sidewalks, such that all inhabitants of the development and adjoining neighborhoods to be served will have safe and convenient pedestrian access to the main street area;
- C. Where practicable, main street settings will be contiguous to or directly across a street from, common greens as required by Section 204.12.1, of this Ordinance. Furthermore, main street settings shall also incorporate, or be located in close proximity with, civic uses and amenities (e.g., postal gang boxes, bus stops, community centers or pavilions, playgrounds, etc.);
- D. Main street settings shall require that commercial uses front along a new arterial or collector road serving the development;
- E. Main street settings shall include sidewalks with lamp posts, trash receptacles, pedestrian benches, shade trees, and other similar amenities;
- F. Each commercial building's facade, sign, and customer entrance must be oriented toward its adjoining street. At least fifty percent (50%) of the commercial buildings' main facades shall be placed upon a five foot (5') front build-to-line; however, this requirement can be waived for outdoor restaurant cafes, so long as a three foot (3') high fence is placed along the same build-to-line;

- G. Outdoor restaurant cafes, including awnings, umbrellas, tables and chairs, and trash receptacles are permitted as long as they architecturally and visually complement the overall appearance and function of the main street setting. All activities on-site shall be controlled so as not to constitute a nuisance by means of noise and litter;
- H. One (1) sidewalk display bin for retail merchandise shall be permitted per use between the main facade of the building and the main street sidewalk. Such bin shall be located against the facade and shall not extend more than two feet (2') perpendicular from it. Sidewalk display bins shall not exceed an overall length of fifteen feet (15') nor an overall height of three feet (3'). Sidewalk bins shall only be exhibited during the uses's business hours;
- I. Signs for commercial uses within the main street setting shall only include flat wall signs or wall projecting signs. Overall sign size shall be limited to six (6) square feet per business. Each business will be permitted only one such sign. Another two (2) square foot wall sign is permitted facing the building's off-street parking area;
- J. Required Parking and Loading - Minimum required off-street parking spaces for commercial uses are computed on the basis of one (1) per three hundred (300) square feet of total floor area, except that convenience stores, and/or offices of physicians, dentists, and veterinarians shall require one space per two hundred (200) square feet of total floor area. Required off-street loading spaces shall be determined by Section 311 of this Ordinance. Such off-street parking and loading areas shall be located behind any commercial building in the rear yard. All off-street parking and loading space areas shall be provided on an integrated basis so that all uses are physically interconnected and share available parking and loading spaces. Cross access easements to ensure such integration shall be required in language acceptable to the Township Solicitor. For the purpose of this Zone, the schedule of required parking spaces listed in Section 310.3. of this Ordinance shall not apply. However, all other design standards shall be enforceable. All vehicular access to such areas shall be via common access drives, preferably not directly from the main street area, but from an intersecting side street.

In addition to the above-described off-street parking, on-street parking shall be provided as parallel parking along any side of the street upon which commercial uses front;

- K. For each commercial use, one upper-floor apartment with a separate ground-level access and one off-street parking space must be provided;
- L. No business shall comprise more than two thousand (2,000) square feet of gross floor area (excluding the upper-floor apartment);

- M. For each thirty (30) dwelling units occupied, one commercial use may be constructed;
- N. Lot Area Requirements - Five thousand (5,000) to ten thousand (10,000) square feet per store;
- O. Lot Width Requirements - Twenty-five feet (25') to eighty feet (80') per store front, except that, when a commercial use adjoins a lot or lots used principally for residential purposes, the maximum lot width shall be increased to accommodate a required twenty-five foot (25') wide landscape buffer strip;
- P. Maximum Lot Coverage - Ninety percent (90%);
- Q. Minimum Required Setbacks - See the following table:

Use	Front Yard	Side Yards Abutting Other Commercial Uses	Side Yard Abutting Other Noncommercial Uses	Rear Yard Abutting Other Commercial Uses	Rear Yard Abutting Noncommercial Uses
Building	See Section 204.11.2.F.	None	50 ft.	50 ft.	50 ft.
Off-Street Parking	Not permitted	None	15 ft.	None	15 ft.
Off-Street Loading	Not Permitted	None	25 ft.	None	25 ft.
Dumpster	Not Permitted	None	50 ft.	None	50 ft.

- R. Height Requirements - All buildings shall have two (2), or two and one-half (2 1/2) stories up to a maximum height of 35';
- S. Outdoor Storage - No outdoor storage is permitted;
- T. Waste Products - Dumpsters are permitted within the rear yard. All dumpsters shall be set back a minimum of fifty feet (50') from any adjoining properties used for a principal residence. All waste receptacles shall be completely enclosed within a masonry or "sigh-tight" fenced enclosure equipped with a self-latching door or gate;
- U. Landscaping - Any portion of the site not used for buildings, structures, parking lots, loading areas, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings; and,
- V. Commercial Operations Standards - All commercial operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal government regulations, as required by the most recent regulations made available from these governmental bodies.

204.12. Open Space Designs Requirements - As specified in Section 204.7., no less than thirty percent (30%) of the total development site's net acreage shall be devoted to public, civic, and/or open space uses. The following standards shall also be applied to these areas:

1. Of the total thirty percent (30%) required, no less than two-thirds (2/3) shall be used for commonly-held public open spaces. Any remaining area shall be reserved for centralized common greens, such as playgrounds, picnic pavilions, and neighborhood park, or public schools, churches, meeting halls, swimming pools, libraries, museums, and other similar uses;
2. The location and design of required public open spaces shall be largely determined by a proper site planning process. As part of this process, applicants shall be required to prepare a natural and cultural features inventory of the site. Qualified experts must identify and plot each of the following found on the proposed site:
 - 100-year floodplains
 - steep slopes greater than fifteen percent (15%)
 - wetlands, riparian buffers, streams, ponds, or other water bodies
 - closed depressions, sinkholes, caves, vistas, or other significant geologic features
 - threatened or endangered species habitats
 - archaeological resources
 - historic resources
 - significant stands of mature trees

From this inventory and plot, it shall be incumbent upon the applicant to demonstrate that the proposed schematic design of the Village Overlay Zone development minimizes disturbance of, but integrates, these feature to provide a safe and attractive network of common pedestrian paths that link areas within the proposed development and connect with nearby uses of the Township. All common pedestrian paths shall consist of an all-weather durable surface that is at least five feet (5') wide;

3. An essential element of the Village Overlay Zone development application is a written description and plan for the disposition of ownership of common open space land designating those areas to be offered for dedication, or to be owned by the specific form of organization proposed. The common open space shall be owned and maintained in a manner to insure its preservation. This shall be accomplished through one of the following:
 - A. An offer of dedication to the Township. The Township shall not be obligated to accept dedication of the common open space;
 - B. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private nonprofit organization among whose purposes is the preservation of open space land and/or natural

resources. The organization shall be a bona fide conservation organization with a perpetual existence, the conveyance must contain appropriate provisions for reverter or retransfer if the organization is unable to maintain the land, and the organization must enter into a maintenance agreement with the Township;

- C. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners; associations found in Pennsylvania Uniform Condominium Act, 68 Pa C.S. _3101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor;
1. Such organization shall not dispose of the common open space by sale or otherwise except to the Township, unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance;
 2. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities; and,
 3. The Township may require the establishment of a reserve fund to provide for maintenance of, or capital improvements to, the common open space.

204.13. Streets, Sidewalks, and Alleys - Within the Village Overlay Zone, the following design standards shall be applied to streets, sidewalks, and alleys:

1. The following table lists required streets, sidewalks, and alley widths:

Functional Street Classification	Number of Travel Lanes	Number of Parallel Parking Lanes	Minimum Required Cartway Width	Minimum Required Sidewalk and Related Planting Strip Width ¹	Minimum Required R.O.W. Width
Arterial or Collector	2	2	40 ft.	20 ft.	60 ft.
Local	2	2	36 ft.	20 ft.	56 ft.
Local	2	1	28 ft.	20 ft.	48 ft.
N/A	2-way alleys	0 ²	16 ft.	0	33 ft.
N/A	1-way alleys	0 ²	11 ft.	0	33 ft.
N/A	1-way access drives	0	9 ft.	0	9 ft.
N/A	2-way access drives	0	18 ft.	0	18 ft.
N/A	joint-use driveway	0	16 ft.	0	16 ft.

¹ Sidewalks shall be provided in accordance with Section 609 of the SLDO.

² No Parking shall be permitted within alleys.

2. Where practicable, the design of streets, alleys, and sidewalks should provide for through traffic and pedestrian movements, and should interconnect with existing nearby streets, alleys, and sidewalks. The use of cul-de-sacs is discouraged.
3. All public streets that connect with existing arterial or collector roads (as depicted on the Official Zoning Map) provide access to commercial uses, and/or act as collector roads within the proposed development, shall be designed with a minimum centerline turning radius of one hundred fifty feet (150'). All other roads shall be designed with a minimum centerline turning radius of eighty feet (80');
4. Both sides of all public streets shall be lined with sidewalks in accordance with Section 609 of the SLDO.

204.14. Public Utility and Service Requirements - All proposals within the Village Overlay Zone must comply with the following:

1. Both public sewer and public water shall be used throughout the development;

2. Where practicable, the retention and regenerative percolation of stormwater runoff shall be located within common passive open spaces;
3. All utility lines shall be located underground and within public streets, alleys, or other public rights-of-way. Any required utility structures, buildings, pump stations, transformers, or other similar devices shall be screened from adjoining properties and roads;
4. All public streets shall be provided on one, or both, side(s) with street lights. Such street lights shall be placed every one hundred (100) lineal feet and shall be of such design and light intensity to complement the development's architecture;
5. Bus stops shall be placed at appropriate location(s) along major roads serving the proposed development. Their distribution shall be such that no residence within the development shall be situated more than one thousand feet (1,000') from its bus stop. Furthermore, the selection of bus stops shall be logically connected with any existing bus routes. Bus stops shall consist of a minimum pedestrian node consisting of one ten by twenty foot (10' x 20') sidewalk section, one permanently anchored park bench, and a shade tree. Such bus stops shall be provided, even if existing bus routes do not currently serve the area; and,
6. Applicants are required to obtain a letter from the Emergency Management Coordinator of the company that would provide first-call service to the proposed development. Such letter should describe any foreseeable problems regarding fire protection for the proposed development. Particular attention should focus upon the location of fire hydrants and street turning radii.

204.15. Subsequent Revisions Within the Village Overlay Zone

1. Except as provided in the next Sections 204.15.2. and 204.15.3., any change proposed within a previously approved village overlay Zone will require the obtainment of a conditional use according to the procedures and standards listed in Section 400 of this Ordinance. The evaluation of such conditional use will be based upon its compliance with the specific requirements of Section 204 and other applicable provisions of this Ordinance, as well as any conditions of approval attached to the original approval;
2. Minor revisions of existing uses which were previously approved as part of a Village Overlay Zone as permitted by right, if they:
 - A. Do not violate any design standards specifically imposed upon the proposed use and its site;
 - B. Do not change any principal use;
 - C. Do not violate any of the standards imposed upon the entire development;
 - D. Do not violate any conditions attached to the original approval of the Village Overlay Zone; and,

- E. Do not adversely affect the architecture of the approved existing development.
- 3. The following accessory uses may be established by special exception, subsequent to approval of a Village Overlay Zone development, subject to their respective specific criteria and the rules and procedures of Section 400 of this Ordinance:
 - A. Accessory apartments (see Section 454 of this Ordinance);
 - B. Group day-care (see Section 426 of this Ordinance); and,
 - C. Home occupations (see Section 431 of this Ordinance).

Section 205 Manufactured Housing Park Zone (MHP)

- 205.1.** **Purpose** - This Zone acknowledges the existence of several manufactured housing parks within the Township. Design standards have been specifically developed to foster an affordable yet comfortable setting in which manufactured houses can be located. Because of the higher densities associated with manufactured housing parks, community and/or public utilities will be required.
- 205.2.** **Permitted Uses**
1. Agricultural, horticultural and/or forestry-related uses, *excluding* commercial livestock operations as defined herein, subject to the requirements listed in Section 201 of this Ordinance;
 2. Forestry;
 3. Manufactured housing parks;
 4. No-Impact Home-Based Business
 5. Public and nonprofit parks and playgrounds with no minimum required lot area;
 6. Public uses and public utilities structures with no minimum required lot area;
 7. Single-family detached dwellings, subject to the standards listed in Section 202 of this Ordinance; and,
 8. Accessory uses customarily incidental to the above permitted uses.
- 205.3.** **Special Exception Uses**
1. Two-family conversions (see Section 454).
- 205.4.** **Conditional Uses**
1. Historic structures conversions (See Section 429)
- 205.5.** **Minimum Required Lot Area and Width** - Each lot/space reserved for one manufactured house shall contain at least 4,250 square feet, and have a width of at least fifty feet (50').
- 205.6.** **Required Uses** - All manufactured housing parks shall be served by public sewers and public water.
- 205.7.** **Maximum Permitted Density** - The maximum permitted density within a manufactured housing park shall be five (5) manufactured houses per acre.

- 205.8. Minimum Required Setbacks** - Each manufactured housing lot/space shall be arranged to provide the following minimum setbacks:
1. Front yard setback - Each manufactured house shall be set back from any internal road serving the manufactured housing park at least fifteen feet (15') from the edge of the street cartway where no right-of-way exists. No building, manufactured house, or other structure shall be located closer than forty feet (40') from the street right-of-way of a street that is not internal to the manufactured housing park;
 2. Side yard setbacks - Each manufactured house and accessory building shall be set back at least five feet (5') from the side lot/space lines, except that such setback shall be increased to thirty feet (30') where it abuts the outside boundary of the manufactured housing park;
 3. Rear yard setbacks - Each manufactured house and accessory building shall be set back at least five feet (5') from the rear lot/space line, except that such setback shall be increased to thirty feet (30') where it abuts the outside boundary of the manufactured housing park;
 4. Other Building setbacks - The above setbacks shall also apply to any office, laundry, recreation, social or other buildings contained within the manufactured housing park; and,
 5. Minimum setbacks between buildings - Regardless of the above setback requirements, each manufactured house shall be located at least fifteen feet (15') from the closest point of any other manufactured house.
- 205.9. Maximum Lot/Space Coverage** - No more than seventy-five percent (75%) of a manufactured house lot/space shall be covered with impervious surfaces.
- 205.10. Maximum Permitted Height** - No principal building shall exceed twenty feet (20') in height, and no accessory structure shall exceed fifteen feet (15') in height.
- 205.11.** All uses permitted within this Zone shall also comply with the applicable General Provisions contained in Article 3 of this Ordinance.
- 205.12.** Each manufactured house shall be provided with a minimum of two (2) paved parking spaces containing at least one hundred eighty (180) square feet of bituminous or concrete surface, which shall be located on the manufactured house lot. If on-street parking is not provided, one additional off-street parking space per unit shall be provided in common visitor parking compound. Such visitor parking compounds shall be sized, arranged, and located so that the spaces are within three hundred feet (300') walking distance to any manufactured house served. Access to all parking spaces shall be limited to interior roads of the manufactured housing park; in no case shall access to such parking spaces be provided from adjoining public roads.
- 205.13.** There shall be a minimum of twenty-five percent (25%) of the gross acreage of the manufactured housing park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas

shall be with the landowner and/or the operator. Should the landowner and/or operator neglect to maintain the designated recreational areas, as depicted on the plan, the Township may then maintain said areas and assess the landowner for any costs incurred.

- 205.14.** A visual screen shall be placed along the manufactured housing park boundaries that adjoin other residentially-zoned properties. Such screen can consist of sight-tight fencing, vegetative materials, or earthen berms that are so arranged to effectively block the views from ground level on adjoining properties. Screening shall be provided between ground level and at least a height of six feet (6'). If sight-tight fencing is used, it shall not encompass more than fifty percent (50%) of the total surface area of the required screen.

Section 210 Neighborhood Commercial Zone (NC)

- 210.1.** **Purpose** - The purpose of this Zone is to provide basic convenience commercial goods and services to local residents. Uses have been limited to those that residents are likely to need on a daily, or regular basis. Overall, retail size has been restricted to prevent the establishment of intensive commercial uses that exceed the local orientation of this zone. These zones have been sized to permit a grouping of several businesses at locations efficiently serving several residential neighborhoods, simultaneously. Finally, several larger and more intensive uses have been allowed (by special exception or conditional use) because of their provision of commercial conveniences for local residents; however, numerous protective requirements have been imposed to protect adjoining land uses.

- 210.2.** **Permitted Uses**
1. Banks and similar financial institutions;
 2. Churches and related uses;
 3. Forestry;
 4. Medical or dental clinics, provided the gross floor area is no greater than three thousand six hundred (3,600) square feet;
 5. No-Impact Home-Based Business;
 6. Offices, provided the gross floor area is no greater than three thousand six hundred (3,600) square feet;
 7. Public parks and playgrounds, public uses, and public underground utilities structures, subject to the applicable design standards listed in Section 201.6 of this Ordinance;
 8. Restaurants and taverns (but not including drive-thru or fast-food restaurants or nightclubs) provided the total sales and dining area is no greater than three thousand six hundred (3,600) square feet;
 9. Retail sale of goods, including convenience stores, provided the total sales and/or display area is less than three thousand six hundred (3,600) square feet;
 10. Retail services including: barber/beauty salons; music, dance, art or photographic studios and repair of clocks and small appliances; provided the total sales and display area is no greater than three thousand six hundred (3,600) square feet;

11. Veterinarian offices provided no outdoor keeping of animals is permitted and the gross floor area is no greater than three thousand six hundred (3,600) square feet; and
12. Accessory uses customarily incidental to the above permitted uses.

210.3. Special Exceptions Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Commercial day-care facilities (see Section 414);
2. Private and commercial schools, provided the gross floor area is no greater than 3,600 square feet (see Section 441); and,
3. Two-family conversions (see Section 454).

210.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Automobile filling stations (see Section 405);
2. Car washes (see Section 411);
3. Dry cleaners, laundries and Laundromats (see Section 420);
4. Historic structures conversions (see Section 429);
5. Medical or dental clinics, provided the gross floor area is at least 3,601 square feet and no greater than 5,000 square feet;
6. Offices, provided the gross floor area is at least 3,601 square feet and no greater than 5,000 square feet;
7. Restaurants and taverns (but not including drive-thru or fast food restaurants or nightclubs) provided the total sales and dining area is at least 3,601 square feet and no greater than 5,000 square feet;
8. Retail services including barber/beauty salons; music, dance, art or photographic studios, and repair of clocks and small appliances, provided the total sales and display area is at least 3,601 square feet and no greater than 5,000 square feet;
9. Veterinarian offices provided no outdoor keeping of animals is permitted and the gross floor area is at least 3,601 square feet and no greater than 5,000 square feet;
10. Private and commercial schools, provided the gross floor area is at least 3,601 square feet and no greater than 5,000 square feet (see Section 441) and;
11. Accessory uses customarily incidental to the above conditional uses.

210.5. Lot Design Requirements - Unless otherwise specified, all uses shall comply with those lot design requirements contained with the following table:

Public Utilities Utilized	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Maximum Permitted Height
None	43,560 sq. ft ¹	200 ft.	35%	35 ft.
Public Sewer or Public Water	30,000 sq. ft ¹	150 ft.	45%	35 ft.
Both Public Sewer and Public Water	15,000 sq. ft ¹	100 ft.	60%	35 ft.

¹All uses relying upon on-lot sewers shall comply with Section 315 of this Ordinance.

210.6. Minimum Required Setbacks - Unless otherwise specified, all uses shall comply with the setbacks contained within the following table:

Minimum Required Setbacks	Buildings/ Structures	Off-Street Parking	Off-Street Loading	Freestanding Sign	Outdoor Storage	Outdoor Display	Dumpsters
Front Yard	10 ft.	Not Permitted	Not Permitted	15 ft.	Not Permitted		
Side Yard- one side	15 ft.	10 ft. ²	10 ft. ²	15 ft.	Not Permitted	15 ft.	
Side Yard- both sides	30 ft.	20 ft. ²	20 ft. ²	15 ft.	Not Permitted	30 ft.	
Rear Yard	25 ft.	15 ft. ²	15 ft. ²	15 ft.	Not Permitted	25 ft.	
Residential Buffer	25 ft.	25 ft.	25 ft.	15 ft.	Not Permitted	50 ft.	

¹The residential buffer shall be measured to the closed point of any adjoining residentially-zoned lot. The residential buffer shall also include a screen as defined herein.

²Side, or the rear yard setbacks can be waived solely for joint parking and/or loading spaces where two, or more adjoining uses share such parking and/or loading spaces.

210.7. Outdoor Storage and Display - Within this Zone, no outdoor storage nor display is permitted.

210.8. Off-Street Loading - Off-street loading shall be provided as specified in Section 311 of this Ordinance. All vehicles shall be parked/stored overnight on the site.

210.9. Off-Street Parking - Off-street parking shall be provided as specified in Section 310 of this Ordinance. All vehicles shall be parked/stored overnight on the site.

210.10. Signs - Signs shall be permitted as specified in Section 313 of this Ordinance.

210.11. Access Drive Requirements - All access drives shall be in accordance with Section 309 of this Ordinance.

210.12. Screening - Screening must be provided along any adjoining lands within a residential zone, regardless of whether or not the residentially-zone parcel is developed (See Section 312 of this Ordinance.)

210.13. Landscaping - Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings. (See Section 312 of this Ordinance.)

210.14. Waste Products - Dumpster used for domestic garbage may be permitted within the side or rear yard, provided such dumpsters are screened from any adjoining roads and/or properties. All dumpsters shall be set back a minimum of fifty feet (50') from any adjoining residentially zoned properties. All waste receptacles shall be completely enclosed.

- 210.15.** **Commercial Operations Standards** - All commercial operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal Government regulations, as required by the most recent regulations made available from these governmental bodies.
- Businesses within the NC Zone may not remain open or in operation between 11:00 p.m. and 6:00 a.m.
- 210.16.** All uses permitted within this zone shall also comply with the General Provisions in Article 3 of this Ordinance.
- 210.17.** All uses must provide a safe means of pedestrian access to any adjoining residentially-zoned property.
- 210.18** Structures constructed within the Neighborhood Commercial Zone shall comply with the Traditional Design Guidelines found in Appendix A and specific items as follows:
1. Siding and Masonry - Color of the basic wall cladding shall be a neutral or muted color, not a bright primary color. Bright colors shall be reserved for trim and other accent elements;
 2. Window Frame Construction - A full-length storefront with traditional surrounds between and below the display windows shall be required. Display window shall be no more than two-thirds the height of the first floor story, and shall be clearly separated from each other by solid surrounds, not one continuous facade of glass;
 3. Door Types - Doors shall be provided with large muntin-less windows forming their top halves;
 4. Outbuildings - Outer cladding, whether synthetic or natural, shall resemble traditional cladding materials such as wood, brick, stone, or square-cut logs;
 5. Community Layout - The facade of an individual building shall face the road and parking be provided in the rear or side of the structure;
 6. Signage - Signs shall be solid and externally lit.

Section 211 Highway Commercial Zone (HC)

- 211.1.** **Purpose** - This zone provides suitable locations for highway-oriented retail, service and entertainment businesses. The uses typically involve outdoor activities and/or storage areas like automobile, boat and trailer sales and service establishments. The uses provided in this zone are meant to serve local residents as well as those motorists passing through the Township. Access to these areas is provided by adjoining major roads. Specific setbacks are imposed upon outdoor storage areas to protect adjoining properties. Finally, legally-protected adult-related facilities are permitted by conditional use.
- 211.2.** **Permitted Uses**
1. Automobile, boat, farm machinery and trailer sales (including service or repair facilities as an accessory use and if conducted within a wholly-enclosed building);

2. Banks and similar financial institutions;
3. Churches and related uses;
4. Dry cleaners, laundries and Laundromats;
5. Forestry;
6. Health and fitness clubs;
7. Hotels, motels and similar lodging facilities;
8. No-Impact Home-Based Business;
9. Offices;
10. Public parks and playgrounds, public uses and public utilities, subject to the applicable design standards listed in Section 201.6. of this Ordinance;
11. Recycling collection facilities;
12. Restaurants and taverns (but not including drive-thru or fast-food restaurants, and/or nightclubs);
13. Retail sale of goods and services (including auto parts stores, without installation);
14. Shops for contractors of plumbing, heating, air conditioning, electrical, roofing, flooring, glass and windows, insulation, carpentry and cabinet making, and other structural components of buildings;
15. Theatres and auditoriums; and,
16. Accessory uses customarily incidental to the above permitted uses.

211.3. Special Exception Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Amusement arcades (see Section 403);
2. Automobile service and repair facilities including but not limited to auto mechanics, drive-thru lubrication services and tire, auto paint, brake, muffler, transmission, windshield, auto body, car radio, and upholstery shops (see Section 406);
3. Car washes (see Section 411);
4. Churches and related uses (see Section 412);
5. Commercial day-care facilities (see Section 414);
6. Farmers and/or flea markets (see Section 422);
7. Funeral homes, mortuaries and crematoriums (see Section 424);
8. Home improvement and building supply stores (see Section 430);
9. Private and commercial schools (see Section 441); and,
10. Two-family conversions (see Section 454).

211.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

1. Adult related uses (see Section 401);
2. Automobile auctions and/or automobile parking or storage compounds (see Section 404);
3. Drive-thru and/or fast-food restaurants (see Section 419);
4. Commercial recreation facilities (see Section 435);
5. Warehouses (see Section 435);
6. Nightclubs (see Section 436);
7. Shopping centers or malls with any of the uses permitted within this Zone (see Section 450);
8. Historic structures conversions (see Section 429);
9. Helistop (see Section 457);

- 10. Automobile filling stations (including minor incidental repair) (see Section 405);
- 11. Kennels (see Section 434); and,
- 12. Private Clubhouses (see Section 442); and
- 13. Billboards (see Section 408).

211.5. Lot Design Requirements - Unless otherwise specified, all uses shall comply with the lot design requirements contained within the following table:

Public Utilities Utilized	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Maximum Permitted Height
None	43,560 sq. ft ¹	200 ft.	45%	35 ft.
Public Sewer or Public Water	30,000 sq. ft ¹	150 ft.	55%	35 ft.
Both Public Sewer and Public Water	15,000 sq. ft ¹	100 ft.	70%	35 ft.

¹All uses relying upon on-lot sewers shall comply with the Monroe Township On-Lot Management Ordinance.

211.6. Minimum Required Setbacks - Unless otherwise specified, all uses shall comply with the setbacks contained within the following table:

Required Setbacks	Buildings/ Structures	Off-Street Parking	Off-Street Loading	Freestanding Sign	Outdoor Storage ³	Outdoor Display ³	Dumpsters
Front Yard	15 ft.	Not Permitted	Not Permitted	15 ft.	Not Permitted	20 ft.	Not Permitted
Side Yard - one side	15 ft.	10 ft. ²	10 ft. ²	15 ft.	10 ft.	15 ft.	25 ft.
Side Yard - both sides	30 ft.	20 ft. ²	20 ft. ²	15 ft.	20 ft.	30 ft.	50 ft.
Rear Yard	30 ft.	10 ft. ²	20 ft. ²	15 ft.	20 ft.	20 ft.	20 ft.
Residential Buffer ¹	50 ft.	50 ft.	50 ft.	15 ft.	50 ft.	50 ft.	50 ft.

¹The residential buffer shall be measured to the closed point of an adjoining residentially-zoned lot. The residential buffer shall also include a screen as defined herein.

²Side, or the rear yard setbacks can be waived solely for joint parking and/or loading spaces where two, or more adjoining uses share such parking and/or loading spaces.

³Section 321 of this Ordinance, lists certain exceptions to these requirements.

211.7. Off-Street Loading - Off-street loading shall be provided as specified in Section 311 of this Ordinance. In addition, no off-street loading area shall be permitted on any side of a building facing adjoining lands within a residential zone, nor any side of a building facing an adjoining street. All vehicles shall be parked/stored overnight on the sight.

- 211.8.** **Off-Street Parking** - Off-street parking shall be provided as specified in Section 310 of this Ordinance. All patron's vehicles shall be parked on the site. With the exception of vehicle repair facilities, no vehicle shall be parked or stored overnight that are not titled to the Landowner.
- 211.9.** **Signs** - Signs shall be permitted as specified in Section 313 of this Ordinance.
- 211.10.** **Access Drive Requirements** - All access drives shall be in accordance with Section 309 of this ordinance.
- 211.11.** **Screening** - Screening must be provided along any adjoining lands within a residential zone, regardless of whether or not the residentially-zoned parcel is developed. (See Section 312 of this Ordinance.)
- 211.12.** **Landscaping** - Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings. (See Section 312 of this Ordinance.)
- 211.13.** **Outdoor Storage and Display** - Within this Zone, outdoor storage is permitted, provided all outdoor storage areas are screened from adjoining roads and properties, and the outdoor storage areas comply with the setbacks imposed within this section. Outdoor display areas need not be screened from adjoining roads, if they are located within the front yard. Section 321 of this Ordinance also lists other outdoor storage and display requirements.
- 211.14.** **Waste Products** - Dumpsters used for domestic garbage may be permitted within the side or rear yard, provided such dumpsters are screened from any adjoining roads or properties. All dumpsters shall be set back a minimum of fifty feet (50') from any adjoining residentially-zoned properties. All waste receptacles shall be completely enclosed.
- 211.15.** **Commercial Operations Standards** - All commercial operations shall be in compliance with a Commonwealth of Pennsylvania and/or Federal Government regulations, as required by the most recent regulations made available from there governmental bodies.
- 211.16.** All uses shall comply with the applicable General Provisions contained within Article 3 of this Ordinance.

Section 220 Industrial Zone (I)

- 220.1.** **Purpose** - This Zone provides for a wide range of industrial activities that contribute to the well-being of the Township by diversifying its economy and providing valuable employment opportunities. The required lot sizes have been kept small to accommodate the start-up industries that are likely to emerge; however, larger and heavier industries have also been permitted. This Zone provides for light industrial uses as permitted by right, but required acquisition of a conditional use for heavier and potentially more-objectionable types of

industrial uses. These areas have been located near existing public utility service areas and along arterial and collector roads. Design standards have been imposed to create attractive site designs and moderate the objectionable impacts associated with industrial uses. Substantial setbacks are used to protect adjoining residences.

220.2. Permitted Uses

1. Agriculture, subject to the standards listed in Section 201 of this Ordinance;
2. Agriculture support businesses, including
 - A. Facilities for the commercial processing, and warehousing of agricultural products;
 - B. Facilities for the warehousing, sales, and service of agricultural equipment, vehicles, feed, or supplies;
 - C. Commercial stockyards, or feedlots; and,
 - D. Veterinary offices, animal hospitals, or kennels.
3. Forestry;
4. Laboratories for medical, scientific, or industrial research and development;
5. Machine shop;
6. Manufacturing, packaging, storage and/or wholesaling of the following:
 - A. Furniture, cabinets, fixtures, office supplies, floor and ceiling materials, and other household appointments;
 - B. Scientific, specialized and technical instruments and equipment;
 - C. Hardware and software for audio-video components, computers, vending machines, electronic equipment and video games;
 - D. Finished textile products;
 - E. Brushes, brooms and combs;
 - F. Hot tubs, spas, saunas, and swimming pools;
 - G. Jewelry, and other precious metals;
 - H. Photographic, lighting and timekeeping equipment;
 - I. Small household appliances, excluding major appliances;
 - J. Musical instruments and sporting equipment;
 - K. Cosmetics, toiletries and pharmaceuticals;
 - L. Optical, dental, and medical supplies and equipment; and,
 - M. Small or novelty products from prepared materials (excluding the use of sheet metals).
7. No-Impact Home-Based Business;
8. Offices;
9. Photocopying, bookbinding, printing, and publishing operations;
10. Processing, packaging, storage and/or wholesaling of food products, excluding breweries, distilleries and pickling processes;
11. Repair shops for products permitted to be manufactured within this Zone;
12. Sales, storage and/or wholesaling of the following:
 - A. Home and auto-related fuels;
 - B. Nursery and garden materials, and stock;
 - C. Contractor supplies; and
 - D. Plumbing, heating, air conditioning, electrical, and other structural components of buildings;
13. Public uses and public utilities;
14. Sign-makers;
15. Small engine repair shops;

- 16. Vocational trade tools;
- 17. Welding shops; and,
- 18. Accessory uses customarily incidental to the above permitted uses, including accessory retail sales of products produced on-site so long as the sales area is no more than ten percent (10%) of the total building area or three thousand (3,000) square feet, whichever is less.

220.3. Special Exception Uses

- 1. Two-family conversions (see Section 454).

220.4. Conditional Uses (Subject to the review procedures listed in Section 400 of this Ordinance.)

- 1. Communication antennas, towers and equipment (see Section 417);
- 2. Heavy equipment sales, service and repair, such as excavation machinery, commercial trucks, buses, farm equipment, manufactured houses, trailers, and other similar machinery (see Section 427);
- 3. Heavy industrial uses involving processing, packaging, production, repair or testing of materials, goods and products, including those industries performing conversion, assembly, or non-toxic chemical operations (see Section 428);
- 4. Junkyards (see Section 435);
- 5. Warehouses (see Section 435);
- 6. Off-track betting parlors (see Section 438);
- 7. Principal waste handling facilities (see Section 440);
- 8. Recycling facilities for paper, plastic, glass and metal products (see Section 444);
- 9. Commercial mushroom operations (see Section 448);
- 10. Slaughtering, processing, rendering, and packaging of food products and their by-products (see Section 451);
- 11. Truck stops, motor freight terminals, or distribution centers (see Section 453);
- 12. Warehousing and wholesale trade establishments (see Section 455);
- 13. Wholesale produce auctions (see Section 456);
- 14. Breweries, distilleries, pickling processes, and sugar refineries (see Section 418);
- 15. Historic structures conversions (see Section 429);
- 16. Airports/heliports (see Section 402);
- 17. Helistops (see Section 457);
- 18. Sawmills (see Section 447);
- 19. Wind Energy Facilities (see Section 459);
- 20. Billboards (see Section 408)

220.5. Lot Design Requirements - Unless otherwise specified, all uses shall comply with the lot design requirements contained within the following table:

Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Maximum Permitted Height
1 acre*	150 ft.	70%	35 ft.

*All uses relying upon on-lot sewers are subject to the requirements of the Monroe Township On-Lot Management Ordinance.

220.6. Minimum Required Setbacks - Unless otherwise specified, all uses shall comply with the setbacks contained within the following table:

Required Setbacks	Buildings/ Structures	Off-Street Parking	Off-Street Loading	Freestanding Sign	Outdoor Storage	Outdoor Display	Dumpsters
Front Yard	15 ft.	Not Permitted	Not Permitted	15 ft.	Not Permitted	10 ft.	Not Permitted
Side Yard - one side	30 ft.	20 ft. ²	20 ft. ²	15 ft.	20 ft.	20 ft.	20 ft.
Side Yard - both sides	60 ft.	40 ft. ²	40 ft. ²	15 ft.	40 ft.	40 ft.	40 ft.
Rear Yard	25 ft.	25 ft. ²	25 ft. ²	15 ft.	25 ft.	25 ft.	25 ft.
Residential Buffer ¹	75 ft.	50 ft.	50 ft.	15 ft.	50 ft.	50 ft.	50 ft.

¹The residential buffer shall be measured to be the closest point of an adjoining residentially-zoned lot. The residential buffer shall also include a screen as defined herein.

²Side, or the rear yard setbacks can be waived solely for joint parking and/or loading spaces where two, or more adjoining uses share such parking and/or loading spaces.

220.7. Outdoor Storage - Within this Zone, outdoor storage is permitted, provided all outdoor storage areas are screened from adjoining roads and properties, and the outdoor storage areas comply with the setbacks imposed within this section. Outdoor display areas need not be screened from adjoining roads, if they are located within the front yard. Section 321 of this Ordinance also lists other outdoor storage and display requirements.

220.8. Off-Street Loading - Off-street loading shall be provided as specified in Section 311 of this Ordinance. In addition, no off-street loading shall be permitted on any side of a building facing an adjoining residential use, residential zone nor street. All vehicles shall be parked/stored overnight on the site.

220.9. Off-Street Parking - Off-street parking shall be provided, as specified in Section 310 of this Ordinance. All vehicles shall be parked/stored overnight on the site.

220.10. Signs - Signs shall be permitted as specified in Section 313 of this Ordinance.

220.11. Access Drive Requirements - All access drives shall be in accordance with Section 309 of this Ordinance.

220.12. Screening - A vegetative screen must be provided along any adjoining lands within a residential zone, regardless of whether or not the residentially-zoned parcel is developed. (See Section 312 of this Ordinance.)

220.13. Landscaping - Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas, and sidewalk shall be maintained with a vegetative groundcover and other ornamental plantings. (See Section 312 of this Ordinance.)

- 220.14.** **Industrial Operations Standards** - All industrial operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal Government regulations, as required by the most recent regulations made available from these governmental bodies.
- 220.15.** **Waste Products** - Storage of industrial waste materials shall not be permitted, except in an enclosed building. Dumpsters used for domestic garbage may be permitted within the side or rear yard, provided such dumpsters are screened from any adjoining roads or properties.
- 220.16.** All uses permitted within this zone shall also comply with the General Provisions contained in Article 3 of this Ordinance.

Article 3

General Provisions

Section 300 General Provisions

The regulations contained within Article 3 shall apply to all uses within the Township.

Section 301 Accessory Uses and Structures

301.1. Fences and Walls - No fence or wall (except livestock, required junk yard or tennis court wall or fences, or a retaining wall of a building permitted under the terms of this Ordinance) shall be erected in the clear sight triangle (see Section 308). People are encouraged but not required to select a fence type which is compatible with architecture of the area. Fences shall be no higher than 10' in height, unless set back from the property line a distance equal to the height of the fence. Property owners shall be responsible for the determination of the location of the property line where fences are placed with a zero setback.

301.2. Swimming Pools – Swimming pools as defined herein shall be permitted as accessory uses subject to the following requirements:

1. No permanent or temporary pool shall be permitted without an operable filtration system utilizing chlorine, bromine or other antibacterial agent. The filtration system shall be operational at all times.
2. Swimming pools shall be completely enclosed with fencing or a barrier meeting the requirements of the Uniform Construction Code. Such fence or barrier shall be erected before any pool is filled with water.
3. All pools shall be setback a minimum of 10' from all lot lines, measured from the property line to the edge of the water.
4. No water from a pool shall be discharged onto any public street or alley.
5. All pools shall be maintained as not to become a nuisance to adjoining properties.
6. Swimming pools set-up and removed on a temporary basis shall be required to obtain a valid zoning permit prior to their initial installation, however subsequent installations of the same pool under the same permit conditions shall not require a permit.

301.3. Recreation Courts, Rinks and other Athletic Facilities - All Recreation Courts, Rinks and other Athletic Facilities and all facilities shall be arranged and/or fenced so as to prevent safety hazards upon nearby roads, properties, or both. All recreation courts, rinks and other athletic facilities and all facilities, excluding fences, shall be set back at least twenty feet (20') from any adjoining lot lines. Where such facility is located closer than fifty (50') to adjoining properties, a permanent fence at least six feet (6') in height shall be required along each side facing the adjacent property. Such fence shall extend parallel to said baseline at least ten feet (10') beyond the court's playing surface unless the entire court is enclosed. Any lighting fixtures shall be arranged so as not to cast directly on adjoining property, roads, or both;

- 301.4. Satellite Dish Antennas** - Satellite dish antennas are subject to all accessory use standards. Furthermore, any satellite dish antenna located within the (C), (A), (R-1), (V), (VO), and (NC) Zones shall be used only to receive signals, not transmit them. All ground-mounted satellite dish antennas located within the (HC) and (I) Zones that are used to transmit video format data shall be completely enclosed by an eight foot (8') high, non-climbable fence that includes signage warning of dangerous radiation levels. Any gates within the fence shall be locked when unattended. Satellite dish antennas within the (HC) and (I) Zones shall comply with all principal use standards;
- 301.5. Ornamental Ponds and Wading Pools:**
1. Such structures shall comply with all accessory use setbacks;
 2. All such ponds or pools shall be maintained so as to not pose a nuisance by reason of odor, or the harboring of insects, vermin, or both; and,
 3. No such pond(s) shall be used for the commercial hatching of fish or other species;
- 301.6. All Natural or Man-Made Lakes, Dams, Ponds, and Impoundments:**
1. All lakes, dams, ponds, and impoundments shall be permitted in any zone, subject to the SLDO and all state or federal requirements.
 2. Requirements for Fencing - All ponds constructed within areas subject to livestock shall be enclosed by fencing that prevents livestock from trampling the pond's shores and polluting the waters; and,
 3. Maintenance - All lakes, dams, ponds and other impoundments shall be regularly maintained to prevent stagnation and to prevent a nuisance to adjacent properties and floating debris shall be removed from all pipes and spillways. If the ponds, lakes, dams and impoundments have pipes and spillways, they shall be regularly cleaned.
 4. All stormwater management facilities with a design depth for the 100 year storm of 3 feet or greater and interior side slopes in excess of 4:1 shall be completely enclosed by a 4' high fence.
- 301.7. Garage/Yard Sales** - Within any zone, an owner, occupant, or both, may conduct up to two (2) garage/yard sales per year. No garage or yard sale shall be conducted for a period longer than two (2) consecutive days. Such sales shall be limited to personal possessions. Only two, six (6) square foot, signs shall be permitted advertising the garage/yard sale located upon the premises where the sale occurs, and shall be removed promptly upon the completion of the sale. In no case shall any aspect of the garage/yard sale be conducted in a street right-of-way, except that parking may occur where permitted. The conduct of garage sales beyond the extent herein represents a commercial business and requires appropriate zoning authorization;
- 301.8. Accessory Repair of Personal Motor Vehicles** - The routine maintenance, repair and servicing of personal motor vehicles, including go-karts and racing vehicles, owned or leased by the person performing such services when performed outside of a completely-enclosed building within the (C), (A), (R-1),

and (V) Zones, is permitted by an occupant of the residence, but only in compliance with the following:

1. All vehicles shall be maintained with proper licensure;
2. All work shall be performed on the vehicle owner's (lessee's) property of residence;
3. Work shall be limited to the following:
 - A. Servicing and replacement of spark plugs, batteries, distributors, alternators and distributor parts;
 - B. Repair and replacement of tires and wheels, excluding recapping or re-grooving;
 - C. Replacement of water hoses, fan belts, brake fluids, transmission fluid, oil filters, air filters, oil, grease, light bulbs, fuses, floor mats and carpeting, seat covers, seatbelts, windshield wipers, mirrors, air conditioning coolant and engine coolants;
 - D. Repair and replacement of car radios, tape players, amplifiers, speakers, and similar electronic devices;
 - E. Cleaning and flushing of radiators only when flushed into water-tight container;
 - F. Repair and replacement of fuel pumps, fuel injectors, and line repairs;
 - G. Minor servicing and adjustments;
 - H. Minor motor adjustments not involving the removal of the motor Head or crankcase, nor the prolonged revving of the motor;
 - I. Minor body repairs, excluding the replacement of body parts, the complete repainting of the body and the application of undercoating; and,
 - J. Cleaning of all exterior and interior surfaces, including washing, shampooing, vacuuming, rubbing, polishing, waxing, and the application of paint sealants;
4. All by-product or waste fuels, lubricants, chemicals, and other products shall be properly disposed of; and,
5. No vehicle shall be stored in a "jacked-up" position, or on blocks for more than seventy-two (72) continuous hours.
6. All work shall be performed during daylight hours.

301.9.

Outdoor Fireplaces and Recreational Fires – Within any zone, outdoor fireplaces and recreational fires shall be permitted, subject to the following regulation and in accordance with the Monroe Township Burning Ordinance.

1. Outdoor Fireplaces shall be used in accordance with the manufacturer's instruction, contain a spark arrester and shall not be operated within fifteen (15') feet of a structure or other combustible material.
2. Recreational Fires shall not be conducted within twenty five (25') of a structure or other combustible material. Conditions which could cause a fire to spread within twenty five (25') feet of a structure shall be eliminated prior to ignition.
3. All Outdoor Fireplaces and Recreational Fires shall be constantly attended until the fire is extinguished. Approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or portable fire extinguisher shall be available for immediate utilization. A minimum of one UL listed portable fire extinguisher with a minimum 4-A rating shall be mounted no more than fifty (50') feet from and within sight of any permanent installation.

Section 302 Unenclosed Storage

- 302.1. Recreational Vehicles, Boats, Campers, Trailers, and Trucks** – Within the (A), (NC), (HC) and (I) Zones, the unenclosed storage of recreational vehicles, campers, travel trailers, commercial trucks, boats and trailers is permitted.

Within the (C), (R-1), (MHP) and (V) Zones, the unenclosed storage of recreational vehicles, campers, travel trailers, commercial trucks, boats and trailers is permitted only according to the following requirements:

1. For purposes of this section, recreational vehicles, campers, travel trailers, boats and trailers are divided into two separate categories, as follows.

Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console:

Class I Vehicles - Those recreational vehicles, campers, travel trailers, boats and trailers used solely for the transport of the residents' recreational vehicle(s) that are no more than twenty five (25') in length, as measured to the vehicle's outermost edges, nor exceed a height of ten feet (10'), as measured from the ground to the highest point of the main body of the vehicle.

Class II Vehicles - Those recreational vehicles, campers, travel trailers, boats and trailers used solely for the transport of the residents' recreational vehicle(s) that are more than twenty five (25') in length, as measured to the vehicle's outermost edges, exceed a height of ten feet (10'), as measured from the ground to the highest point of the main body of the vehicle, or both.

2. Recreational vehicles or campers with expandable roofs or sides shall be stored in the stowed position. The temporary parking of a Class I or II recreational vehicle or camper in a set-up position for a period not to exceed

72 hours is permitted, so long as the vehicle is set back no less than five feet (5') from the edge of cartway;

3. The storage of Class I vehicles registered to the landowner or tenant of a property shall be permitted on the basis of one vehicle plus one vehicle per one half acre of lot area up to a maximum of three (3) vehicles, so long as each unit is set back no less than a horizontal distance equal to the zone's accessory use setbacks in the side and rear yard, and five (5) feet from the edge of the cartway in the front yard. A paved or gravel surface shall be provided for the storage of Class 1 vehicles in the front yard. All areas used for the storage of Class I vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licensure and prevent the leakage of fuels, lubricants, or both, into the ground;
4. The storage of one Class II vehicle is permitted subject to the following requirements:
 - A. Vehicles stored in the side or rear yard shall be set back a horizontal distance equal to the zone's accessory use setbacks;
 - B. Vehicles stored in the front yard on a paved or gravel surface shall be permitted, so long as the vehicle is set back no less than five feet (5') from the edge of cartway. On vacant lots, the vehicle must be stored behind the required front yard setback line, as specified for principal uses;
 - C. Screening, as described in Section 313 of this Ordinance, shall be provided along any side or rear lot lines. Such screening shall not extend into the required front yard. Screening shall not be required along a common side lot line when the owner resides on one (1) lot, and stores a vehicle on an adjacent vacant lot that he/she owns. One ten foot (10') wide break in required screening may be provided along one (1) rear or side lot line for vehicle access onto an adjoining alley; and,
 - D. All areas used for the storage of Class II vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licensure and prevent the leakage of fuels, lubricants, or both, into the ground;
5. The storage or parking of one (1) commercial truck upon any residential lot is permitted. For the purpose of this section, commercial trucks shall include those that do not exceed a gross vehicle weight (truck plus rated payload) of ten thousand (10,000) pounds. In addition, the parking or storage of any trailer other than those accessory to a principal residential use is expressly prohibited; and,

302.2. Outdoor Stockpiling - In all zones, no outdoor stockpiling of any personal material is permitted in the front yard. In any residential zone, the outdoor stockpiling of personal materials (except firewood) for more than one (1) year, is prohibited;

302.3. Trash, Garbage, Refuse, or Junk - Except as provided in Sections 432 and 439 of this Ordinance, the outdoor accumulation of trash, garbage, refuse, or junk for

- a period exceeding fifteen (15) days is prohibited;
- 302.4. Dumpsters** - All trash dumpsters shall be located within a side or rear yard, screened from adjoining roads and properties, and completely enclosed within a masonry or fences enclosure equipped with a self-latching door or gate;
- 302.5. Domestic Composts** - The placement of composts as an accessory residential use is permitted, subject to all accessory use setbacks. Only waste materials from the residential site shall be deposited within the compost, and in no case shall meat, or meat by-products, be composted. All composts shall be properly maintained so as not to become a nuisance to nearby properties; and,
- 302.6. Parking and Storage of Unlicensed or Uninspected Motor Vehicles** - Motor vehicles without current, valid license plates or inspection stickers which are more than sixty (60) days beyond their expiration date, shall not be parked or stored in any zone. The requirements of this section shall not be applicable to farm implements and other farm vehicles not normally used as a means of conveyance on public highways. Nothing contained herein shall be deemed to authorize the parking or storage of any motor vehicle in any zone, unless such motor vehicle is an accessory use to the present use of the lot. Notwithstanding the foregoing, this section, in and of itself, shall not be interpreted to prevent the unenclosed storage of motor vehicles without current, valid license plates and current, valid inspection stickers if such storage is performed in conjunction with the legal operation of a motor vehicle sales establishment, a motor vehicle service or repair establishment, or a junkyard.
- 302.7. Parking and Storage of Commercial Trucks and Trailers** - In the (C), (R-1), and (V) Zones, the parking or storage of commercial trucks, or commercial trailers within the public or private road right-of-way is expressly prohibited.
- 302.8. Temporary Storage** - The temporary storage of portable dumpsters and bulk materials, including but not limited to stone, mulch, firewood and building materials, within the public right-of-way shall be prohibited in any zone. Where adequate space does not exist on a lot for the placement of a bulk disposal container, the limited placement of a dumpster within the parking area of a right-of-way shall be permitted for a period not to exceed 48 hours.

Section 303 Setback Modifications

- 303.1. Front Setback of Buildings on Built-up Streets** - Where at least two (2) adjacent buildings within one hundred feet (100') of a property are set back a lesser distance than required, the average of the lesser distances becomes the required minimum front setback for the property. However, in no case shall the setback line be less than fifteen feet (15') from any abutting street right-of-way line except where permitted; and,
- 303.2. Accessory or Appurtenant Structures** -
1. The setback regulations do not apply to open or covered front porches, bus shelters; telephone booths; and cornices, eaves, chimneys, steps, canopies and similar extensions, open fire escapes, minor public utility structures less than 50 square feet in area and 6 feet in height, and articles or ornamentation of decoration.

2. Accessory use setback regulations shall apply to open or covered rear decks, porches or patios.
3. Principal use setbacks shall apply to all porches or patios enclosed with walls and a roof, structures attached or a part of the principal building, including, but not limited to, garages and storage units.
4. Fences, hedges and retaining walls are exempt.
5. Where the proposed structure does not contain a permanent foundation and is less than 200 square feet in floor area, as in the case of a movable shed, pavilion, gazebo or other temporary facility, or a permanent structure that is at least 75% open on at least three sides, the required side and rear yard setbacks may be reduced by fifty (50) percent of the required distance, except in the (R-1) Zone;

303.3 Setback Reductions in the Agricultural Zone

For all properties in the Agricultural (A) Zone created prior to the enactment of this Ordinance containing less than the minimum lot area prescribed in Section 201.5, the required setbacks may be reduced to the setbacks in effect at the time of lot creation, however no less than the following:

1. Front Yard - 30 Feet
2. Rear Yard - 30 Feet
3. Side Yard - 10 Feet
4. Side and Rear Yards (Accessory Structures) - 5 Feet

Section 304 Height Limit Exceptions

304.1. The height regulations listed in Article 2 do not apply to the following structures or projections provided such structures or projections are set back a horizontal distance from any property line at least equal to their height from the average level of the ground abutting the structure:

1. Water towers, antennas, utility poles, smokestacks, chimneys, farm silos, windmills, flagpoles, or other similar structures;
2. Rooftop structures for the housing of elevators, stairways, water storage tanks, ventilating fans, and other mechanical appurtenances; and,
3. Parapet walls or cornices used solely for ornamental purposes if not in excess of five feet (5') above the roof line; and,

304.2. In no case shall any freestanding or rooftop structure above the maximum permitted height be used for the purpose of providing additional floor space for residential, commercial or industrial purposes.

304.3. The height of an accessory structure may be increased by a maximum of five (5) feet above the regulations listed in Article 2, provided the structure is set back a distance equal to the height of the structure from all adjacent property lines.

Section 305 Corner Lots

A front yard, as provided for in the area and lot requirements for the various zones, shall be required along each street on which a corner lot abuts.

On any corner lot, no wall, fence, or other structure shall be erected, altered, or maintained, and no hedge, tree, or other growth shall be planted or maintained which may cause danger to traffic on a street by obstructing the view within an area formed by a Clear Site Triangle where the two legs of the triangle extend one hundred fifty (150') feet from the centerline intersection of the two intersecting streets for arterial and collector roads, or one hundred (100') feet for all other streets. Structures or vegetation less than three (3') feet in height or permitted signage may encroach into the required Clear Site Triangle at stop or signal controlled intersections so long as there is no obstruction to the view or danger to traffic created.

Accessory structures shall be allowed in the required front yard of corner lots along the non-address street, subject to meeting the side yard principal use setbacks for the zone.

Section 306 Erection of More Than One Principal Use on a Lot

In the (NC), (HC) and (I) Zones, more than one principal non-residential use may be erected on a single lot provided that all lot and yard requirements, standards and other requirements of this Ordinance, including minimum lot area, minimum lot frontage, required setbacks, and maximum impervious coverage shall be met for each structure, as though it were on an individual lot that could be subdivided in the future. In addition, such proposals shall gain approval for a land development plan, and provide individually approved methods of sewerage disposal. A subdivision plan will be required where a lease arrangement exists.

Section 307 Required Vehicular Access

Every building hereafter erected or moved to a vacant lot which existed at the time of enactment of this Ordinance, shall be on a lot adjacent to a public street right-of-way. The erection of buildings without approved access shall not be permitted. Approved access shall be provided in accordance with Article 6 of the SLDO, as may be amended from time to time, for street design or as subsequently provided for by the Township. Access to lots containing single-family dwelling shall be via driveways (see Section 308); access to lots containing other uses shall be via access drives (see Section 309).

The erection of a principal building on any lot which existed at the time of the enactment of this Ordinance and does not have frontage on a public right-of-way shall be permitted if the applicant provides proof of access to the property in the form of a legal document recorded at the Cumberland County Courthouse. If the existing document does not address access rights and maintenance responsibilities between the landowner and effected parties, or if no such document exists, a new document shall be recorded that does address these issues. In addition, the landowner shall enter into a binding legal agreement with the Township prepared by the Township Solicitor outlining the responsibility of each party as it pertains to the private right-of-way.

Section 308 Driveway Requirements (Single-Family Dwelling)

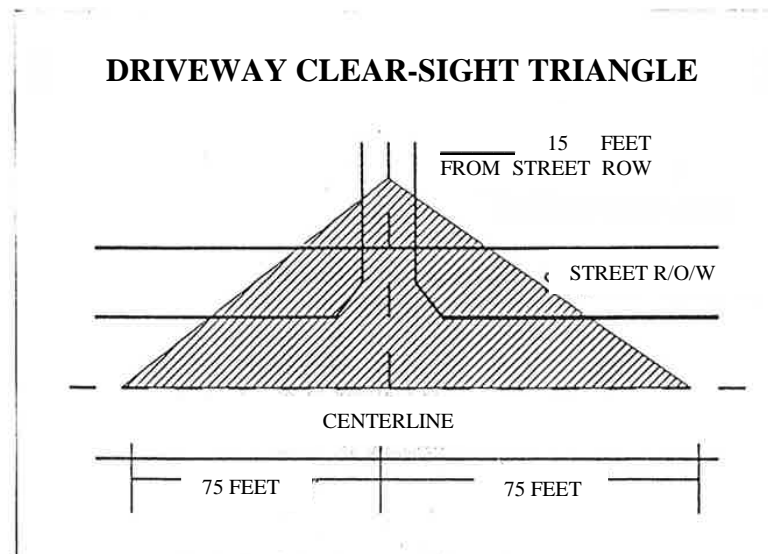
Driveways shall include existing and proposed private drives serving individual farms and single-family dwellings, as well as shared driveways serving two single-family dwellings. Driveways

shall meet the following standards:

308.1. General Requirements:

1. Number Per Lot - No more than two (2) driveway connections per lot shall be permitted;
2. Setbacks - Driveways and parking areas shall not be less than forty feet (40') from the edge of the cartway of any street intersection, nor less than five feet (5') from a fire hydrant, nor less than five feet (5') from adjoining lot lines, unless a shared driveway is proposed;
3. Slope - A driveway shall not exceed a slope of eight percent (8%) within twenty-five feet (25') of the street right-of-way lines nor fifteen percent (15%) overall;
4. Road Classification - Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved;
5. No driveway shall provide a curb cut exceeding twenty feet (20') in width. On uncurbed street a radius of no less than 5' and no greater than 15' is permitted on both sides of the driveway in addition to the 20' driveway width;
6. PennDOT Permit - Any driveway intersecting with a State-owned road shall require the obtainment of a driveway permit from the Pennsylvania Department of Transportation;
7. Traffic Movement/Drainage - Driveways shall not interfere with normal traffic movement nor be constructed in a manner to be inconsistent with the design, maintenance and drainage of the street. When required to maintain drainage, a pipe no less than 15" in diameter shall be installed;
8. Plan Delineation - Driveway location shall be delineated on all plans/permits as applicable;
9. Shared Driveways - Shared driveways may be used to provide required vehicular access between two (2) single-family detached dwellings and a street. Shared driveways shall not exceed one thousand feet (1,000') in length;
10. Clear-Sight Triangle - Driveways shall be located and constructed so that a clear-sight triangle, as depicted below is provided. Two apexes of the triangle shall be located in both directions along the street centerline, seventy-five feet (75') from a point where the centerline of a driveway and street intersect. The vertex of the triangle shall be located along the centerline of the driveway, on the site and fifteen feet (15') from the property/street right-of-way line. No permanent obstructions and/or plant materials over three feet (3') high shall be placed within the clear-sight triangle.
11. Adequate Site Distance - Driveways shall be located so as to provide adequate sight distance at intersections with streets. Such sight distances

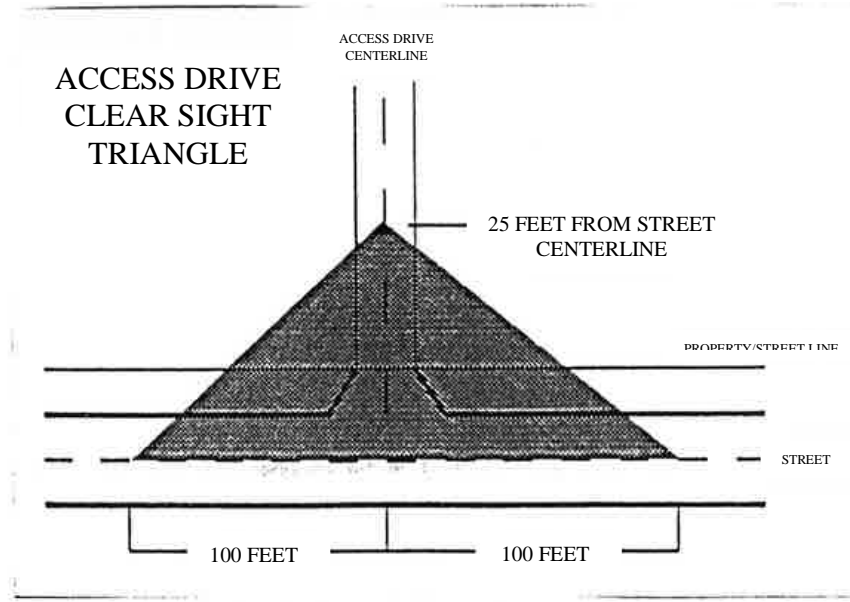
shall be as specified in the Monroe Township Subdivision and Land Development Ordinance, but no less than a minimum of two hundred feet (200') in each direction.



Section 309 Access Drive Requirements

Access drives are private drives, which provide vehicular movement between a street and a tract of land containing any use other than one single-family dwelling unit or farm. Access drives shall conform with Section 605 of the SLDO, as amended, and the following:

- 309.1. Number Per Lot** - Except as specified elsewhere, the number of access drives intersecting with a street may not exceed two (2) per lot. The Zoning Hearing Board may grant a variance for additional access points where required to meet exceptional circumstances and where frontage of unusual length exists;
- 309.2. Setbacks** - The edge(s) of all access drives shall be set back at least:
1. One hundred feet (100') from the intersection of any street right-of-way lines;
 2. One hundred feet (100') from any other access drive located upon the same lot (measured from cartway edges); and,
 3. Fifteen feet (15') from any side and/or rear property lines; however, this setback can be waived along one property line when a joint parking lot is shared by adjoining uses;
- 309.3. Clear-Sight Triangle** - Access drives shall be located and constructed so that a clear sight triangle as depicted below is provided. No permanent obstructions and/or plant materials over three feet (3') high shall be placed within the clear-sight triangle.



Section 310 Off-Street Parking Requirements

310.1. Off-street parking shall be required in accordance with the provisions of this section prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. All parking exclusively serving agricultural and/or forestry-related activities shall be exempt from off-street parking requirements. Off-street parking shall be provided whenever:

1. A building is constructed or a new use is established;
2. The use of an existing building is changed to a use requiring more parking facilities; and,
3. An existing building or use is altered or enlarged so as to increase the amount of parking space required;

310.2. Parking for Single Family Dwellings - Every single-family dwelling must provide parking spaces behind the street right-of-way line and may take the form of garages, carports or driveways;

310.3. Parking for All Other Uses:

1. General Requirements:
 - A. Site Plan - Each application for a zoning permit (or a use for which parking spaces are required) shall include a drawing (site plan) showing the proposed layout of the lot. The drawing shall clearly indicate all of the design elements required below. No zoning permit shall be issued for any use for which parking spaces are required unless the site plan has been approved or necessary variances have been obtained; and,
 - B. Design Requirements - All parking lots shall be designed and constructed in compliance with Section 607 of the SLDO;

- C. Provide a minimum of ten percent (10%) interior landscaping; and,
 - D. For non-residential uses, parking is prohibited in the front yard.
2. Joint Parking Lots:
- A. In commercial shopping centers over three (3) acres in size, joint parking lots may be permitted. These joint facilities can reduce the total number of parking spaces required by a maximum of twenty percent (20%). Therefore, the resulting joint parking lot will be required to provide at least eighty percent (80%) of the total number of spaces required by the sum of all the shopping center’s tenants. Such reduced parking spaces must be appropriately distributed on the lot to provide convenient walking distance between every vehicle and each of the shopping center’s stores; and,
 - B. Required parking spaces may be provided in parking lots designated to jointly serve two (2) or more establishments or uses, provided that the number of required spaces in such joint facility shall not be less than the total required separately for all such establishments or uses. However, where it can be conclusively demonstrated that one (1) or more uses will be generating a demand for parking spaces, primarily during periods when the other use(s) is not in operation, the total number of required parking spaces may be reduced to:
 - a. That required number of spaces that would be needed to serve the use generating the most demand for parking; plus,
 - b. Twenty percent (20%) of that number of required parking spaces needed to serve the use(s) generating the demand for lesser spaces.
3. Schedule of Required Spaces - The following lists required numbers of parking spaces by use type. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use:

Type of Use	Minimum of One Parking Space for Each
COMMERCIAL USES	
Automobile repair, filling and washing facilities	400 square feet of gross floor and ground area devoted to repair and service facilities in addition to areas normally devoted to automobile storage and one per employee on major shift
Carpeting, drapery, floor covering, and wall covering sales	500 square feet of gross floor area
Convenience Stores	75 square feet of gross floor area
Drive-thru and/or fast-food restaurants	Two seats and one per each two employees
Food markets and grocery stores	150 square feet of gross floor area for public use and one per each employee on two largest shifts

Type of Use	Minimum of One Parking Space for Each
COMMERCIAL USES	
Funeral homes	100 square feet of gross floor area, one per each employee, and one per each piece mobile equipment, such as hearses and ambulances
Furniture sales	500 square feet gross floor area
Hotels, motels	Guest sleeping room and one per each employee on two largest shifts. (Restaurants and other accessory uses shall add to this requirement.)
Mini-warehouses	25 units plus one per 250 square feet of office space, plus two per any resident manager
Office buildings	300 square feet of gross floor area
Professional offices of veterinarians, physicians, dentists, etc.	Six spaces per each physician or dentist, etc.
Retail stores or shops (except those listed above)	200 square feet of gross floor area of display area or sales area and one per each employee on two largest shifts
Restaurants	Four seats plus one per each employee on largest shift
Other commercial buildings	400 square feet of gross floor area

Type of Use	Minimum of One Parking Space for Each
INDUSTRIAL USES	
Industrial and heavy manufacturing establishments	Two employees on the two largest shifts or at least one space per each 1,000 square feet of gross floor area, whichever is the greatest number
Warehousing	Employee on the two largest shifts

Type of Use	Minimum of One Parking Space for Each
RECREATION USES	
Amusement arcades	80 square feet of gross floor area
Athletic fields	One seat of spectator seating with a minimum of 25 spaces.
Bowling alleys, billiards rooms	1/8 land/table and one per each two employees
Campgrounds	Per campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf courses	1/8 hole (i.e., 8 spaces per hole), plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf driving ranges	One per tee and one per employee
Miniature golf courses	½ hole and one per employee

Riding schools or horse stables	Two stalls plus one per every four seats of spectator seating
Picnic areas	Per table
Skating rinks	Four persons of legal occupancy
Swimming pools (other than one accessory to a residential development)	Four persons of legal occupancy
Tennis or racquetball clubs	1/4 court plus one per employee plus 50% of the spaces normally required for accessory uses

Type of Use	Minimum of One Parking Space for Each
RESIDENTIAL USES	
Single-family detached dwellings and two-family conversions	½ dwelling unit (i.e., two spaces per dwelling unit)
Boarding houses, group homes, and bed and breakfasts	Bedroom
Duplex, townhouse, multiple-family, and conversion apartment dwellings	1/3 dwelling unit (i.e., 3 spaces/dwelling unit). Such parking spaces can take the form of private driveways, or garages and/or common parking lots, provided all spaces required are within 150 feet of the unit served.

Type of Use	Minimum of One Parking Space for Each
SOCIAL AND INSTITUTIONAL USES	
Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	200 square feet, but not fewer than one space per each three seats
Clubs, lodges and other similar places	200 square feet of gross floor area and one per each employee on two largest shifts

Type of Use	Minimum of One Parking Space for Each
SOCIAL AND INSTITUTIONAL USES	
Nursing, rest or retirement homes	Three accommodations (beds) in addition to those needed for doctors and support staff
Hospitals, sanitariums	Spaces shall be provided for visitors, at the rate of at least one space per each 1.5 accommodations (beds). Such spaces shall be in addition to those necessary for doctors and other personnel.
Museums, art galleries, cultural centers, libraries	400 square feet of gross floor area
Rehabilitation centers (without overnight accommodations)	One per each employee and per each three people anticipated to be handled through the facility.
Schools below grade ten, including commercial day-care and kindergarten	Six students enrolled
Schools, tenth grade and above, including colleges	Three students enrolled
Vocational training and adult education facilities	1.5 students enrolled

4. Prohibited Uses of an on-residential Parking Lot - Automobile parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use which required them. Parking lots shall not be used for the following:
 - A. The sale, display or storage of automobiles or other retail merchandise;
 - B. Parking/storage of non-passenger vehicles accessory to the use
 - C. Performing services (including services to vehicles); nor,
 - D. Loading and unloading purposes, except during hours when business operations are suspended.

Section 311 Off-Street Loading Facilities

311.1. Off-street loading shall be required in accordance with this section prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:

1. A new use is established;
2. The use of a property or building is changed and thereby requiring more loading space; and,
3. An existing use is enlarged, thereby requiring an increase in loading space;

311.2. General Requirements:

1. Site Plan - Each application for a zoning permit (or use for which off-street loading spaces are required) shall include a drawing (site plan) showing the proposed layout of the loading area. The drawing shall clearly indicate the design elements required below. No zoning permit shall be issued for any use for which a loading area is required unless the site plan has been approved or necessary variances have been approved;
2. Design Requirements - All off-street loading shall be designed and constructed in compliance with Section 608 of the SLDO;
3. Schedule of Required Loading Spaces:

Type of Use	Number Spaces Per	Gross Floor Area/Dwelling Unit
Hospital or other institution	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Hotel, motel and similar lodging facilities	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)

Industry or manufacturing	None 1.0 +1.0	First 2,000 square feet 2,000 to 25,000 square feet Each additional 40,000 square feet (or fraction)
Multi-family dwelling	None 1.0 +1.0	Less than 100 dwelling units 100 to 300 dwelling unit Each addition 200 dwelling units (or fraction)
Office building, including banks	None 1.0 +1.0	First 10,000 square feet 10,000 to 100,000 square feet Each additional 100,000 square feet (or fraction)
Retail sales and services, per store, and restaurants	None 1.0 2.0 +1.0	First 2,000 square feet 2,000 to 10,000 square feet 10,000 to 40,000 square feet Each additional 100,00 square feet (or fraction)
Shopping centers (integrated shopping centers, malls and plazas) having at least 25,000 square feet	1.0 +1.0	25,000 square feet up to 100,000 square feet Each additional 100,000 square feet

Type of Use	Number Spaces Per	Gross Floor Area/Dwelling Unit
Theater, auditorium, bowling alley, or other recreational establishment	None 1.0 +1.0	First 10,000 square feet 10,00 to 100,000 square feet Each additional 100,000 square feet (or fraction)
Undertaking establishment or funeral parlor	None 1.0 +1.0	First 3,000 square feet 3,000 to 5,000 square feet Each additional 10,000 square feet (or fraction)
Wholesale or warehousing (except mini-warehousing)	None 1.0 +1.0	First 1,500 square feet 1,500 to 10,000 square feet Each additional 40,000 square feet (or fraction)

Section 312 Landscaping and Screening Requirements

312.1. Yard Ground Cover - Any part of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated

storage areas shall be planted with an all-season ground cover (e.g., grass, ivy, vetch, pachysandra, etc.). In addition, gravel can be substituted if done in a manner to complement other vegetative materials. It shall be maintained to provide an attractive appearance, and all non-surviving plants shall be replaced promptly;

- 312.2. Landscaping Requirements** - Any required landscaping (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other approved materials. Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within required landscape areas;

For each seven hundred fifty (750) square feet of required area for landscape strips, one (1) shade/ornamental tree shall be provided. For every three hundred (300) square feet or fraction thereof of interior landscaping required (parking lots), one (1) shade tree shall be provided. If deciduous, these trees shall have a clear trunk at least five feet (5') above finished grade; if evergreen, these trees shall have a minimum height of six feet (6'). All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard;

- 312.3. Screening** - The following materials may be used: evergreens (trees, hedges, or shrubs), walls, fences, earth berms, or other approved similar materials. No wall or fence shall be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged so as to block the ground level views between grade, and a height of six feet (6'). Landscape screens must achieve this visual blockage within two (2) years of installation;

- 312.4. Selection of Plant Materials** - Trees and shrubs shall be typical of their species and variety; have normal growth habits, well-developed branches, densely foliated, vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project; and,

- 312.5.** Any tree or shrub which dies shall be replaced. All landscaping and screening treatments shall be properly maintained.

Section 313 Outdoor Signs

313.1. General Intent:

The sign regulations, controls and provisions set forth in this part are made in accordance with an overall plan and program for the provision of public safety, land development, preservation of property values, and the general welfare of the Township of Monroe and are intended to:

1. aid in traffic control and traffic safety;

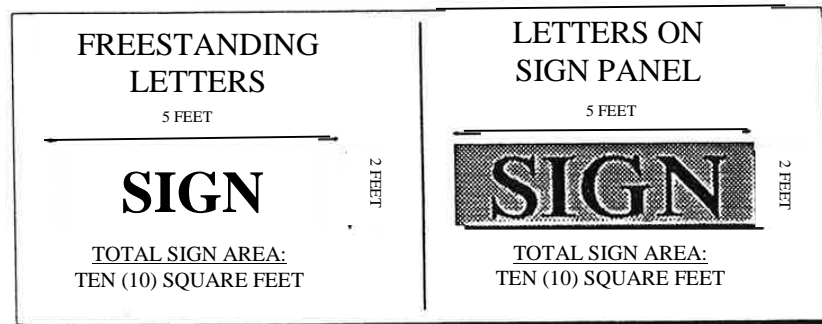
2. to preserve the agricultural nature of the community and protect property values;
3. lesson congestion of land and air space;
4. provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow;
5. establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and development;
6. recognize the rights of the public in roads, streets, highways and the areas adjacent to those roads, streets and highways;
7. preserve the wholesome and attractive character of the Township; and,
8. recognize that the general welfare includes a community that shall be beautiful as well as healthy, spacious as well as clean, and well-balanced in its growth and development.

313.2. General Regulations for All Signs:

1. Signs must be constructed of durable material and maintained in good condition. All lettering, illustrations, trademarks or logos shall be printed in a neat and professional manner with the assistance of computer generated graphics, stencils, or other similar templates or guides;
2. No sign shall be maintained within the Township in such a state of disrepair as to have the appearance of complete neglect, which is rotting or falling down, which is illegible, or has loose parts separated from original fastenings;
3. Whenever a sign becomes structurally unsafe or endangers the safety of the building or premise, or endangers the public safety, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that such sign must be made safe or removed within five (5) days;
4. Advertising painted upon or displayed upon a barn or other building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply;
5. Each sign shall be removed when the circumstances leading to its erection no longer apply;
6. Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights that are shielded so there is no direct light transmitted to other properties or public rights-of-way, with the exception of Temporary and Off-Site Directional signs;
7. Directly illuminated signs, designed to give forth artificial light directly or through transparent or translucent material from a source of light within

- such sign, will be permitted providing that the light being emitted from the sign shall not cause a glare or emit light onto the surrounding area;
8. No sign shall be of the intermittent, flashing, neon or rotating type;
 9. No sign shall be located so as to interfere with visibility for motorists at street or driveway intersections;
 10. No sign located within three hundred feet (300') of any traffic light shall be illuminated with red, green, or yellow lights;
 11. All electrically illuminated signs shall be constructed to the standards of the National Board of Fire Underwriters;
 12. Signs must be positioned so that they do not interfere with safe stopping sight distance or visibility of motorists at roadway intersections with other streets, access drives or driveways;
 13. No loud, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, but not limited to:
 - A. Any graphic illustration pertaining to specified sexual activities, specified anatomical areas, or both; and,
 - B. Scenes wherein artificial devices are employed to depict, or drawings are employed to portray any of the prohibited signs, photographs or graphic representations described above;
 14. No sign shall be erected or located as to prevent free ingress or egress from any window, door or fire escape;
 15. No sign shall be placed in such a position that it will obscure light or air from a building or which would create a traffic danger;
 16. No sign shall be permitted which is permanently attached to public utility poles nor trees which are within the right-of-way of any street;
 17. Within an area regulated by the Monroe Township Floodplain Ordinance, no sign shall exceed a total area of six (6) square feet, nor shall the cross sectional area of any portion of the sign below the base flood elevation be greater than 14 square inches;
 18. In the event that a symbol, trademark or other such figure is used as a sign post or standard which could be construed to indicate or identify a particular use or business, that symbol, trademark or figure is to be computed as part of the total allowable sign area;
 19. Only those signs referring directly to services, materials or products made, sold or displayed on the premise shall be permitted, except for Signs owned and associated with uses operated by the Township and Directional Signs as permitted herein.

- 20. Off-site Directional Signage shall contain a permanent label containing the name, address, phone number and any other applicable contact information of the party responsible for the signage;
- 21. Any sign attached to a building shall not be placed on the roof or be higher than the wall to which it is attached;
- 22. No point of wall projecting sign shall be located less than eight and one-half feet (8 1/2') above the grade directly below the sign;
- 23. Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, provided that the latter shall not occupy more than thirty-three and one-third percent (33 1/3%) of the total display window area for a period not to exceed ten days;
- 24. Determination of Size of Sign Area - The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, including any border framing or decorative attachments, but not including any supporting framework or bracing incidental to the display itself. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.



Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign; provided, however, for a double-face sign, if the interior angle formed by the two faces of the double-face sign is less than forty-five degrees (45°) and the two faces are at no point no more than three feet (3') from one another, the area of only the larger face shall be included;

- 25. No sign shall be placed within Township right-of-way.
- 26. Failure to comply with these regulations will result in removal of the sign and impoundment by the Township, followed by disposal if not claimed within 5 working days. An impoundment fee equal to the cost of the removal of the sign, at the regular rates of Township personnel performing the task, shall be paid by the owner of the sign;

313.3. Specific Sign Requirements - The tables on the following four pages tabulate requirements imposed upon permanent, temporary, and planned center signs as permitted within the Township:

PERMANENT SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zones	Other Requirements	Permit Required
Municipal Signage owned and associated with uses operated by the Township, e.g. signs on Municipal property, traffic signs	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	All		No
Signs identifying public and semi-public uses (e.g., schools, churches, utilities, hospitals, libraries, parks, fire stations, post offices, and other similar uses).	2 per lot plus 1 per principal use total with no more than 2 freestanding	40 square feet	10 feet	Height of wall to which sign is attached	Height of wall to which sign is attached	10 feet, but no closer than 10 feet from any lot line	All		Yes
Residential and Agricultural nameplates identifying name of home, its occupant, or both, (not including name listing on mailbox) and Agricultural Security Areas	1 per dwelling unit or principal farm structure	8 square feet	6 feet	10 feet	Not Permitted	Not Permitted	All		No
Property control signs (e.g. “No Trespassing”, “Private Property”, “No Hunting or Fishing”, “Posted”, “Private Drive”, or similar type signs)	1 per 25 linear feet of property line	2 square feet per sign	5 feet	Not Permitted	Not Permitted	Not Permitted	All	Spacing at no less than 25 foot intervals	No

PERMANENT SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zones	Other Requirements	Permit Required
Residential development/neighborhood signs. Such signs shall only list the name of the neighborhood/development and shall not list any names of contractors, realtors, or both.	1 per street entrance, but no more than 2 total	1 square foot per dwelling, not to exceed 20 square feet per sign	8 feet	Height of wall to which sign is attached	Height of wall to which sign is attached	10 feet, but no closer than 10 feet from any lot line	C, A, V, R-1, and VO	The applicant shall submit a written description of the maintenance responsibilities in a form satisfactory to the Township Solicitor	
Individual Business Signs identifying the name and type of business, any trademark of the business conducted on the premises, or any combination thereof. This includes agricultural based operations, but does not include businesses contained within planned centers, as defined herein	2 per lot plus 1 per principal use with no more than 2 freestanding	1 square foot per 5 linear feet of frontage, not to exceed 40 square feet	15 feet	Height of wall to which sign is attached	Height of wall to which sign is attached	10 feet, but no closer than 10 feet from any lot line	A, NC, HC and I, except as permitted by other sections of this Ordinance	No flat wall sign, nor wall projecting sign shall be larger than 15% of the wall area to which the sign is attached	Yes
Variable Messaging Centers, stand alone or used in conjunction with other signage permitted under this section	1 per principal use	12 square feet plus 1 square foot per 1,000 s.f. of floor area, not to exceed 40 square feet	10 feet	10 feet	Height of wall to which sign is attached	2 feet	A, NC, HC, and I, except as permitted by other sections of this Ordinance		No

PERMANENT SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zones	Other Requirements	Permit Required
On-Site Directional Entrance, Exit, Rest Room and other informational signage	4 per principal building and/or 2 per accessory building/use	Primary sign may not exceed 40 square feet; all others 6 square feet per sign	6 feet	10 feet.	Height of wall to which sign is attached.	2 feet	All		No
Off-Site Directional Signs for non-residential Fixed Facilities	3 per principal use; no more than 2 per intersection	6 square feet per sign	6 feet	10 feet	Height of wall to which sign is attached.	2 feet	All	Applicant shall provide proof of approval for sign placement by underlying property owner	Yes

TEMPORARY SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zone	Other Requirements	Permit Required
Temporary signs of contractors, architects, mechanics, landscapers, and artisans , displayed only while actual on-site work is in progress.	1 per firm whose work is in progress	12 square feet	5 feet	Not Permitted	Not Permitted	Not Permitted	All	Should a sign be left on-site beyond allowable time period, the Township may impound it and recover a fee from owner equal to cost of impoundment and storage.	No
Real Estate sale, sold, or rent signs when placed upon the property (unit) to be rented or sold, containing less than 25 acres	1 per street frontage, maximum 2 signs	6 square feet per sign	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	All such signs shall be removed within 5 days of final sales transaction or upon rental occupancy, or be subject to Township impoundment and a recovery fee.	No
Real estate sale, sold, or rent signs when placed upon the property (unit) to be rented or sold, containing 25 or more acres.	1 per street frontage, maximum 2 signs	32 square feet per sign	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Same as above.	No

TEMPORARY SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zone	Other Requirements	Permit Required
Proposed development signs for residential, office, or both, complexes.	1 per street frontage, maximum of 2 signs	1 square foot per unit of occupancy, not to exceed 64 square feet	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All, but only after final plan is approved.	Such signs shall be removed upon completion of construction of final unit.	No
Proposed development signs for commercial uses, industrial uses, other non-residential, uses or any combination thereof.	1 per street frontage, maximum of 2 signs	Not to exceed 64 square feet	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	NC, HC and I, but only after final plan approval.	All such signs shall be removed upon completion of building construction.	No
Temporary special event signs non-residential (e.g., grand openings, change of use or ownership, closeout sale, clearance sale, holiday sale, etc.).	2 per activity or event	16 square feet if freestanding; 24 square feet if attached to wall	5 feet	Height of wall to which sign is attached.	Not Permitted.	Not Permitted.	NC, HC and I	Such signs may only be displayed not to exceed 30 days total per event.	No
Off-Site Directional Signs for Temporary Events (i.e. real estate open houses, yard sales, temporary farm stands etc.)	2 per event; no more than 1 per intersection	3 square feet	5 feet	8 feet	Height of wall to which sign is attached	2 feet	All	Signs shall be limited to placement two weeks prior to event and removed within 72 hours of event	No

TEMPORARY SIGN REQUIREMENTS									
Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height of Flat Wall Signs	Maximum Height of Wall Projecting Signs	Maximum Projection from Wall for Wall Projecting Signs	Permitted Zone	Other Requirements	Permit Required
Agricultural Field Signage indicating seed or crop type	Unlimited	3.5 square feet	6 feet	N/A	N/A	N/A	A	Signs shall be removed at the end of the growing season	No
Roadside stand signs for the sale of agricultural products upon a principal farm property.	2 per farm	6 square feet per sign	5 feet	Height of wall to which sign is attached.	Height of wall to which sign is attached.	5 feet	All	Roadside stand signs shall only be displayed during seasons when products are for sale.	No
Garage/yard sale signs upon properties conducting such sales.	2	6 square feet per sign	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	See Section 301.8. for additional requirements.	No
Elections Signs on Township property	Unlimited	6 square feet	5 feet	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Such signs may only be displayed between 30 days prior to and 5 days after an election.	No

SIGNAGE FOR PLANNED CENTER SITES CONTAINING LESS THAN 50,000 SQUARE FEET OF GROSS LEASABLE FLOOR AREA							
Sign Type	Maximum Number Permitted	Maximum Permitted Sign Area	Maximum Permitted Height	Maximum Permitted Letter Height	Permitted Zones	Other Requirements	Permit Required
Freestanding planned center sign	1 per planned center	16 square feet	15 feet	18 inches	NC, HC, and I	This sign shall devote no less than 50% of the total sign area (per side) to the advertisement of the planned center=s name.	Yes
Anchor tenant sign for one use containing more than 150 lineal feet of store-front.	1 per side facing a street, with a maximum of 2 signs	Not to exceed 32 square feet per sign.	Height of wall to which sign is attached.	42 inches	NC, HC and I	These signs shall only be provided as flat wall or wall projecting signs.	Yes
Store-front sign for one use containing up to 150 lineal feet of store-front.	1 per principal use	2 square feet per lineal foot of store-front, up to a maximum of 50 square feet	Height of wall to which sign is attached.	20 inches	NC, HC and I	This sign shall only be provided as a flat wall or a wall projecting sign.	Yes
Store-front under-canopy signs for all principal uses.	1 per principal use	4 square feet	To base of canopy, or where no canopy is provided, 10 feet.	8 inches	NC, HC and I	No under-canopy sign shall have a vertical dimension of more than 18 inches from its lowest to highest point. The base of an under-canopy sign shall be no less than 8 feet, 6 inches above the finished grade below such sign.	Yes

<p align="center">SIGNAGE FOR PLANNED CENTER SITES CONTAINING MORE THAN 50,000 SQUARE FEET OF GROSS LEASABLE FLOOR AREA</p>								
Sign Type	Maximum Number Permitted	Maximum Permitted Sign Area	Maximum Permitted Height	Maximum Permitted Letter Height	Permitted Zones	Other Requirements	Permit Required	
Freestanding planned center sign	1 per street frontage with entrance or exit	32 square feet	15 feet	18 inches	NC, HC and I	This sign shall devote no less than 50% of the total sign area (per side) to the advertisement of the planned center=s name.	Yes	
Anchor tenant sign for one use containing more than 150 lineal feet of store-front.	1 per side facing a street, with a maximum of 2 signs.	Not to exceed 32 square feet per sign.	Height of wall to which sign is attached.	42 inches	NC, HC and I	These signs shall only be provided as flat wall or wall projecting signs.	Yes	
Store-front sign for one use containing up to 150 lineal feet of store-front.	1 per principal use	2 square feet per lineal foot of store-front up to a maximum of 75 square feet	Height of wall to which sign is attached.	20 inches	NC, HC and I	This sign shall only be provided as a flat wall or a wall projecting sign.	Yes	
Store-front under-canopy signs for all principal uses.	1 per principal use	4 square feet	To base of canopy, or where no canopy is provided, 10 feet.	8 inches	NC, HC and I	No under-canopy sign shall have a vertical dimension of more than 18 inches from its lowest to highest point. The base of an under canopy sign shall be no less than 8 feet, 6 inches above the finished grade below such sign.	Yes	
Outparcel signs for principal freestanding uses sharing common ingress and egress to planned center.	2 per principal use, but only 1 per wall	75 square feet per sign, not exceeding 20% of wall area to which sign is attached.	Height of wall to which sign is attached.	28 inches	NC, HC and I	These signs shall only be provided as flat wall or wall projecting signs.	Yes	

313.4. Amortization of Nonconforming Signs:

Any sign that was legally existing as of the effective date of this Ordinance, that does not comply with the provisions listed in Section 313 of this Ordinance, shall be considered a nonconforming sign.

All such nonconforming signs will be required to conform at such time as any modification to the perimeter sign dimensions, change in the type or height of sign, or any combination thereof. Nonconforming signs approved by variance or damaged to a point requiring over fifty (50%) percent reconstruction will also be subject to this section.

Signs may be erected for existing non-conforming uses in accordance with Section 313.3, regardless of the zone in which the use is located.

This section shall precede any requirement listed in Article 5 of this Ordinance.

313.5. Sign Permits - For signs requiring permits in Section 313.3., the following requirements shall apply prior to the erection of said signs:

1. Permit Applications:
 - A. Application for a zoning permit shall be made at the Township Municipal Office;
 - B. Application shall be made on a form to be provided by the Township and shall contain the following information and documentation:
 1. The name(s) and address(es) of the sign owner and the landowner;
 2. An affidavit of title executed by the landowner(s) indicating the date and place of recording of the present title to the land;
 3. A drawing to scale, showing the location of the sign with reference to the adjoining property lines and streets;
 4. A drawing to scale, showing all dimensions of the sign. For a directional sign or an on-premise sign advertising activities being conducted on the property, the drawing shall also contain an accurate representation of the advertising or informative contents of the sign;
 5. A description of the construction materials of the sign and its manner of installation; and,
 6. Certification by a Professional Engineer of structural integrity for all signs over 10' in height.
 - C. Each application shall be accompanied by the appropriate fee, as established by the Board of Supervisors;
2. All applications shall be reviewed, and permits issued, by the Zoning Officer. No sign permit shall be issued, except in conformity with the regulations of this Ordinance, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for the issuance of a variance;

3. Permit Issuance - Following permit application approval, a sign permit will be issued by the Zoning Officer upon receipt of all required fees;
4. If there is any change in location or dimensions of any sign, or in advertising or informative contents of a sign, a new permit shall be required; and,
5. Revocation of Permits:
 - A. All permits shall be subject to revocation upon fifteen (15) days written notice. For violation of any provision or upon change of information provided in the application; and,
 - B. Revocation of a permit shall not be cause for refund of the permit fee.

313.6 Electronic Variable Message Signage

1. No sign shall be permitted which attempts or appears to attempt to direct the movement of traffic or which interferes with, imitates, or resembles any official traffic sign, signal or device.
2. The face of the electronic variable message sign shall have only one advertising message per duration of the display.
3. Electronic variable message signs shall be available for public emergency use. Examples of this usage include, but are not limited to Amber Alerts, emergency evacuations and road closures.
4. Message Display:
 - A. Minimum duration of display is required to be 8 seconds.
 - B. Any message transition shall be instantaneous.
 - C. The minimum height of any number or letter displayed on an electronic sign shall be 10 inches.
 - D. In the event of a malfunction, an electronic variable message sign (as defined herein) shall turn to a dark screen. The dark screen shall remain until the malfunction is corrected.
 - E. Brightness
 1. Brightness levels shall be automatically adjusted to be 0.3 foot candles above ambient light levels¹
 - a. This shall be measured at 5 feet above grade, using all white settings, or the solid color for single-color signs.
 - b. Measurements shall be taken at the following distances from the sign:
 - 1) Sign area of less than 300 square feet: 150 feet away

- 2. Automatic dimmers to maintain brightness measurements are required.
 - 3. Light levels shall be confirmed by the applicant and submitted to the municipality in writing prior to approval of any electronic variable message sign.
- F. Signs which message sequence, scrolling text, flash, strobe, make noise or show pyrotechnics or other animations are not permitted.

Section 314 Roadway Classifications

For the purposes of this Ordinance, the Township’s roads shall be classified in the following categories:

Arterial Roads	Collector Roads	Local Roads
PA Turnpike Trindle Road York Road Boiling Springs Road Williams Grove Road West Lisburn Road	Locust Point Road Sinclair Road	All roads not listed as arterials or collectors.

Section 315 Zoning Requirements for Use of On-Lot Sewage Disposal Systems

- 315.1.** As of the effective date of this Ordinance, all future uses or change in use that rely upon on-lot sewage disposal systems shall be required to specifically test for and secure one disposal site (field, bed or trench) and another alternate disposal site. Both disposal sites shall be approved by the Sewage Enforcement Officer. *(Note: Within the Churchtown area, both the Sewage Enforcement Officer and the Engineer must approve any on-lot systems pursuant to the Township OLDS Management Ordinance.)* Furthermore, the alternate disposal site shall be perpetually protected from excavation, construction and other activities that would result in disturbance of the soils’ ability to renovate sewage effluent, until such time as the alternate field may be activated due to malfunction of the initial disposal site;
- 315.2.** Regardless of any lot area requirements listed elsewhere in this Ordinance, the minimum required lot size may be increased to insure an acceptable level of nitrate-nitrogen in the adjoining groundwaters. Such determinations will be made by the PA DEP, through its sewer module review process. In those cases where maximum lot area requirements apply and the DEP determines that additional land is required to protect groundwater, the applicant may attach sewage effluent dispersal easement beyond his/her lot subject to DEP approval;
- 315.3.** Every use relying upon on-lot sewage disposal systems shall be required to comply with the Township On-Lot Management Ordinance.

- 315.4** All subdivided parcels shall test for and delineate a primary and secondary disposal site on both the subdivided and parent tracts.
- 315.5** All proposed improvements shall comply with the setback regulations listed in PA Code Title 25, Environmental Protection Chapter 73.13, including but not limited to the following, as measured from the existing or proposed tanks or the perimeter of the aggregate absorption area:
- A. Property Line, Occupied Buildings, Pools or Driveways, Water Supply Lines under Pressure, or Storm water Detention or Recharge facilities: 10 feet
 - B. Water Supply Wells: 100 feet

Section 316 Permanent/Temporary Occupancy Requirements

Temporary occupancy of a tent, travel trailer, camper, or motor home shall be permitted within an approved campground or for periods of up to thirty (30) days in any calendar year on the property of a friend or relative. No persons or family shall be permitted to reside within any tent, travel trailer, bus, boat, camper, or motor home for periods exceeding thirty (30) days on a property titled to the resident or on the property of a friend or relative.

A zoning permit will be required where the temporary occupancy will exceed 7 consecutive days. All uses shall comply with the accessory use setbacks of the underlying zone.

Section 317 Operations and Performance Standards

All uses proposed within Monroe Township shall operate in compliance with applicable State and Federal regulations, as they are periodically amended. The following lists known governmental regulations associated with various land use impacts. This list in no way excludes or limits Federal or State jurisdiction over uses within the Township, but is merely provided for information to applicants and landowners.

Pennsylvania Code Title 25 Environmental Resources, Department of Environmental Protection

Land Resources - Chapters 71-90;
Water Resources - Chapters 91-111;
Air Resources - Chapters 121-143;
Hazardous Waste Management - Chapters 260-270;
Municipal Waste Management - Chapters 271-285;
Residual Waste Management - Chapters 287-299.

- All other applicable State and Federal regulations regarding land resources; air and water quality; hazardous, municipal and residual waste; and noise.
- Handicap Access: The latest version of the Americans With Disabilities Act.

Section 318 Common Open Space Requirements

In those instances where common open space is required elsewhere in this Ordinance, or when an

applicant proposes the use of common open space, such common open space shall comply with the following:

318.1. Required common open space shall be designed and arranged to achieve at least one of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:

1. Protection of important natural resources (e.g., productive agricultural soils, streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
2. Protection of important historical sites, archaeological sites, or both;
3. Provisions of usable play and recreation areas that are conveniently accessible to residents within the development and the Township; and,
4. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools, or other similar features; and,
5. Be contained on a separate lot having a minimum contiguous lot area of 1 acre, except where part of a condominium development. A minimum width of land of 20 feet shall be maintained between areas to be considered contiguous land.
6. Meet the following design requirements:
 - A. Minimum Lot Frontage on a Public Street - 50'
 - B. Maximum Impervious Coverage - 10%
 - C. Accessory Use Setbacks - 25' for front, rear and side yards
 - D. Maximum Permitted Accessory Building Height - 20'
7. Contain accessory structures to support the principal use of the property as common open space. Principal structures, such as dwelling units, shall not be permitted on common open space.

318.2. An essential element of the use of common open space is a written description and plan for the disposition of ownership of common open space land designating those areas to be offered for dedication or to be owned by the specific form of organization proposed. The common open space shall be accomplished through one of the following:

1. An offer of dedication to the Township. The Township shall not be obligated to accept dedication of the common open space;
2. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization, among whose purposes is the preservation of common open space land, natural resources, or both. The organization shall be a bona fide conservation organization with a perpetual existence, the conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land, and the organization must enter into a maintenance agreement with the Township;

3. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners' associations found in the Pennsylvania Uniform Condominium Act, 68 Pa.C.S. 3101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
 - A. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township, unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance;
 - B. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities; and,
 - C. The Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

Section 319 Required Nutrient Management Plans

All intensive agricultural animal operations with more than two thousand (2,000) pounds live weight of livestock or poultry per acre shall comply with the Pennsylvania "Nutrient Management Act" of 1993, as may be amended, and must submit a copy of approved plan before receiving zoning permit.

Section 320 Materials and Waste Handling Requirements

- 320.1.** All commercial, industrial, institutional, and health-care related uses shall be required to provide detailed information regarding materials and waste handling, including:
1. Listing of all materials to be both used or produced on the site;
 2. Listing of all wastes generated on the site; and,
 3. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Cumberland County which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed

of on a regular basis. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

Section 321 Outdoor Storage and Display Requirements

- 321.1. Shopping Cart Storage** - For grocery stores, other stores containing grocery departments, variety stores, or home improvement and building supply stores, the outdoor storage and collection of shopping carts is permitted under the following conditions:
1. Shopping carts may be collected and stored immediately in front of the store front (upon sidewalks, or under a canopy) and/or within the parking lot;
 2. In no case shall such designed shopping cart storage and collection areas be located upon any facilities used for vehicle circulation, parking, and loading, nor emergency vehicle access (e.g., fire lanes);
 3. Such shopping cart storage and collection areas shall be situated so as to provide clear pedestrian access (sidewalk or other area) at least eight feet (8') wide adjoining the store-front;
 4. Signage for such shopping cart storage and collection areas shall be governed by those regulations pertaining to on-site directional and informational signs as regulated by Section 313 of this Ordinance; and,
 5. The applicant shall submit a working plan for the collection of shopping carts from the parking lot. Also, the applicant shall be required to depict intended shopping cart storage and collection areas upon any permits and/or plans required by the Township. No additional permits shall be required, unless such areas change location or size;

321.2. Seasonal Sidewalk Displays:

1. Only seasonal merchandise may be displayed, and shall be limited to the calendar periods between April 1 and October 1, and November 25 and January 5, of each year;
2. The location of such outdoor displays shall be limited to sidewalks, under canopies, or other areas immediately in front of the building's store-front. The stacking and/or display of such items shall be arranged to provide clear pedestrian access (sidewalk or other area) at least eight feet (8') wide;
3. In no case shall the location of such sidewalk display areas occur within any area used for vehicular circulation, parking, and loading, nor emergency vehicle access (e.g., fire lanes);
4. In no case shall such sidewalk display area exceed fifty percent (50%) of the lineal store-front dimension. (For example, a 200-foot long store-front could display no more than 100 lineal feet of a sidewalk display);

5. No signage, except as authorized by Section 313 of the Ordinance, shall be permitted; and,
6. The applicant shall submit a working plan to the Township for the cleanup of litter and debris which may result from such outdoor display. Also, the applicant shall depict intended sidewalk display areas upon any permits and/or plans required by the Township. No additional permits shall be required, unless such area is to change location or size; and,

321.3. Special Event Sales:

1. In addition to the above, two special event sales shall be permitted per calendar year. Such special event sales shall be limited to no more than a total of 30 days per calendar year;
2. Special event sales displays shall be located no closer than forty-five feet (45') from an adjoining road, nor ten feet (10') from any side or rear lot lines;
3. Special event sales may be located within the parking lot, provided that such location minimizes congestion within the parking lot, and those access drives that provide direct vehicular access to adjoining roads. Within parking lots, such display areas shall be specifically delineated from the adjoining parking lot by the use of identifiable barriers (e.g., tents, canopies, temporary fences, or ropes). Additionally, location within the parking lot shall only be permitted upon parking spaces in excess of the number required by Section 310.3.3. of this Ordinance;
4. The area devoted to special event sales displays shall not exceed twenty percent (20%) of the gross leasable floor area of the use(s) conducting the special event sale;
5. In planned centers, special event sales shall be jointly held by all of those occupants of the planned center who wish to participate. No individual occupants of a planned center shall be permitted to conduct separate special event sales;
6. All users conducting a special event sale shall be responsible for the ongoing cleanup of litter and debris. Also, no exterior public address, nor lighting systems shall be used which produce impacts beyond the subject property; and,
7. Signage for special event sales shall comply with the applicable requirements contained within Section 313 of this Ordinance.

321.4 Sale of Personal Vehicles

In any zone, a landowner may display a maximum of two (2) personal passenger or recreational vehicles titled into the landowners name for sale at any given time. Such displays shall be for a maximum of sixty (60) days not more than twice a calendar year. Two signs a maximum of 6 square feet each may be displayed per vehicle in accordance with Section 313. All vehicle sale activities shall be in accordance with applicable state regulations.

321.5 Screening of Non-Residential Uses

All non-residential uses and activities shall be adequately screened from adjacent residential properties in accordance with Section 618.5 of the Monroe Township Subdivision and Land Development Ordinance to prevent negative impacts on adjacent properties. All landscape and screening treatments shall be properly maintained.

Section 322 Floodplain Requirements

All uses must comply with the Monroe Township Floodplain Ordinance.

Section 323 Public Utilities Structures (excluding communications antennas, towers and equipment or any structure over 15' in height)**323.1. Public Utilities Structures (excluding communication antennas, towers and equipment):**

Minimum Lot Area - Two thousand five hundred (2,500) square feet;

Minimum Lot Width - Fifty (50) feet;

Maximum Lot Coverage - Fifty (50) percent;

Minimum Yard Setbacks -

Front - Twenty-five (25) feet;

One Side - Ten (10) feet;

Both Sides - Twenty (20) feet;

Rear - Fifteen (15) feet;

Maximum Height - Fifteen (15) feet;

Screening - a visual screen must be provided

The architectural design of the exterior of any building shall be in keeping with other structures in the neighborhood.

Section 324 Buffer Zones**324.1 Buffer Zones**

For all new uses proposed after the effective date of this Ordinance, a buffer yard of the following dimensions shall be provided between the proposed use and entity listed below:

1. Yellow Breeches Creek: 300 feet (from Top of Bank)
2. Interstate Highways: 200 feet (from Highway Centerline)
3. Geological Heritage Sites: 200 feet
4. White Rock Trail: 150 feet (from Trail Centerline)
5. Appalachian Trail 150 feet (from center of National Park Service lands)

324.2 On any lot containing an existing single-family dwelling use as of the adoption date of this Ordinance, the following shall be permitted within the designated buffer zones:

1. Erection of one enclosed accessory structure not to exceed 500 square feet of floor area and 15' maximum structure height, subject to the setback requirements of the underlying zone;
2. Fences, alternative energy and WECS systems, and residential driveways;
3. Expansion to existing single family dwellings.

324.3 For all uses proposed after the effective date of this Ordinance, a buffer yard of 100 feet shall be established from the boundary of the Village Zone, subject to the following:

1. New single-family dwellings and permanent accessory structures meeting the architectural criteria set forth in Section 204.9;
2. Structures and uses accessory to existing single-family dwellings, subject to the restrictions of 230.2.3.F.

Section 325 Accessory Structures

325 Accessory Structures

The use of non-traditional storage units, including those commercially known as “PODS” or the enclosed portion or “container” of a box trailer with or without wheels, shall be permitted on a temporary basis subject to the following:

1. Units shall be located in the side or rear yard.
2. Units shall be permitted for a maximum period of 60 consecutive days in any one calendar year. This period may be extended upon written request to the Zoning Officer for a period not to exceed 180 days.
3. The enclosed portion or “container” of a box trailer with wheels may be used for temporary construction storage for the period during which a valid building permit has been issued. Such units shall be licensed and located in accordance with the required accessory use setbacks of the zone in which the property is located.
4. The enclosed portion or “container” of a box trailer with or without wheels may not be used for permanent storage in the (C), (R-1) or (V) zones.

Section 326 Forestry Operations

326 Forestry Operations

To encourage maintenance and management of forested or wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land and forestry activities, including, but not limited to timber harvesting, and to be in compliance with the Pennsylvania Municipalities Planning Code, as amended, forestry operations shall be a permitted use by right in all zoning

districts. The following standards apply to all timber harvesting within the Township where the value of trees, logs, or other timber products removed exceed one thousand dollars (\$1,000.00). These provisions do not apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement.

1. Policy and Purpose. In order to conserve forested open space and the environmental and economic benefits they provide, is the policy of Monroe Township to encourage the owners of forest land to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations are intended to further this policy by promoting good forest stewardship, protecting the rights of adjoining property owners, minimizing the potential for adverse environmental impacts, and avoiding unreasonable and unnecessary restrictions on the right to practice forestry.
2. Notification and Preparation of a Logging Plan.
 - A. For all timber harvesting operations, the landowner shall obtain a Zoning Permit in accordance with Section 701.1.
 - B. Every landowner on whose land timber harvesting is to occur shall have a Logging Plan prepared by a qualified forester whose qualifications have been approved by the Township. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Township Zoning Officer upon request.
 - C. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the Logging Plan.
3. Contents of the Logging Plan. As a minimum the Logging Plan shall include the following:
 - A. The design construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landing;
 - B. The design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars;
 - C. The design, construction, and maintenance of stream and wetland crossings;
 - D. The general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways.
 - E. A sketch map or drawing containing the site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within the property; significant topographic features related to potential environmental problems; location of all earth disturbance activities such

as roads, landings, and water control measures and structures; location of all crossings of water of the Commonwealth; and the general location of the proposed operation to municipal and state highways, include any accesses to those highways.

- F. Documentation of compliance with requirements of all applicable state regulations including, but not limited to, the following: erosion and sedimentation control regulation contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. 691.1 et seq; and Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. 693.1 et seq.).
 - G. Any permits required by state laws and regulations shall be attached to and become part of the Logging Plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the Logging Plan and associated map specified above, provided all information required is included or attached.
 - H. Identify types, species and diameters of all trees to be removed. High quality seed trees shall remain.
 - I. Address the specifics of the timbering operation as they apply to the long term health of the forest, including landscape, soil and slope erosion, surface water quality, wildlife, and disease.
4. Best Forestry Practices. The following requirements shall apply to all timber harvesting operations in the Township.
- A. High grading and diameter limit cutting shall be strictly prohibited.
 - B. Timber harvesting utilizing mechanical equipment shall occur during periods of dry weather or when the ground is frozen to prevent excess erosion.
 - C. Felling or skidding on or across any public thoroughfare is prohibited without express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.
 - D. No tops or slash shall be left within twenty-five (25') feet of any public thoroughfare or private roadway providing access to adjoining residential property.
 - E. All tops and slash between twenty-five (25') and fifty (50') feet of any public roadway or private roadway providing access to adjoining residential property or within fifty (50') feet of adjoining residential property shall be lopped to a maximum height of four (4') feet above ground.

- F. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
 - G. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.
5. Responsibility for Road Maintenance and Repair: Road Bonding. Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and title 67 Pennsylvania Code, Chapter 189, the land owner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic, and may be required to furnish a bond to guarantee the repair of such damages.
6. No timber removal shall occur within 200 feet of lands owned by the U.S. Department of the Interior, National Park Service.
- 1. Inspections. The Township Zoning Officer may go upon the site of any timber harvesting operation before, during, or after active logging to review the Forest Stewardship plan or any other required documents for compliance with the standards and inspect the operation for compliance with the standards and inspect the operation for compliance with the Forest Stewardship plan and other on-site requirements of these regulations.

Section 327 Outdoor Wood-Fired Boilers

Outdoor wood-fired boilers are permitted as an accessory use in all zones, subject to the following conditions and requirements:

1. Emissions Standards – All outdoor wood-fired boilers must meet EPA Phase 2 emission standards. Non-Phase 2 OWBs acquired through real estate transactions are exempt from this requirement.
2. Number of OWBs – The number of OWBs shall be limited to one per lot.
3. Setbacks – OWBs shall be installed in accordance with the following setbacks:
 - a. Side & Rear Yards: 50 feet
 - b. Any structure: 10 feet
 - c. Nearest residential structure not on lot where the OWB is located: 100 feet
4. Location - OWBs shall not be located in the required front setback.
5. Stack Height – OWBs must have a permanently installed stack that extends at least ten (10') feet above the ground and is installed according to manufacturer's specifications.
6. Types of Fuel Permitted – All OWBs shall operate using only the following fuels:
 - a. Clean Wood

- b. Wood pellets made from clean wood
 - c. Home heating oil, natural gas or propane that complies with all applicable sulfur limits and is used as a starter or supplemental fuel for dual fired outdoor wood-fired boilers
 - d. Other types of fuel approved in writing by DEP upon receipt of a written request.
7. Solid Waste Disposal - During the entire period of use, every owner of an OWB shall have a current contract with a licensed solid waste hauler and shall use its services for disposal of all household trash. Upon request, every owner and user of an OWB shall present proof of current waste disposal contract to the Township. An OWB shall not be used as a waste incinerator.
 8. Use of Starter Fluids – Use of starter fluids such as lighter fluid, gasoline and other chemicals to ignite an OWB is prohibited.
 9. Safety – All OWBs should be equipped with a properly functioning spark arrestor.
 10. Nuisance – The use of an OWB shall not cause a nuisance, as defined by applicable Township Ordinances to neighboring or other properties, as determined by the Zoning Officer.
 11. Vegetation – An area not less than twenty (20') feet in any direction around the OWB shall be kept free of any vegetation with the exception of grass no higher than six (6") inches in height.
 12. Installation, use and operation of an OWB must comply with manufacturer's specifications as well as all applicable local, county, state and/or federal laws, regulations and codes.

Article 4

Specific Criteria

Section 400 **Specific Standards for Special Exception and Conditional Uses**

In addition to the general criteria listed in Section 200 and 300, the following sets forth standards that shall be applied to each individual special exception or conditional use. These standards must be satisfied prior to approval of any applications for a special exception or conditional use. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance. All uses must comply with the standards expressed within the underlying zone, unless those standards expressed for each special exception or conditional use specify different standards; in such cases, the specific special exception or conditional use standards shall apply.

For the purpose of this Article 4, any required setbacks imposed upon special exceptions or conditional uses shall be measured from the boundary line of the site for which the special exception or conditional use is requested, regardless of whether or not this line corresponds to a property line or a lease line.

Applicants for special exceptions and conditional uses must identify any environmental impacts that the proposed use is likely to generate (e.g., odor, noise, smoke, fumes, dust, litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures that the applicant will employ to mitigate or eliminate negative impacts to adjacent properties and public roads. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by all applicable laws and ordinances.

Section 401 **Adult-Related Uses**

401.1. Within the (HC) Zone, adult-related uses are permitted by conditional use, subject to the following criteria:

1. An adult-related use shall not be permitted to be located within ten thousand feet (10,000) of any other adult-related uses;
2. No adult-related use shall be located within one thousand feet (1,000) of any land within the (R-1) or (V) Zones;
3. No adult-related use shall be located within one thousand feet (1,000) of any parcel of land which contains any one or more of the following specified land uses:
 - A. Amusement park;
 - B. Camp (for minors' activity);
 - C. Child care facility;
 - D. Church or other similar religious facility;
 - E. Community center;
 - F. Museum;
 - G. Park;

- H. Playground;
 - I. School; or
 - J. Other lands where minors congregate.
4. The distance between any two adult entertainment establishments shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any adult entertainment establishment and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the adult entertainment establishment to the closest point on the property line of said land use;
 5. No materials, merchandise, or film offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure;
 6. Any building or structure used and occupied as an adult-related use shall have an opaque covering over all windows or glass in doors in any area in which materials, merchandise, or film are exhibited or displayed, so that no sale materials, merchandise, or film shall be visible from outside of the building or structure;
 7. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein;
 8. Each entrance to the premises shall be posted with a notice specifying that persons under the age of eighteen (18) years are not permitted to enter therein and warning all other persons that they may be offended upon entry;
 9. No adult-related use may change to another adult-related use, except upon approval of an additional conditional use;
 10. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate;
 11. No sexual activity or conduct shall be permitted; and,
 12. No more than one adult-related use may be located within one building or shopping center.

Section 402

Airports/Heliports

- 402.1. Within the (A) Zone, airports/heliports are permitted by conditional use, subject to the following criteria:
 1. Minimum Lot Area - Fifty (50) acres for airports and five (5) acres for heliports;
 2. All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations;

3. The applicant shall furnish evidence of the obtainment of a license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application; and,
4. No part of the take-off/landing strip and/or pad shall be located nearer than fifteen hundred feet (1500') from any property line.

Section 403 Amusement Arcades

- 403.1. Within the (HC) Zone, amusement arcades of two (2) or more devices are permitted by special exception, subject to the following criteria:
1. All activities shall take place within a completely-enclosed building;
 2. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the arcade;
 3. A minimum of one parking space for each eighty (80) square feet of gross leaseable floor area shall be provided. In addition, any accessory uses (e.g., snack bar) shall also require parking to be provided in accordance with the schedule listed in Section 310 of this Ordinance; and,
 4. A working plan for the cleanup of litter shall be furnished and implemented by the applicant.
- 403.2. In establishments with only one (1) device, these regulations do not apply.

Section 404 Automobile Actions and/or Automobile Parking or Storage Compounds

- 404.1. Within the (HC) Zone, automobile auctions and/or automobile parking or storage compounds shall be permitted by conditional use, subject to the following:
1. Any site used for the sale, parking and/or storage of more than one hundred fifty (150) vehicles shall front solely upon collector or arterial roads;
 2. All exterior areas used for the sale, parking and/or storage of automobiles shall be completely enclosed by a minimum six foot (6') high fence, which shall be subject to the (HC) Zone's setback requirements imposed upon off-street parking lots;
 3. Access drives shall be governed by Section 605 of the SLDO for a distance of one hundred feet (100') from the edge of the street right-of-way. Beyond this all areas used for vehicle sales, parking or storage shall not be governed by Sections 605 and 607 of the SLDO; however, these areas shall be a non-paved all-weather, dust-free surface;
 4. Vehicles may be parked and/or stored in a horizontally-stacked configuration; however, no vehicles shall be located more than one hundred feet (100') from a minimum eighteen foot (18') wide on-site access drive; and,

5. All lighting shall be designed and constructed so as not to cast glare on adjoining road and/or properties.

404.2. In addition to the preceding requirements, automobile auctions shall comply with the following:

1. The sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display areas, stands, booths, tables, or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The sales shall include all indoor and outdoor areas as listed above;
2. The retail sales area shall be set back at least fifty feet (50') from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment;
3. Any exterior lighting and amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties;
4. Exterior trash receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter;
5. The servicing, reconditioning, demolition, or junking of vehicles is prohibited;
6. The applicant shall furnish evidence that the disposal of all materials will be accomplished in a manner that complies with all applicable State and Federal regulations; and,
7. No part of the auction shall be located within six hundred feet (600') of any land within the (R-1) and (V) Zones.

Section 405

Automobile Filling Stations - Automobile filling stations can also include the accessory sales of motor vehicle lubricants, additive treatments, compressed air, and other accessory items.

405.1. Within the (NC) and (HC) Zones, automobile filling stations are permitted by conditional use subject to the following criteria:

1. The subject property shall have a minimum width of one hundred twenty-five feet (125');
2. The subject property shall front on an arterial or collector road;
3. The subject property shall be set back at least three hundred feet (300') from any lot containing a school, day-care facility, park, playground, library, hospital or nursing, rest or retirement home;
4. The outdoor storage of motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited;

5. All structures (including air compressors, kiosks, gasoline pump islands, but not including signs) shall be in the rear yard and set back at least fifteen feet (15') from any street right-of-way line;
6. No outdoor storage of auto parts shall be permitted;
7. A PennDot driveway permit must be obtained before a zoning permit is issued; and,
8. All ventilation equipment associated with fuel storage tanks shall be set back one hundred feet (100') from any adjoining property within the (R-1) and (V) zones, and oriented away from such property.
9. Minor incidental repair shall be permitted in the (HC) zone.

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

Section 406 Automobile, Bus, Class I Recreation Vehicle, Boat, Motorcycle, and Snowmobile Service and Repair Facilities

- 406.1. Within the (HC) Zone, automobile, bus, Class I recreation vehicle, boat, motorcycle, and snowmobile service and repair facilities are permitted by special exception subject to the following:
1. All service and/or repair activities shall be conducted within a completely-enclosed building;
 2. Access to drive-thru service shall be in a rear yard and must provide sufficient on-site stacking lanes in the rear yard to prevent vehicles back-ups on adjoining roads;
 3. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the service or repair operation, shall be permitted;
 4. All exterior storage areas shall be subject to lot coverage requirements and screened from adjoining residentially-zoned properties and roads;
 5. The storage of more than one (1) unlicensed vehicle is prohibited;
 6. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directly toward any adjoining residentially-zoned property;
 7. All vehicles and machinery shall be repaired and removed from the premises; and,
 8. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles or parts thereof shall be removed from the site within two (2) weeks of arrival.

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

Section 407 Bed and Breakfasts

- 407.1. Within the (C), (A), (R-1), and (V) Zones, bed and breakfasts are permitted by special exception, subject to the following criteria:
1. Bed and breakfasts shall only be permitted within single-family dwellings;
 2. Any modifications to the external appearance of the building (except fire escapes) shall complement its residential character;
 3. As per the Labor and Industry Code governing bed and breakfasts, all floors shall have a minimum of one (1) exit that is kept free of obstacles;
 4. One (1) off-street parking space shall be provided for each room available for rent, in addition to those required for the dwelling unit;
 5. Within the (C), (A) and (R-1) Zones, all parking areas shall be set back a minimum of twenty-five feet (25') from all property lines, and shall be screened from adjoining lots and streets. Within the (V) Zone, parking areas shall be set back at least five feet (5') from adjoining lots and ten feet (10') from adjoining streets;
 6. A bed and breakfast may erect one (1) sign no larger than nine (9) square feet in size, and comply with section 313;
 7. Meals shall be offered only to registered overnight guests; and,
 8. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
- 407.2. The applicant shall furnish proof of any needed land development approvals and approval from the PA Department of Labor and Industry.

Section 408 Billboards

Within the Highway Commercial (HC) and Industrial (I) Zones, Billboards shall be permitted by conditional use subject to the following criteria:

1. Maximum Permitted Sign Number: 1 per each acre of lot area, not to exceed 4 per lot
2. Maximum Permitted Sign Area: 36 square feet
3. Maximum Height: 20 feet
4. Setback a minimum of 10 feet from all property lines
5. No lighting of the billboard shall be permitted

6. The maximum number of billboards on a lot shall be not more than one billboard per 1000 feet of road frontage.

Section 409 Boarding Houses

409.1. Within the (V) Zone, boarding houses are permitted by conditional use subject to the following criteria:

1. The following minimum lot area requirements shall be provided:

Minimum Required Lot Size	plus	Additional Lot Area Per Boarder (up to 10 boarders)
10,000 sq. ft.	plus	500 sq. ft.

2. The applicant shall furnish evidence that approved systems for sewage disposal and water supply shall be used;
3. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted;
4. All floors above and/or below grade shall have a permanently affixed direct means of escape to ground level;
5. One (1) off-street parking space shall be provided for each room available for rent, in addition to those required for the dwelling unit; and,
6. One (1) sign, not to exceed twelve (12) square feet, shall be permitted.

409.2. The applicant shall furnish proof of any needed land development approvals and approval from the PA Department of Labor and Industry.

Section 410 Campgrounds

410.1. Within the (C) Zone, campgrounds are permitted by conditional use on a minimum of ten (10) acres, subject to the following criteria:

1. Setback - All campsites shall be located at least fifty feet (50') from any side or rear property line and at least one hundred feet (100') from any public street line;
2. Each campsite shall be at least three thousand (3,000) square feet in size and shall either provide parking space for one (1) automobile which will not interfere with the convenient and safe movement of traffic or equivalent parking shall be provided in a common parking area;
3. An internal road system shall be provided, as required by Section 602 of the SLDO. These roads shall be a non-paved, all weather, dust free surface;
4. All outdoor play areas shall be set back one hundred feet (100') from any property line and screened from adjoining residentially-zoned properties;

5. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of one hundred feet (100') from any property line. Such facilities shall be screened from adjoining residentially-zoned properties;
6. Any accessory retail or service commercial uses shall be set back a minimum of one hundred feet (100') from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall only have vehicular access from the campground's internal road rather than the public street. All accessory commercial uses and related parking shall be screened from adjoining residentially-zoned parcels;
7. All campgrounds containing more than one hundred (100) campsites shall have vehicular access to an arterial or collector street;
8. A campground may construct one freestanding or attached sign containing no more than ten (10) square feet. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least ten feet (10') from the street right-of-way line, at least one hundred feet (100') from any residential zone, and, at least twenty-five feet (25') from adjoining lot lines;
9. A minimum of twenty percent (20%) of the gross area of the campground shall be devoted to active and passive recreational facilities, which shall not be located within one hundred feet (100') of any property line.

Responsibility for maintenance of the recreation area shall be with the landowner;

10. During operation every campground shall have an office in which shall be located the person responsible for operation of the campground;
11. All water facilities, sewage disposal systems, rest rooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the PA DEP, and/or Monroe Township; and,
12. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.

410.2. Campfires intended for cooking shall only be permitted in cement or steel boxes approved by the Fire Marshall.

Section 411 Car Washes

411.1. Within the (NC) and (HC) Zones, car washes are permitted by conditional use and special exception respectively, subject to the following criteria:

1. Gray water recycling is mandatory;

2. For automatic and self-service car washes, each washing bay shall provide a minimum one hundred foot (100') long on-site stacking lane in the rear yard which precedes the washing process. For full service car washes, such on-site stacking shall be a minimum of three hundred feet (300') per lane;
3. For full service car washes, a post-washing drying area shall be provided for no less than six (6) vehicles per washing lane;
4. All structures housing washing apparatuses shall be set back fifteen feet (15') from any street right-of-way line, fifty feet (50') from any rear property line, and twenty feet (20') from any side lot line;
5. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris; and,
6. The subject property shall front on an arterial or collector road.

411.2. The applicant shall demonstrate adequate provision for the collection and disposal of greases and wastes.

Section 412 Churches and Related Uses

412.1. Within the (R-1), and (A) Zones, Churches and related uses are a permitted use and within the (HC) Zone by conditional use, subject to the following criteria:

1. House of Worship:
 - A. Minimum lot area - One (1) acre;
 - B. Minimum lot width - Two hundred feet (200');
 - C. All houses of worship shall have vehicular access to an arterial or collector highway;
 - D. Side yard setback - Fifty feet (50') on each side; and,
 - E. All off-street parking areas shall be in the rear yard, set back at least ten feet (10') from the closest property line and screened from adjoining properties.
2. Church Related Residences (Rectories and Convents):
 - A. All residential uses shall be accessory, and located upon the same lot or directly adjacent to a lot containing a house of worship; and,
 - B. All residential uses shall be governed by the location, height and bulk standards imposed upon other residences within the (R-1) Zone, except that any number of persons of a convent and/or seminary may share group quarters.
3. Church-Related Educational or Day-Care Facilities:

- A. All educational or day care uses shall be accessory, and located upon the same lot as a house of worship;
 - B. If educational or day-care is offered below the college level, an outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five feet (25') from all property lines. Outdoor play areas shall be screened from adjoining residentially-zoned properties. All outdoor play areas must provide a means of shade, such as shade tree(s), pavilion(s), or other shading devices;
 - C. Enrollment shall be defined as the largest number of students and/or children under day-care supervision at any one time during a seven-day period;
 - D. Passenger “drop-off” areas shall be provided and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site;
 - E. All educational or day-care uses shall be governed by the location, height, and bulk standards imposed upon principal uses within the underlying zone; and,
 - F. Unless the applicant can demonstrate that the off-street parking associated with the house of worship is sufficient for the proposed use, one (1) off-street parking space in the rear yard shall be provided for each six (6) students enrolled below grade 10, and/or one (1) off-street parking space for each three (3) students, grades ten and above.
4. Cemeteries:
- A. All burial plots or structures shall be located at least twenty feet (20') from any property line or street line;
 - B. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery; and,
 - C. No burial plots or facilities are permitted in flood plain or flood fringe areas.

Section 413

Cluster Developments

- 413.1. Purpose - This conditional use is intended to blend various residential development types within areas of the Township that are characterized by severe development constraint, cultural and natural sensitivity, prime agricultural soils and preservation of open space. It is the express purpose of this section to offer a density bonus and flexible design standards as enabled in the Act for the preservation and protection of natural-cultural features, prime agricultural and/or the preserve common open space;

413.2. Within the Agricultural (A) and Suburban Residential (R-1) Zones, cluster developments are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - The minimum lot area devoted to a cluster development shall be:
 - A. Zone - Forty (40) acres;
 - B. (R-1) Zone - Two (2) acres;

413.2.2 Delineation of Required Common Open Space - As part of the site planning process of the cluster development, the applicant shall be required to prepare a detailed natural and cultural features inventory of the site. Such features shall be incorporated into the required common open space and shall serve as part of the required common open space. Qualified experts must identify, describe and plot each of the following found on the proposed site:

- 100-year flood plains;
- Steep slopes greater than fifteen percent (15%);
- Wetlands, streams, ponds, or other water bodies;
- Closed depressions, sinkholes, caves, vistas, or other significant geologic features;
- Threatened or endangered species habitats;
- Archaeological and historic resources;
- Prime agricultural land and adjacent agricultural security areas; and,
- Significant stands of mature trees (masses of trees covering 100 square feet or more or individual trees having a caliper of 6 inches or greater.)

The applicant shall incorporate such features (with the exception of prime agricultural land and significant stands of mature trees) within the limits of the proposed required common open space. Such features shall constitute no more than 75% of the required common open space.

In no case within the Agricultural Zone shall more than 50% of the prime agricultural land be used for the development of residential lots.

No more than 50% of the significant stands of mature trees shall be removed, subject to the replacement provisions of the Subdivision and Land Development Ordinance. All healthy trees in excess of 24" caliper shall be preserved.

At least 75% of the required common open space shall be contiguous within the development and contiguous with existing common open space on adjacent properties where applicable. A minimum width of land of 20 feet shall be maintained between areas to be considered contiguous lands.

In addition, the applicant may include proposed parklands within required common open space if such parkland complies with the following:

- A. The park land shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one (1) area available for a paved vehicular access that is no less than twenty-four feet (24') in width and parking facilities as required by Section 310 of this Ordinance;
- B. The park land shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so

as to accommodate, where practicable, athletic fields, courts and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, park lands should be provided, where practicable, as an expansion of the existing facility;

- C. The park land shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five percent (25%) of the site shall be comprised of flood plains, storm water management facilities and/or slopes exceeding three percent (3%). Any unimproved site shall be provided with a healthy and vibrant grass ground cover;
 - D. No park of any overhead utility easement, nor any above ground protrusion of an underground utility shall be permitted in active play areas of the site;
 - E. The park land facilities shall comply with any applicable design, orientation, size and location guidelines listed in the Township’s Official Recreation Plan;
 - F. The park land shall become part of the common open space of the development subject to the ownership and maintenance requirements set forth in Section 318 of this Ordinance; and,
 - G. No part of the park land shall include any required setbacks or yards of adjoining uses.
3. Required Ratio of Housing Types - The following tabulates the ratio of permitted residential structure types within cluster developments based on the extent of proposed common open space and the underlying zoning:

A. Agricultural Zone (A) Zone:

The minimum required percentage of common open space shall be 50%. Further subdivision of the common open space shall be prohibited by deed restriction. Single family and duplex dwellings are permitted in this zone based on the following criteria:

Proposed Common Open Space (Percent of Total Site Area)	Percentage of Dwelling Units Required by Structural Type	
	Single-Family Detached	Duplex
50% to 65%	At least 70%	No more than 30%
66% or more	At least 50%	No more than 50%

B. Suburban Residential (R-1) Zone:

The minimum required percentage of common open space shall be 40%. Further subdivision of the common open space shall be prohibited by deed restriction. Single family, duplex dwellings and townhomes/multiple family dwellings are permitted in this zone based on the following criteria:

Proposed Common Open Space (Percent of Total Site Area)	Percentage of Dwelling Units Required by Structural Type		
	Single-Family Detached	Duplexes	Townhomes
No less than 40%	At least 90%	No more than 10%	No more than 10%
41% to 55%	At least 65%	No more than 35%	No more than 35%
56% to 70%	At least 30%	No more than 70%	No more than 70%
More than 70%	Up to 100%	Up to 100%	Up to 100%

413.2.4.

Permitted Densities - The following tabulates the permitted density of dwelling units within cluster developments based on the underlying zone. For the purposed of this section, the net acreage of the site shall be the area contained within the original property lines of the site excluding area within existing or proposed street rights-of-way:

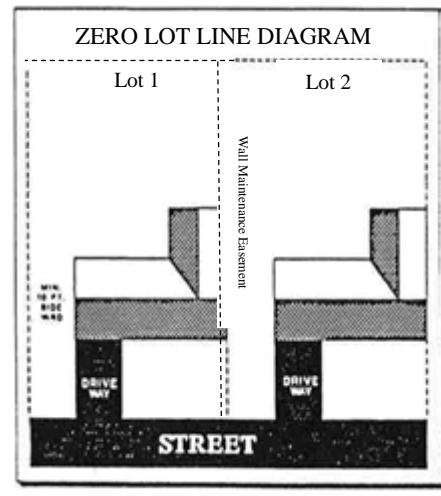
- A. Agricultural (A) Zone: the maximum permitted residential density is three quarters (3/4) of a unit per net acre of the site, including common open space. The maximum permitted density of a cluster development shall be subject to a ten percent (10%) density bonus for applicants who integrate more than 66% of the prime agricultural lands onsite within the common open space, or locate the required open space adjacent to the lands of the National Park Service (NPS) containing the Appalachian Trail. For parcels that directly abut a property protected by Agricultural Security, or lands of the NPS, the ten percent (10%) density bonus will only be awarded if common open space lands are fully contiguous with the Agricultural Security areas or NPS lands.
- B. Suburban Residential (R-1) Zone: the maximum permitted residential density is four (4) units per net acre of the site, including common open space. The maximum permitted density of a cluster development shall be subject to a ten percent (10%) density bonus for applicants who design and construct linear paths that fully integrate the “developed” area of the site with the common open spaces and/or adjoining linear paths. Any linear path proposed shall consist of a non-paved, all-weather, dust-free surface that is at least four feet (4') wide. The ownership and maintenance responsibilities for such linear paths shall be governed by the same options as those expressed for common open spaces in Section 318 of this Ordinance.

5. Required Design Standards - The following table and its footnotes present applicable design standards applied to the various dwellings/lots:

Use	Minimum Lot Area	Maximum Permitted Height	Minimum Lot Width at Building Setback/(Frontage)	Maximum Lot Coverage	Minimum Required Yards			
					Front 4	One Side	Both Sides	Rear
Single-Family Detached Dwelling	6,000 sq. ft.	35 ft.	60 ft. (50ft.)	50%	25 ft.	6 ft.	12 ft. ¹	15 ft.
Duplexes	3,500 sq. ft. per unit	35 ft.	45 ft. (40 ft. per unit)	60%	25 ft.	10 ft.	N/A	15 ft.
Townhouses ²	1,800 sq. ft. per unit	35 ft.	18 ft. (18 ft. per unit)	75%	25 ft.	15 ft.	(End Units)	20 ft.
Multiple-Family ³	43,500 sq. ft.	35 ft.	150 ft. (200 ft.)	60%	25 ft.	30 ft.	60 ft.	35 ft.

1. Within a cluster development, single-family detached dwellings may employ a zero-lot-line design when the following conditions have been satisfied:

- A. Minimum lot width shall be forty-five feet (45') and thirty-five feet (35') at the building setback and the lot frontage, respectively.
- B. One side wall of the structure may be located no less than one inch (1") from one of the side lot lines when adjoining another zero-lot-line dwelling lot. The opposite side yard shall be at least ten feet (10') wide.
- C. A perpetual six foot (6') wall-maintenance easement shall be provided on the lot adjacent to the zero-lot-line, which shall be kept clear of structures and trees. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. The wall shall be maintained in its original color and treatment, unless otherwise agreed to in writing by the two affected lot owners.
- D. Roof overhangs may penetrate the easement on the adjacent lot a maximum of twenty-four inches (24"), but the roof shall be so designed that water runoff from the dwelling place on the lot line is limited to the easement area.
- E. The wall of a dwelling unit located along the zero-lot-line shall have no openings (e.g., windows, doors, air conditioning units, vents, etc.), unless such openings are located at least eight feet (8') above grade, and have translucent panels.



2. For each townhouse building containing more than four (4) units, no more than sixty percent (60%) of such units shall have the same front yard setbacks, the minimum variation of setback shall be at two feet (2'). In addition, no more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane. All townhouse buildings shall be set back a minimum of fifteen feet (15') from any interior access drives, or parking facilities contained on commonly-held lands. All townhouse buildings shall be set back at least thirty feet (30') from any perimeter boundary of the development site. In those instances where several townhouse buildings are located on the same lot, the following footnote 3 shall apply.

3. In those instances where several multiple-family dwelling buildings and/or townhouse buildings are located on the same lot, the following separation distances will be provided between each building:

- A. Front to front, rear to rear, or front to rear, parallel buildings shall have at least fifty feet (50') between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten feet (10') at one end if increased by similar or greater distance to the other end.
- B. A minimum yard space of thirty feet (30') is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty feet (20').
- C. A minimum yard space of thirty feet (30') is required between end walls and front or rear faces of buildings.

- D. All multiple-family dwelling buildings shall be set back a minimum of fifteen feet (15') from any interior access drives or parking facilities contained on commonly-held lands.
4. If the property abuts an arterial or collector road, the minimum front yard setback shall be forty feet (40') from the right-of-way line. Except for multiple-family dwellings, the minimum front yard setback for accessory residential garages shall be twenty feet (20').
6. **Required Infrastructure Evaluation** - The applicant will be required to demonstrate that adequate public facilities are available to serve the proposed use in accordance with Section 704.2 through submitted documentation. In addition, evaluation of the following must be addressed in the conditional use application:
- A. **Traffic Impact Report** - The applicant shall submit a Traffic Impact Report with the conditional use application when the number of proposed dwelling units or parking spaces meets or exceeds the criteria set forth in Section 402.5.3 of the Subdivision and Land Development Ordinance. The Traffic Impact Report shall be prepared in accordance with Subdivision and Land Development Ordinance and shall demonstrate that proposed developments do not adversely affect the transportation network, to identify any traffic problems, and to determine traffic problems on Township or State roads in the vicinity of the proposed project. The report also will assist in the protection of air quality, the conservation of energy and the safety of the motoring public.
- B. **Sanitary Sewer and Water Service** - The applicant shall demonstrate that adequate public sanitary sewer and water service is available to serve the proposed use. As an alternative, community sewage treatment systems may be considered by the Board of Supervisors provided written verification from the Sewage Enforcement Officer and the Pennsylvania Department of Environmental Protection is received with the conditional use application. The use of individual on-lot systems shall be prohibited in cluster developments. In addition, private water supplies may be considered by the Board of Supervisors provided a groundwater supply study prepared in accordance with section 402.5.6 of the subdivision and Land Development Ordinance is received with the conditional use application. In no case shall a conditional use be approved where adequate sanitary sewage disposal facilities or water service is not available.

Section 414

Commercial Day-Care Facilities

- 414.1. Commercial day-care facilities are permitted by special exception within the (NC) and (HC) Zones, and as a conditional use within the (V) Zone, subject to the following criteria:
1. An outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking compounds shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard. Additionally, outdoor play areas shall be located and designed so as not to disrupt normal activities of adjoining uses permitted within the Zone and/or four foot (4') high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.). All

outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s);

2. Enrollment shall be defined as the largest number of persons and/or children under day-care supervision at any one time during a seven-day period;
3. Passenger “drop-off” and “pick-up” areas shall be provided on site and be in the rear yard and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site;
4. One (1) off-street parking space shall be provided for each six (6) persons enrolled and be in the rear yard; and,

414.2. All commercial day-care facilities shall obtain and maintain proper licensure from the Commonwealth of Pennsylvania.

Section 415 Commercial Recreation Facilities

415.1. Within the (HC) Zone, commercial recreation facilities except adult related uses, shooting ranges, amusement arcade, and Off-Track Betting are permitted by conditional use, subject to the following criteria:

1. If the subject property contains more than two (2) acres, it shall front on an arterial or collector road;
2. Those uses involving extensive outdoor activities shall provide sufficient screening and/or landscaping measures to mitigate any visual and/or audible impacts on adjoining properties;
3. Any structures exceeding the maximum permitted height may be permitted so long as they are set back from all property lines at least the horizontal distance equal to their height, plus an additional fifty feet (50'). Furthermore, such structures shall not be used for occupancy;
4. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution;
5. Required parking will be determined based upon a combination of the types of activities proposed and the schedule listed in Section 310 of this Ordinance. In addition, an unimproved grassed overflow parking area to be provided for peak use periods may be required. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads; and,
6. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads.

415.2. If, at any time after the opening of the commercial recreation facility, the Township determines that traffic back-ups are occurring on adjoining roads, and

such back-ups are directly related to the means of access to the subject property, the Township can require the applicant to revise means of access to relieve the undue congestion.

Section 416 Commercial Stockyards and/or Feedlots

416.1. Within the (A) Zone, commercial stockyards and/or feedlots are permitted by conditional use, subject to the following criteria:

1. All live animals held outside shall be within secure holding pens or runways;
2. No exterior animal holding pens and/or areas devoted to loading/unloading of animals shall be located within two hundred feet (200') of any property line nor five hundred feet (500') of any land within residential zone;
3. All animal holding pens and/or areas used for the loading/unloading of animals shall be screened from all adjoining properties and shall include a minimum fifty foot (50') wide landscape strip;
4. All access drives onto the site shall be provided in a dust and mud-free manner for a distance of at least two hundred feet (200') from the street right-of-way line;
5. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the site;
6. Adequate off-street parking and loading areas must be provided. No parking or loading/unloading shall be permitted on or along any public road;
7. Soil erosion, sedimentation and storm water runoff shall be controlled in accordance with all applicable laws and regulations;
8. All outdoor loudspeaker and lighting systems shall be designed, arranged and operated so as to prevent objectionable impact on adjoining parcels and roads; and,
9. The applicant shall furnish evidence of any needed Nutrient Management Plan approved by the appropriate agency.

Section 417 Communication Antennas, Towers and Equipment

417.1. Within the (C) and (I) Zones, commercial communications antennas, towers and equipment shall be permitted by conditional use, subject to the following criteria:

1. Any structures, along with any appurtenances attached thereto, shall not exceed a height of one hundred fifty feet (150') from ground level;
2. All towers shall be completely enclosed by an eight foot (8') high fence and self-locking gate;
3. All ground-mounted satellite dish antennas that are used to transmit video format data shall be completely enclosed by an eight foot (8') high non-

climbable fence that includes signage warning of dangerous radiation levels. Any gates within the fence shall be locked when unattended;

4. Communication antennas may be attached to buildings or structures (examples including, but not necessarily being limited to, water towers and tall buildings). In addition, communication antennas may be attached to public utilities including, but not necessarily being limited to poles and transmissions towers, provided however, that the applicant must secure written permission from the utility;
5. Communication antennas shall not be installed on any residential dwelling. Communication antennas shall not exceed the height of the existing structure by more than twenty (20') feet. Omnidirectional or whip communications antennas shall not exceed twenty (20') feet in height and seven (7") inches in diameter. Directional or panel communication antennas shall not exceed a maximum surface area of fifteen (15') square feet;
6. The applicant shall, in all instances, meet the following requirements:
 - A. The applicant shall demonstrate that the proposed antenna and communication tower are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris;
 - B. Any applicant proposing communication antennas to be mounted on a building or other structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or other structure, considering wind, ice and other loads associated with the antenna location.;
 - C. Detailed construction and elevation drawings shall be submitted for review and approval by the Monroe Township Codes Officer and the Township Engineer;
 - D. Proof of adequate access is to be supplied;
 - E. Proof of compliance with all applicable standards, requirements, procedures, permits and licensing as required and/or established by the Federal Communications Commission, the Commonwealth of Pennsylvania and any and all other governmental entities having appropriate jurisdiction;
 - F. Access shall be provided by means of a driveway with a connection to a public street and/or easement to a public street. The easement shall be a minimum of twenty (20') feet in width and the access shall be paved to a width of at least ten (10') feet for its entire length but for any existing portion of the access already improved to a dust-free gravel surface, which may be utilized in its current condition without being paved;
 - G. An agreement being reached wherein the applicant, or applicant's successor, agrees to remove the communication antennas, towers and equipment when they are no longer in use for the purpose approved herein, all at the applicant's expense. The applicant shall provide a copy of the notice to the Federal Communications Commission of its intent to

cease operation. If an applicant ceases operation or use for a period of six (6) consecutive months, the applicant shall be given ninety (90) days from the end of the six month period to remove the communication antennas, towers and/or equipment. In the case of multiple operators sharing the use of a single communications facility, this provision shall not become effective until all users cease operations. When requested by the Township, the applicant agrees to provide a guarantee in a form acceptable to the Township for the removal of the communication antennas, towers and equipment, along with the restoration of the land.

7. Commercial communications antennas, towers and equipment shall be permitted by right on all land owned or leased by the Township, regardless of the underlying zoning classification of the land, subject to the foregoing requirements in this Section 417. Commercial communications antennas, towers and equipment located on property owned or leased by the Township shall not constitute a second principal use on the property

Section 418 Distilleries, Breweries, Pickling Processes and Sugar Refineries

418.1. Within the (I) Zone, distilleries, breweries, pickling processes and sugar refineries are permitted by conditional use, subject to the following criteria:

1. The applicant shall provide a detailed written description of the proposed use in each of the following topics:
 - A. The nature of the on-site operations, the materials used in the process, the products produced, and the generation and methods for disposal of any wastes and/or by-products. In addition, the applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - B. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size;
 - C. Identify any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels are regulated by applicable laws and ordinances, including, but not limited to, those of Section 318 of this Ordinance; and,
 - D. A traffic impact report prepared by a professional engineer, according to Section 402 of the SLDO.

Section 419 Drive-thru and/or Fast-Food Restaurants

419.1. Within the (HC) Zone, drive-thru and/or fast-food restaurants are permitted by conditional use, subject to the following criteria:

1. The subject property shall front on an arterial or collector road;
2. Exterior trash receptacles shall be provided and routinely emptied so as to prevent the scattering of litter. All applications shall include a description of a working plan for the cleanup of litter;
3. All drive-thru window-lanes shall be separated by curb from the parking lot's interior driveways;
4. Any exterior speaker/microphone system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties;
5. All exterior seating/play areas shall be completely enclosed by a minimum three foot (3') high fence;
6. No part of the subject property shall be located within two hundred feet (200') of any land within the (R-1) or (V) Zones;
7. Each drive-thru lane shall have two hundred feet (200') of on-site stacking in the rear yard preceding the order location; and,
8. The applicant is encouraged to match the architecture of the site to that of the neighborhood.

Section 420

Dry Cleaners, Laundries and Laundromats

- 420.1. Within the (NC) Zone, dry cleaners, laundries and Laundromats are permitted by conditional use, subject to the following criteria:
1. Dry cleaning service shall be limited to counter service only; no on-site dry cleaning shall be permitted;
 2. All activities shall be conducted within a completely-enclosed building;
 3. During operation or plan cleanup and maintenance, all windows and doors on walls facing adjoining residential zones shall be kept closed;
 4. Any exhaust ventilation equipment shall be directed away from adjoining (R-1) or (V) Zones property; and,
 5. Self-service laundromats shall require one off-street parking space in the rear yard for each two (2) washing machines; other laundry-related uses shall provide one off-street parking space in the rear yard for each four hundred (400) square feet of gross floor area.

Section 421

ECHO Housing

- 421.1. **Within the (C), (A) and (R-1) Zones, ECHO housing integral to the dwelling unit on lots less than one half (1/2) acre in size, and/or located within in a detached structure separate from the principal residence (subject to minimum lot size requirements) is permitted by conditional uses, subject to the following criteria:**

1. The ECHO Housing may not exceed nine hundred (900) square feet of floor area;
2. The total building coverage for the principal dwelling, any existing accessory structures and the ECHO Housing together shall not exceed the maximum requirement for the zone in which the elder cottage is located;
3. The ECHO Housing shall be occupied by either an elderly, handicapped or disabled person related to the occupants of the principal dwelling by blood, marriage or adoption;
4. The ECHO Housing shall be occupied by a maximum of two (2) people;
5. Utilities:
 - A. For all public utility connections, ECHO housing utilities shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or used. All connections shall meet the applicable utility company standards. For public sewer connections, the applicant shall obtain approval of the Municipal Authority having jurisdiction for the connection, including payment for an additional EDU if determined to be applicable by the Municipal Authority; and
 - B. If on-site sewer or water systems are to be used, the applicant shall submit evidence to the Zoning Hearing Board showing that the total number of occupants in both the principal dwelling and the ECHO Housing will not exceed the maximum capacities for which the one-unit systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing on-site sewer system shall comply with the Township On-Lot Management Ordinance.
6. A minimum of one (1) off-street parking space, with unrestricted ingress and egress to the street, shall be provided for the ECHO Housing, in addition to that required for the principal dwelling;
7. The ECHO Housing shall be installed and located only in the side or rear yards, and shall adhere to all side and rear yard setback requirements for principal uses; and,
8. The ECHO Housing shall be removed from that property within ninety (90) days after it is no longer occupied by a person who qualifies for the use.

421.2.

Upon the proper installation of the ECHO Housing, the Zoning Officer shall issue a temporary use and occupancy permit. Such permit shall be reviewed every twelve (12) months until such time as the ECHO Housing is required to be removed. A fee, in the amount to be set by the Board of Supervisors, shall be paid by the landowner upon each renewal of the temporary use and occupancy permit. Such fee shall be based upon the cost of the annual review of the permit.

Section 422 Farmers Market and/or Flea Market

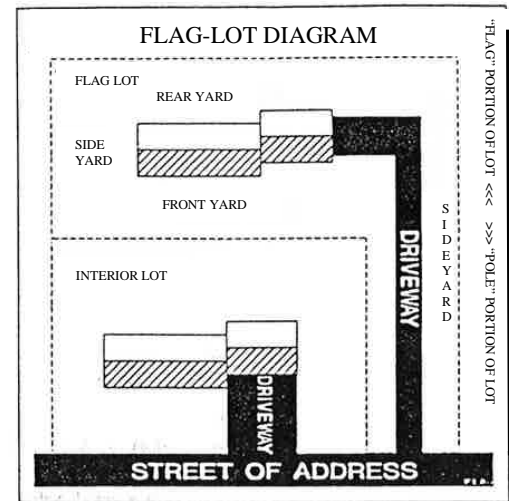
422.1. Within the (HC) Zone, farmers market and/or flea market are permitted by special exception, subject to the following criteria:

1. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sales shall include all indoor and/or outdoor areas as listed above;
2. The retail sales area shall be set back at least fifty feet (50') from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment;
3. Off-street parking in the rear yard shall be provided at the rate of one (1) space per each two hundred (200) square feet of retail sales area. The parking area shall be non-paved, all-weather, dust free surfaces;
4. Off-street loading shall be calculated upon the retail sales area described above and according to the schedule listed in Section 311 of this Ordinance;
5. All outdoor display and sales of merchandise shall not begin prior to one (1) hour before official sunrise and shall cease no later than one (1) hour after official sunset;
6. Any exterior amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties; and,
7. Exterior trash receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

Section 423 Flag-Lot Residences

423.1. Flag-lots shall only be permitted within the (C) and (A) Zone by conditional use, subject to the following criteria:

1. Flag-lots shall only be permitted when they will enable the preservation of some important natural or cultural feature (including productive farm land), which would otherwise be disturbed by conventional lotting techniques. A subdivision with a proposed flag lot may not utilize the entire parent tract for other building lots which could be achieved by conventional lotting techniques.



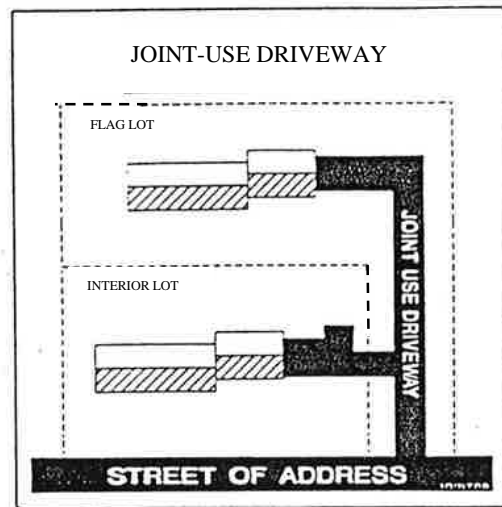
2. For the purposes of this section, a flag-lot shall be described as containing two parts: (1) The “flag” shall include that portion of the lot that is the location of the principal and accessory buildings. (2) The “pole” shall be considered that portion of the site that is used for vehicular access between the site and its adjoining road;
3. Requirements for the Flag:
 - A. The minimum lot area and lot width requirements of the Township Zoning Ordinance shall be measured exclusively upon the flag.
 - B. For purposes of determining required yards and setbacks, the following shall apply:
 1. Front yard - The area between the principal structure and that lot line of the flag which is most parallel to the street providing vehicular access to the site. Additionally, all areas of the pole shall be considered to be within the front yard;
 2. Rear yard - The area between the principal structure and that lot line of the flag that is directly opposite the front yard, as described above; and,
 3. Side yards - The area between the principal structure and that one (1) outermost lot line which forms the flag and pole, **plus** the area on the opposite side of the principal structure. (See the preceding Flag-Lot Diagram for a graphic depiction of the yard locations.)
4. Requirements for the Pole:
 - A. The pole shall maintain a minimum width of twenty-five feet (25').
 - B. The pole shall not exceed six hundred feet (600') in length, unless additional length is needed to avoid the disturbance of productive farmlands or some other significant natural or cultural feature.

- C. No part of the pole shall be used for any portion of an on-lot sewage disposal system, nor any other improvement except a driveway and other permitted improvements, such as landscaping, fencing, utility connections to off-site facilities, mailboxes, and signs.
 - D. The cartway contained on the pole shall be located at least six feet (6') from any adjoining property line, and twenty feet (20') from any existing structures on the site or any adjoining property.
 - E. No pole shall be located within two hundred feet (200') of another on the same side of the street, unless an adjoining pole utilizes a joint-use driveway, regulated as follows:
5. The flag-lot shall contain adequate driveway dimension for vehicular backup so that ingress to, and egress from the lot is in the forward direction;

423.2.

Joint-Use Driveways:

- 1. When one or more flag lots are proposed, such lots may rely upon a joint-use driveway for vehicular access.
- 2. A joint-use driveway must serve at least one flag-lot, but may also serve conventional lots, up to a maximum of four total lots.
- 3. All joint-use driveways shall have a minimum cartway width of sixteen feet (16').
- 4. Cross access easements shall be required to ensure common use of, access to, and maintenance of, joint-use driveways; such easements shall be recorded in language acceptable to the Township Solicitor, and depicted on the subdivision plan.



Section 424

Funeral Homes, Mortuaries and Crematoriums

424.1.

Within the (HC) Zone, funeral homes, mortuaries and crematoriums are permitted by special exception, subject to the following criteria:

- 1. The applicant shall furnish evidence that the use of materials and disposal of wastes will be accomplished in a manner which complies with State and Federal regulations; and,
- 2. Parking shall be in the rear and designed to prevent traffic back-ups onto adjoining roads.

Section 425 Golf Courses

425.1. Within the (R-1) Zone, golf courses are permitted by conditional use, subject to the following criteria:

1. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway;
2. All golf course buildings shall be set back seventy-five feet (75') from any adjoining roads and one hundred feet (100') from adjoining residential structures or parcels;
3. Golf courses may include the following accessory uses, provided such uses are reasonably sized, and located so as to provide incidental service to the golf course employees and users:
 - A. Clubhouse, which may consist of
 1. Restaurant, snack bar, lounge, and banquet facilities;
 2. Locker and rest rooms;
 3. Pro shop;
 4. Administrative offices;
 5. Golf cart and maintenance equipment storage and service facilities;
 6. Fitness and health equipment, including workout machines, spas, whirlpools, saunas, and steamrooms;
 7. Game rooms, including card tables, billiards, ping-pong, video games, pinball machines, and other similar table games; and,
 8. Baby-sitting rooms and connected fence-enclosed playlots.
 - B. Accessory recreation amenities located outside of a building, including:
 1. Driving range, provided that the applicant shall furnish expert evidence that all lighting has been arranged to prevent glare on adjoining properties and streets;
 2. Practice putting greens;
 3. Swimming pools;
 4. Tennis, platform tennis, handball, racquetball, squash, volleyball, and badminton courts;
 5. Boccie ball, croquet, shuffleboard, quoits, and horseshoe pits;
 6. Picnic pavilions, picnic tables, park benches, and barbecue pits;
 7. Hiking, biking, horseback riding, and cross-country ski trails; and,
 8. Playground equipment and playlot games, including 4 square, dodgeball, tetherball, and hopscotch.
 - C. Freestanding maintenance equipment and supply buildings and storage yards.
4. All outdoor storage of maintenance equipment and/or golf carts shall be set back at least one hundred feet (100') and screened from adjoining residential structures and roads;
5. All dumpsters and off-street parking and/or loading areas shall be screened from adjoining or nearby residences. In addition, all off-street loading and dumpsters shall be screened from adjoining roads; and,

- 425.2. Golf courses can be integrated with cluster developments regulated by Section 413 of this Ordinance. In such instance, all open areas of the golf course can be calculated as common open space.

Section 426 Group Day-Care Facilities

- 426.1 Within the (C), (R-1), (V), (VO) and (A) zones, group day-care facilities are permitted by conditional use, subject to the following criteria:
1. All group day-care facilities shall be conducted within a single-family detached dwelling;
 2. A group day-care facility shall offer care and supervision to between four (4) and six (6) different persons during any calendar day;
 3. All group day-care facilities shall furnish a valid Registration Certificate for the proposed use, issued by the PA Department of Public Welfare;
 4. An outdoor play area no less than sixty (60) square feet per person enrolled shall be provided. Outdoor play areas shall be set back at least twenty-five feet (25') and screened from any adjoining land within the (R-1) or (V) Zones. A minimum four foot (4') high fence shall completely enclose the outdoor play area. Any vegetative materials located within the outdoor area shall be of a non-harmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must include a means of shade, such as a tree(s) or pavilion; and,
 5. Passenger “drop-off” and “pick-up” areas shall be provided on site in the side or rear yard and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
 6. Applicant shall obtain the approval of the Municipal Authority having jurisdiction or the Sewerage Enforcement Officer for any increased flows generated from the proposed use. For public sewer connections, the applicant shall make payment for additional EDU’s if determined to be applicable by the Municipal Authority.

Section 427 Heavy Equipment Sales, Service and/or Repair Facilities

- 427.1. **Within the (I) Zone, heavy equipment sales, service and/or repair service facilities are permitted by conditional use, subject to the following criteria:**
1. All service and/or repair activities shall be conducted within a completely-enclosed building;
 2. All uses involving drive-thru service shall provide sufficient on-site stacking lanes in the rear yard to prevent vehicle back-ups on adjoining roads;
 3. All exterior storage and/or display areas shall be screened from adjoining land within the (R-1) or (V) Zones. All exterior storage/display areas shall be set back at least fifty feet (50') from adjoining street lines and shall be covered in an all-weather, dust free surface;

4. The storage of junked vehicles, boats, machinery, trucks, trailers, manufactured houses and heavy equipment vehicles on the property is prohibited;
 5. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directly toward any adjoining land within the (R-1) or (V) Zones;
 6. All vehicles shall be repaired and removed promptly from the premises; and,
- 427.2. The applicant shall furnish evidence that the storage and disposal of all materials will be accomplished in a manner that complies with State and Federal regulations.

Section 428 Heavy Industrial Uses

- 428.1. Within the (I) Zone, heavy industrial uses are permitted by conditional use, subject to the following criteria:
1. The applicant shall provide a detailed written description of the proposed use in each of the following topics:
 - A. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any wastes and/or by-products. In addition the applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - B. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size;
 - C. Identify any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including but not limited to those of Section 317 of this Ordinance; and,
 - D. A traffic impact report prepared by a professional engineer, according to Section 402 of the SLDO.

Section 429 Historic Structures Conversions

- 429.1. Within any zone, the conversion of a historic structure listed in Appendix 1 of this Ordinance to a use other than the existing use is permitted by conditional use, subject to the following criteria:

1. The applicant shall furnish expert evidence that any alterations, improvements, extensions, additions or other modifications proposed to the historic structure will be accomplished in a manner that does not jeopardize the “historic” status of the structure;
2. The applicant shall furnish evidence of an approved means of water supply and sewage disposal;
3. The applicant shall obtain any necessary land development approvals;
4. All off-street parking and/or loading areas shall be screened from adjoining residences and roads;
5. One (1) sign shall be permitted which is no larger than six (6) square feet and is located at least ten feet (10') from all lot lines or affixed to the front of the building;
6. Historic Restaurant Conversions - Historic restaurant conversions shall not involve drive-thru restaurant operations, as defined herein;
 - A. All restaurant seating shall be provided within the completely-enclosed building, except that limited exterior seating may be provided if;
 1. Such seating is situated and designed so as not to adversely impact nearby residences;
 2. Such seating is accessory to the principal interior seating accommodations;
 3. During use, such seating is continuously supervised by an employee or owner of the restaurant;
 4. Any lighting or music systems serving such seating is designed and operated so as not to constitute a nuisance to adjoining properties;
 5. The applicant shall furnish and implement a working plan for the continuous cleanup of litter and debris that may result from such outdoor seating; and,
 6. Such seating is removed during seasons when not in use;
7. Historic Conversion Apartment - All dwelling units within the historic conversion apartment building shall contain at least four hundred (400) square feet of habitable floor area;
 - A. Any extensions or modifications to the external appearance of the building (except fire escapes) shall complement its residential character;
 - B. All floors above or below grade shall have a permanently affixed direct means of escape to ground level;

- C. Two (2) off-street parking spaces in the rear yard per unit shall be provided; and,
8. Historic Office Conversions are permitted and must follow the same criteria as Historic Conversion Apartment.

Section 430 Home Improvement and Building Supply Stores

- 430.1. Within the (HC) Zone, home improvement and building supply stores are permitted by special exception, subject to the following criteria:
1. If the subject property contains more than two (2) acres, it shall front along an arterial or collector road;
 2. The retail sales area shall be all areas open for public display, including but not limited to shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas as listed above;
 3. Off-street parking in the rear yard shall be provided at the rate of one space for each two hundred (200) square feet of interior retail sales area, plus one (1) space for each five hundred (500) square feet of exterior retail sales area;
 4. All exterior retail sales areas shall include a dust-free surface and a completely enclosed minimum six foot (6') high fence and gate;
 5. All exterior storage and retail sales areas (exclusive of nursery and garden stock) shall be located within a side and/or rear yard, and shall be screened from adjoining roads and properties;
 6. The applicant shall furnish expert evidence that any exterior amplified public address system and/or exterior lighting has been arranged and designed so as to prevent objectionable impact off the site;
 7. Any drilling, cutting, sawing, mixing, crushing or some other preparation of building materials, plus any testing or repair of motorized equipment shall be conducted within a completely enclosed building; and,
 8. The applicant shall submit a traffic study as governed by Section 402.4 of the SLDO.

Section 431 Deleted by Ordinance 2008-4 of 10/23/08

Section 432 Hunting, Fishing, Skiing, and Boating Lodges

- 432.1. Within the (C) Zone, hunting, fishing, skiing, and boating lodges are permitted by conditional use, subject to the following criteria:

1. All off-street parking shall be set back at least thirty feet (30') from any adjoining land within the (R-1) or (V) Zones and be in the rear yard;
2. Outdoor recreation/activity areas shall be set back at least fifty feet (50') from all property lines. No shooting ranges shall be permitted unless approved under Section 449 of this Ordinance;
3. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used;
4. Where overnight facilities are provided, one (1) parking space shall be provided in the rear yard for each guest sleeping room or each three bunks, plus one (1) per employee; and,
5. One (1) sign, not to exceed ten (10) square feet, shall be permitted.

Section 433 Junkyards

433.1. Within the (I) Zone, junkyards are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - Ten (10) acres;
2. The outdoor area devoted to the storage of junk shall be completely enclosed by an eight foot (8') high, sight-tight fence which shall be set back at least fifty feet (50') from all property lines and one hundred feet (100') from properties within the (R-1) or (V) Zones. A landscaped visual barrier will be provided adjacent to a residential use or zone;
3. The setback area between the fence and the lot lines shall be kept free of weeds and all shrub growth;
4. All completely-enclosed buildings used to store junk shall be set back at least fifty feet (50') from all property lines;
5. No material may be stored or stacked so that it is visible from adjoining properties and roads;
6. All additional Federal and State laws shall be satisfied;
7. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled to a height greater than eight feet (8');
8. No materials shall be burned at any time;
9. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies, or other vectors;
10. No junkyard shall be located on land with a slope in excess of five percent (5%); and,

11. All junked vehicles shall be emptied of fuel, oil and other petroleum products, air-conditioning fluid, anti-freeze, and batteries.

Section 434 Kennels

434.1. Within the (HC) and (A) Zones, kennels are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - Each site shall contain at least five (5) acres;
2. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stall or runways shall be located within the rear yard and screened from adjoining properties, and shall be a minimum of two hundred feet (200') from all property lines. Where all boarding activities are housed in a completely enclosed structure, the required setback shall be reduced to a minimum of one hundred feet (100') from all property lines.
3. All outdoor recreation areas shall be enclosed to prevent the escape of animals; and such enclosures shall be set back a minimum of ten feet (10') from all property lines;
4. The applicant shall furnish evidence of effective means of animal and veterinary waste collection and disposal which shall be continuously implemented; and,

434.2. The applicant must demonstrate compliance with all State requirements.

Section 435 Warehouses

435.1. Within the (HC) and (I) Zones, warehouses are permitted by conditional use, subject to the following criteria:

1. Off-street parking spaces shall be provided in the side or rear yard at the rate of one (1) space per each twenty-five (25) units, plus one (1) per two hundred fifty (250) square feet of office space, plus two (2) per any resident manager;
2. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lands shall be at least twenty-six feet (26') wide when cubicles open onto one side of the lane only, and at least thirty feet (30') wide when cubicles open onto both sides of the lane;
3. External storage area may be provided for the storage of privately-owned travel trailers and/or boats, so long as such external storage area is screened from adjoining land within the (R-1) or (V) Zones and adjoining roads, and is located behind the minimum front yard setback line;
4. An on-site manager shall be required and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all applicable ordinances. Any dwelling for a resident manager shall comply with all of those requirements listed within the (R-1)

Zone, and shall be entitled to all residential accessory uses provided in this Ordinance;

435.2. Warehouses shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site:

1. Auctions, or garage sales;
2. Commercial, wholesale or retail sales.

Section 436 Nightclubs

436.1. Within the (HC) zone, nightclubs are permitted by conditional use, subject to the following criteria:

1. No part of the subject property shall be located within six hundred feet (600') of any land within the (R-1) or (V) Zones;
2. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light, and/or litter;
3. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;
4. A working plan for the cleanup of litter shall be furnished and implemented by the applicant; and,
5. All required parking shall be in the rear yard.

Section 437 Noncommercial Keeping of Livestock

437.1. Within the (C), (R-1) and (V) Zones, noncommercial keeping of livestock is permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area – one-half (1/2) acre for chickens and fowl, one (1) acre for all other types of livestock. Additionally, the following list specified additional area requirements by size of animals kept:

GROUP 1 – Chickens and fowl, regardless of weight, and animals whose average adult weight is less than ten (10) pounds, shall be permitted at a an animal density of eight (8) per acre with a maximum number of forty (40) animals

GROUP 2 - Animals whose average adult weight is between ten (10) and sixty-five (65) pounds shall be permitted at an animal density of two (2) per acre, with a maximum number of twenty (20) animals; and,

GROUP 3 - Animals whose average adult weight is greater than sixty-five (65) pounds shall be permitted at an animal density of one (1) per

acre, with a maximum number of five (5) animals.

The keeping of a combination of animal types (Group 1, 2 and 3) shall require an animal density equal to the ration of the number of animals, by type. In no case shall a lot contain more than fifty (50) total animals;

2. The following lists minimum setbacks (from all property lines) imposed upon the placement of any structure used to house noncommercial livestock. Should one structure be used to house a combination of animal types, the most restrictive setbacks shall apply:

GROUP 1 Animals - A ten (10') foot setback (side & rear);

GROUP 2 Animals - A twenty-five (25') foot setback (side & rear);

GROUP 3 Animals - A twenty-five (25') foot setback (side) and fifty (50') foot setback.

3. All structures used to house noncommercial livestock shall be prohibited from placement in the front yard;
4. All outdoor pasture/recreation areas shall be enclosed with fencing to prevent the escape of the animals; and,
5. All animal wastes shall be stored and disposed of, so as not to be objectionable at the site's property line. All animals, their housing, and their outdoor pasture/recreation areas shall be maintained so as not to become a nuisance to adjoining properties.
6. In addition to the regulations listed above, the keeping of chickens or fowl are subject to the following requirements:
 - A. All chickens shall be provided with a covered, predator-proof cage or other shelter, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the chickens exclusive of areas used for storage of materials or vehicles. If an outside run is permitted, it shall be no bigger than ten (10') feet per chicken and shall be enclosed in a way that contains the chicken.
 - B. Coops shall be maintained of hen droppings, uneaten feed, feathers and other waste weekly and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance
 - C. Feces and deceased chickens or fowl shall be disposed of in a legal manner that does not become a nuisance to adjoining properties.
 - D. Roosters are not permitted as an accessory use to an existing residential use.

Section 438 Off-Track Betting Parlors

- 438.1. Within the (I) Zone, off-track betting parlors are permitted by conditional use, subject to the following criteria:

1. An off-track betting parlor shall not be permitted to be located within five thousand feet (5,000') of any other off-track betting parlor;
2. No off-track betting parlor shall be located within one thousand feet (1,000') of any land within the (R-1) or (V) Zones;
3. No off-track betting parlor shall be located within one thousand feet (1,000') of any parcel of land which contains any one or more of the following specified land uses:
 - A. Amusement park;
 - B. Camp (for minors' activity);
 - C. Child care facility;
 - D. Church or other similar religious facility;
 - E. Community center;
 - F. Museum;
 - G. Park;
 - H. Playground;
 - I. School; or
 - J. Other lands where minors congregate;
4. The distance between any two off-track betting parlors shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any off-track betting parlor and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the off-track betting parlor to the closest point on the property line of said land use;
5. No more than one (1) off-track betting parlor may be located within one building or shopping center;
6. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light and/or litter;
7. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;
8. A working plan for the cleanup of litter shall be furnished and implemented by the applicant;
9. Off-street parking in the rear yard shall be provided at the rate of one (1) space per each sixty-five (65) square feet of gross floor area, including related dining, restaurant and snack bar areas; and,
10. All off-track betting parlors shall comply with the Pennsylvania Horse and/or Harness Racing Commission's Rules and Regulations pertaining to Nonprimary Locations, as defined therein.

Section 439 Office Conversions

- 439.1. Within the (V) Zone, office conversions are permitted by conditional use, subject to the following criteria:
1. Such conversions shall only be permitted within structures that existed on the effective date of this Ordinance;
 2. The applicant shall furnish evidence that any alterations, improvements, extensions, additions or other modifications proposed to the structure will be accomplished in a manner that complements the character of adjoining properties;
 3. The applicant shall furnish evidence of an approved means of water supply and sewage disposal;
 4. The applicant shall obtain any necessary land development approvals;
 5. All off-street parking and/or loading areas shall be in the rear yard screened from adjoining residences and roads; and,
 6. One (1) sign shall be permitted which is no larger than six (6) square feet and is located at least ten feet (10') from all lot lines, or affixed to the front of the building.

Section 440 Principal Waste Handling Facilities

- 440.1. Within the (I) Zone, principal waste handling facilities are permitted by conditional use, subject to the following criteria:
1. Minimum Lot Area - five (5) acres;
 2. All principal waste handling facilities for "municipal and residual wastes," as defined by the PA DEP, shall be operated, and/or designated to be operated, by the Solid Waste Authority of Cumberland County;
 3. Any processing and/or treatment of waste (including but not limited to incineration, composting, steaming, shredding, compaction, material separation, refuse derived field, pyrolysis, etc.) shall be conducted within a wholly-enclosed building;
 4. No waste shall be deposited, stored or disposed of, and no building or structure shall be located, within five hundred feet (500') of any property line;
 5. Any external area used for the unloading, transfer, storage, or deposition of waste must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by an eight foot (8') high fence, with no opening greater than two inches (2") in any direction;

6. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations;
7. The use shall be screened from all adjoining properties;
8. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed and/or unloaded will not back-up onto public roads;
9. All access drives on the site shall be completely paved, except in the case of landfills where access drives are required to be paved for a distance of at least two hundred feet (200') from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels;
10. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations;
11. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township;
12. The unloading, processing, treatment, transfer, and disposal of waste shall be continuously supervised by a qualified facility operator;
13. Any waste that is to be recycled shall be stored in leak - and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely-enclosed building;
14. All storage of waste shall be indoors in a manner that is leak - and vector-proof. During normal operation, no more waste shall be stored on the property than is needed to keep the facility in constant operation; but, in no event for more than twenty-four (24) hours;
15. A contingency plan for the disposal of waste during a facility shutdown, shall be submitted to the Township;
16. Leachate from the waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, pre-treatment may be required and appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in any manner inconsistent with the Department of Environmental Protection's regulations;
17. All structures shall be set back at least a distance equal to their height;

18. The applicant shall submit an analysis of raw water from either private or public sources, indicating the quantity of water required. The applicant will provide a letter indicating that the public or private source will provide the water needed.

In addition, if the facility is to rely upon non-public sources of water, appropriate permits will be required (i.e., Township, DEP, and SRBC). A water feasibility study will be provided to enable the township to evaluate the impact of the proposed construction on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed construction and to estimate the impact of the new construction on existing wells in the vicinity. The water feasibility shall be reviewed by the township engineer.

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

A water feasibility study shall include the following information:

- calculations of the projected water needs;
 - a geologic map of the area with a radius of at least one mile from the site;
 - the location of all existing and proposed wells within one thousand feet (1,000') of the site, with a notation of the capacity of all high-yield wells;
 - the location of all existing on-lot sewage disposal systems within one thousand feet (1,000') of the site;
 - the location of all streams within one thousand feet (1,000') of the site and all known point sources of pollution;
 - based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
 - a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table; and,
 - a statement of the qualifications and the signature(s) of the person(s) preparing the study;
19. The applicant shall provide a qualified traffic impact report, as described in Section 402.5. of the SLDO;
 20. A minimum one hundred foot (100') wide landscape strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this landscape strip. Any fences or other screening erected on the site, must not be located within this landscape strip;
 21. The applicant shall furnish expert testimony regarding emergency preparedness measures provided and/or otherwise available to respond to potential hazards regarding the spill of waste materials during transport, and potential hazards regarding firefighting of waste materials upon the site;

22. No principal waste handling facility shall be located within one (1) mile of another, as measured in a straight line between closest property lines;
23. Maximum building height thirty-five feet (35');
24. Maximum height of fill fifty feet (50');
25. A plan for the restoration of all borrow areas will be submitted for approval; and,
26. The hours of operation for this use shall be limited to 7 a.m. to 7 p.m.

Section 441

Private and Commercial Schools

441.1.

Within the (NC) and (HC) Zones, private and commercial schools are permitted by special exception, subject to the following criteria:

1. If academic education is offered below the college level, an outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five feet (25') from all property lines. Outdoor play areas shall be completely enclosed by a minimum four foot (4') high fence, and screened from adjoining land within the (R-1) or (V) Zones. Any vegetative materials located within the outdoor play areas shall be of a nonharmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s);
2. Enrollment shall be defined as the largest number of students under educational supervision at any one time during a seven (7) day period;
3. Passenger “drop-off” areas shall be provided in the rear yard and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site;
4. All educational uses shall be governed by the location, height and bulk standards imposed upon principal uses within the underlying zone; and,
5. One (1) off-street parking space shall be provided in the rear yard for each six (6) students enrolled below grade ten and/or one (1) off-street parking space for each three (3) students, grades ten and above.
6. Within the NC zone, the maximum allowable gross floor area for private and commercial schools that are being considered as special exception uses shall be three thousand six hundred (3,600) square feet. Private and commercial schools with gross floor areas between 3,601 square feet and 5,000 square feet may be considered as conditional uses in the NC zone.

Section 442

Private Clubhouses

442.1.

Within the (HC) Zone, private clubhouses are permitted by conditional use, subject to the following criteria:

1. All private clubs shall front, and have access to, an arterial or collector road;
2. All off-street parking shall be provided between the front face of the building and a point twenty-five feet (25') from the right-of-way line of adjoining road(s). Parking lots will also be set back fifty feet (50') and screened from any lot lines of adjoining residences;
3. All outdoor recreation/activity areas shall be set back at least fifty feet (50') from any property line. Shooting ranges are prohibited unless approved under Section 449 of this Ordinance;
4. Screening shall be provided along any adjoining land within the (R-1) or (V) Zones; and,
5. The applicant must furnish evidence as to how the use will be controlled so as not to constitute a nuisance due to noise or loitering outside the clubhouse.

Section 443

Quarries and Other Extractive-Related Uses

443.1.

Within the (C) Zone, quarries and other extractive-related uses are permitted by conditional use, subject to the following criteria:

1. General - Quarry Operations:
 - A. May not injure or detract from the lawful existing or permitted use of neighboring properties;
 - B. May not adversely affect any public or private water supply source;
 - C. May not adversely affect the logical, efficient and economical extensions of public services, facilities and utilities throughout the Township;
 - D. May not result in the land area subject to quarrying being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the quarry operation; and,
 - E. Must demonstrate compliance with all applicable State regulations at all times.
 - F. May not create any significant damage to the health, safety, welfare, or environment of the Township and its residents and property owners.
2. Site Plan Requirements - As a part of each application the applicant shall furnish an accurately surveyed site plan on a scale no less than 1" = 200', showing the location of the tract or tracts of land to be affected by the operation. The surveyed site plan shall be certified by a registered professional engineer or a registered professional land surveyor with assistance from experts in related fields and shall include the following:
 - A. The boundaries of the proposed land affected, together with the drainage area above and below the area;

- B. The location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area;
 - C. The location of all buildings within one thousand feet (1,000') of the outer perimeter of the area affected, and the names and addresses of the owners and present occupants;
 - D. The purpose for which each building is used; and,
 - E. The name of the owner of the affected area and the names of adjacent landowners, the municipality, and the county;
3. Minimum Lot Area - One hundred (100) acres;
 4. Fencing - A fence measuring at least eight feet (8') in height must enclose the area of actual quarrying. If a chain link fence is used, then said fence shall include a vegetative screen that is provided along the outside of the fence, away from the quarry;
 5. Setback - The following table identifies minimum setbacks imposed upon specific features of the quarry and other extractive-related uses from adjoining and/or nearby uses:

Quarry-Related Feature	Existing Residence	Existing Nonresidential Building	Village or Residential Zones	Adjoining Roads	Public/ Nonprofit Park	Cemetery or Stream Bank	Adjoining Property
stock piles or spoil piles	1,000 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	100 ft.	100 ft.
Quarry-Related Feature	Existing Residence	Existing Nonresidential Building	Village or Residential Zones	Adjoining Roads	Public/ Nonprofit Park	Cemetery or Stream Bank	Adjoining Property
mineral processing equipment (e.g., crushers, sorters, conveyors, dryers, etc.)	1,000 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	100 ft.	100 ft.
quarry pit, mine shafts or other working areas of the use	1,000 ft.	300 ft.	1,000 ft.	100 ft.	300 ft.	500 ft.	300 ft.
on-site access roads and off-street parking, loading and vehicle storage and weighing facilities	500 ft.	300 ft.	500 ft.	100 ft.	300 ft.	100 ft.	100 ft.

other operational equipment, structures and/or improvements	500 ft.	300 ft.	500 ft.	100 ft.	300 ft.	100 ft.	100 ft.
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6. Access - Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances nearby properties. Access drives used by trucks shall only intersect with collector or arterial roads.
 - A. All access drives shall be designed and located so as to comply with Section 605 of the SLDO; and,
 - B. All access drives serving the site shall have a paved minimum thirty-five foot (35') wide cartway for a distance of at least two hundred feet (200') from the intersecting street right-of-way line. In addition, a two hundred foot (200') long gravel section of access drive should be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels.

7. Traffic Impact - The applicant shall furnish a traffic impact report prepared by a professional engineer, as outlined in Section 402.5. of the SLDO;

8. Reclamation - The applicant shall demonstrate compliance with Section 7.(c) of the Pennsylvania Act No. 1984-219, as may be amended. The applicant shall provide a detailed description of the proposed use of the site, once reclamation has been completed, including a description of any zoning and/or subdivision approvals or remedies that would be necessary to accommodate the proposed use. Finally, the applicant shall provide a written notification to the Township within thirty (30) days, whenever a change in the reclamation plan is proposed to the PA DEP;

9. Screening - Where the proposed use adjoins a residential zone, an existing residence and/or a public road, screening shall be provided. Such screening shall be comprised of an earthen berm at least ten feet (10') in height. Such berm shall be located on the quarry site and placed so as to maximize the berm's ability to absorb and/or block views of, and the noise, dust, smoke, etc. generated by, the proposed use. The berm shall be completely covered and maintained in an approved vegetative ground cover. In addition, a landscape screen shall consist of evergreen shrubs and trees arranged to form both a low level and a high level screen within a strip of land with a minimum width of ten feet (10'). The high level screen shall consist of evergreen trees of not less than five feet (5') in height at the time of planting that shall be planted at intervals of not more than ten feet (10'). The low level screen shall consist of evergreen shrubs of not less than three feet (3') in height at the time of planting that shall be planted at intervals of not more than five feet (5'). The landscape screen shall be permanently maintained;

10. Operations Progress Report - Within ninety (90) days after commencement of mining operations, and each year thereafter, the operator shall file an operations progress report with the Zoning Officer setting forth all of the following

- A. The name or number of the operation;
 - B. The location of the operation with reference to the nearest public road;
 - C. A description of the tract or tracts, including a site plan showing the location of all improvements, stockpile, quarry pits, etc.;
 - D. The name and address of the landowner or his duly authorized representative;
 - E. An annual report of the type and quantity of mineral produced;
 - F. The current status of the reclamation work performed in pursuance of the approved reclamation plan;
 - G. A maintenance report for the site that verifies that all required fencing, berming, and screening has been specifically inspected for needed repairs and/or maintenance and that such needed repairs and/or maintenance has been performed; and,
 - H. Verification that the proposed use continues to comply with all applicable State regulations. The operation shall furnish copies of any approved permits and/or any notices of violation issued by the PA DEP.
11. The applicant will provide a letter indicating that the public or private source will provide the water needed. The applicant shall submit an analysis of raw water needs from either private or public sources, indicating the quantity of water required. If the water required exceeds 100,000 gallons per day, a permit is needed from the Susquehanna River Basin Commission.

In addition, if the facility is to rely upon non-public sources of water, a permit is required. A water feasibility study will be provided to enable the township to evaluate the impact of the proposed construction on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed construction and to estimate the impact of the new construction on existing wells in the vicinity. The water feasibility shall be reviewed by the township engineer.

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

A water feasibility study shall include the following information:

- calculations of the projected water needs;
- a geologic map of the area with a radius of at least one mile from the site;
- the location of all existing and proposed wells within one thousand feet (1,000') of the site, with a notation of the capacity of all high-yield wells;
- the location of all streams within one thousand feet (1,000') of the site and all known point sources of pollution;

- based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
- a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table; and,
- a statement of the qualifications and the signature(s) of the person(s) preparing the study.

12. The hours of operation for this use will be limited to 7 a.m. to 7 p.m.

Section 444 Recycling Facilities for Paper, Plastic, Glass, and Metal Products

444.1. Within the (I) Zone, recycling of paper, plastic, glass and metal products is permitted by conditional use, subject to the following criteria:

1. All operations, including collection shall be conducted within a completely-enclosed building;
2. There shall be no outdoor storage of materials processed, used or generated by the operation;
3. The applicant shall explain the scope of operation, and offer expert testimony regarding the measures used to mitigate problems associated with noise, fumes, dust, and litter;
4. The applicant will be required to assure regular maintenance of the site to immediately collect stray debris; and,
5. The applicant shall submit and abide by a contingency plan that will prevent the outdoor accumulation of materials.

Section 445 *Reserved for Future Use*

Section 446 Riding Schools and Stables

446.1 Within the (A) Zone, riding schools and stables are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - Ten (10) Acres;
2. Any structure used for the boarding of horses shall be set back at least two hundred feet (200') from any property line;
3. A manure management plan will be submitted and implemented to minimize odors;
4. All outdoor training or show facilities or areas shall be set back ten feet (10') from all property lines;

5. All outdoor training, show, riding, boarding, or pasture areas shall be enclosed by a minimum four foot (4') high fence, which will be located at least ten feet (10') from all property lines; and,
6. All parking compounds and unimproved overflow parking areas shall be set back at least ten feet (10') from adjoining lot lines. Unimproved overflow parking areas shall also provide a fence delineating such occasional parking facilities and preventing the parking environment or movement of vehicles across neighboring properties.

Section 447 Sawmills

447.1 Within the (I) Zone, sawmills are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - Five (5) acres;
2. All cutting, sawing, grinding, or other processing shall be conducted within a completely-enclosed building;
3. No material shall be deposited or stored, and no building or structure shall be located within five hundred feet (500') of any property line;
4. Any external area used for the unloading, transfer, storage, or deposition of material must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable);
5. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting will not back up onto public roads;
6. All access drives onto the site shall be paved for a distance of at least two hundred feet (200') from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels. The owner and/or operator shall be responsible for removing any mud from public roads caused by person traveling to and from the site;
7. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township; and,
8. The hours of operation for this use will be limited to 7 a.m. to 7 p.m. No operations shall be permitted on weekends nor legal holidays.

Section 448 *Reserved for Future Use*

Section 449 Shooting Ranges

449.1. Within the (C) Zone, shooting ranges are permitted by conditional use, subject to

the following criteria:

1. Shooting Range Operations:
 - A. May not damage the health, safety or welfare of the Township or its residents and property owners;
 - B. Must comply with all applicable State and local laws, rules and regulations regarding the discharge of a firearm;
 - C. Shall limit the storage of ammunition to only that utilized for each day's activity, and in no event shall ammunition remain on the property for greater than twenty-four (24) hours. The storage of live ammunition may only occur indoors in an area secured from general access;
 - D. Shall limit the number of active shooters to the number of firing points or stations identified on the development plan;
 - E. Shall limit firing to the hours between two (2) hours after dawn and one (1) hour preceding dusk; and,
 - F. Alcoholic beverages are prohibited.
2. A development plan shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet and the design effectiveness of berms, overhead baffles, or other safety barriers to contain projectiles to the Safety Fan;
3. The firing range, including the entire Safety Fan, shall be enclosed with a six foot (6') high non-climbable fence to prevent unauthorized entry into the area. Range caution signs with eight inch (8") tall, red letters on a white background shall be posted at a maximum of one hundred foot (100') intervals around the range perimeter. Signs shall read "SHOOTING RANGE AREA. KEEP OUT!"
4. Range flags shall be displayed during all shooting activities. Range flags shall be located in a manner visible from entrance drives, target areas, range floor, and the perimeter of the Safety Fan;
5. All surfaces located within the Safety Fan, including the backstop, overhead baffles, berms, and range floor, shall be free of hardened surfaces, such as rocks or other ricochet-producing materials;
6. All shooting range facilities, including buildings, parking, firing range, and Safety Fan shall be set back a minimum of one hundred feet (100') from the property line and street right-of-way;
7. Sound abatement shields or barriers shall be installed on shooting ranges;

8. Off-street parking facilities shall be provided in the rear yard with a ratio of one and one-half (1/2) spaces per firing station, but not less than one (1) space for each four (4) seats; and,
9. No part of a shooting range, to include the safety fan, shall be shall be located within one-quarter (1/4) mile of any land within the (R-1) or (V) Zones or any residential structure within the (C) Zone.

Section 450 Shopping Centers

450.1. Within the (HC) Zone, shopping centers are permitted by conditional use, subject to the following criteria:

1. The subject property shall front on an arteria or collector road, and all access drives shall be set back at least two hundred feet (200') from the intersection of any street right-of-way lines;
2. Minimum lot size is 2 acres;
3. The following tabulates required off-street parking and loading and interior landscaping standards for shopping centers:

Use	Minimum Required Off-Street Parking Spaces Per 1,000 Sq. Ft. of Gross Leasable Floor Area ¹	Minimum Required Interior Landscaping As Described in Section 607.14. of the SLDO	Minimum Required Off-Street Loading Spaces ¹
Shopping center, as defined herein, with up to 50,000 square feet of gross floor area.	5.5	5%	1 per 25,000 square feet, or fraction thereof, of gross leasable floor area
Shopping center, as defined herein, with between 50,000 & 100,000 square feet of gross floor area.	6.5	10%	1 per 20,000 square feet, or fraction thereof, of gross leasable floor area
Shopping center, as defined herein, with over 100,000 square feet of gross floor area.	7.5	15%	5 plus 1 per 50,000 square feet, or fraction thereof, of gross leasable floor area over 100,000 square feet

¹All of-street parking and loading spaces shall be in the rear yard.

4. Stores or shopping centers over 25,000 square feet of gross floor area shall be required to design and construct pedestrian linkages with any adjoining area within the (R-1) or (V) Zones, even if they are not yet developed. Such pedestrian linkages shall be located so as to provide safe and convenient access to the shopping center from the nearby areas;
5. Any shopping center must provide an improved bus stop which would be conveniently accessible for patrons who would travel to and from the site by bus. Such bus stop must be provided, even if current bus service is

unavailable along the subject property. Such bus stop shall include a shelter, seating, a waste receptacle, and at least one shade tree;

6. A traffic impact report shall be submitted by the applicant in accordance with Section 402.5. of the SLDO; and,
7. The applicant shall submit qualified expert evidence of the market area and demand for the shopping center, and further that the operation of the proposed use is not likely to result in the elimination or failure of a substantial number of existing retail businesses with the Township, within other nearby established commercial centers (e.g., Mechanicsburg and Boiling Springs). This report will be reviewed by the Board of Supervisors and rejection of the finding will be grounds for denial of the conditional use.

Section 451 Slaughtering, Processing, Rendering, and Packaging of Food Products and Their By-Products Which Are Produced from the Remains of Animals

451.1. Within the (I) Zone, slaughtering, processing, rendering, and packaging of food products and their by-products which are produced from the remains of animals are permitted by conditional use, subject to the following criteria:

1. Minimum Lot Area - Five (5) acres;
2. The subject site shall have access to a collector or arteria road;
3. All aspects of the slaughtering, processing, rendering, and packaging operation, excepting the unloading and holding of live animals, shall be conducted within a completely-enclosed building;
4. All live animals held outside shall be within secure holding pens or runways, sufficiently large to accommodate all animals without crowding, and not located within the front yard;
5. The applicant shall furnish a working plan for the recovery of escaped animals which minimizes the potential for animals to enter traffic or cross property lines, and which shall be continuously implemented;
6. All animal wastes shall be regularly cleaned up daily and properly disposed of, so as not to be objectionable at the site's property line;
7. The unloading of live animals from trucks into holding pens and their movement into the plant shall be continuously supervised by a qualified operator, whose responsibility it shall be to immediately identify and appropriately dispatch any obviously ill or injured animals;
8. The unloading of live animals and their movement into the plant shall be conducted in an orderly and calm manner so as to minimize noise levels;
9. The loading and unloading of trucks shall be restricted to the hours between 8 a.m. and 6 p.m.;

10. No exterior animal holding pens and/or areas devoted to loading/unloading of animals shall be located within two hundred feet (200') of any property line nor five hundred feet (500') of any land within the (R-1) or (V) Zones;
11. All animal holding pens and/or areas used for the loading/unloading of animals shall be screened from all adjoining properties and shall include a minimum fifty foot (50') wide landscape strip;
12. Sewer and water lines shall be designed and installed to minimize the potential for leakage and contamination;
13. Wastewater shall be kept completely covered at all times to reduce the potential for release of odors. In no event shall wastewater be disposed in any other manner inconsistent with PA DEP regulations.
14. All unusable animal by-products shall be stored indoors in leak - and vector-proof containers. In the case of slaughtering or processing operations which do not do their own rendering, the applicant shall provide evidence of a written contract with a rendering operation for the daily disposal of such waste products. In no case shall any waste products remain on the site for more than twenty-four (24) hours;
15. The applicant must demonstrate written compliance with, and continue to comply with, all applicable local, State and Federal standards and regulations;
16. The use shall provide sufficiently-long stacking lanes and on-site loading/unloading areas in the rear yard, so that trucks waiting to be loaded/unloaded will not back up onto public roads. No parking or loading/unloading shall be permitted on or along any public road;
17. Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with major collector or arterial roads;
18. All access drives shall be designed and located so as to comply with Section 605 of the SLDO;
19. All access drives onto the site shall have a paved minimum thirty-five foot (35') wide cartway for a distance of at least two hundred feet (200') from the street right-of-way. In addition, if portions of on-site access drives are unpaved, then a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the site; and,
20. The applicant shall furnish a traffic impact report prepared by a professional engineer in accordance with Section 402.5. of the SLDO.

Section 452

Temporary Farm Employee Housing

452.1.

Within the (A) Zone, temporary farm employee housing shall be permitted by

conditional use, subject to the following criteria:

1. For each farm, one (1) house is permitted for the use of farm workers (and their families) who are employed by the owner of the farm, for such time as the employee works the land of the owner;
2. All such houses shall be located within the rear yard of the farm dwelling and shall further comply with all setback requirements imposed upon single-family detached dwellings;
3. Such houses shall be securely anchored. Each house shall include properly-designed utility connections;
4. The house shall be occupied at least one hundred twenty (120) days a year by at least one (1) person who is employed on the farm where the house is located. If this condition is not satisfied, the house shall be removed within one hundred twenty (120) days; and,

452.2. Upon the proper installation of the house, the Zoning Officer shall issue a temporary use and occupancy permit. Such permit shall be reviewed every twelve (12) months until such time as it is required to be removed. A fee, in the amount to be set by the Board of Supervisors, shall be paid by the landowner upon each renewal of the temporary use and occupancy permit.

Section 453 Truck Stops, Motor Freight Terminals or Distribution Centers

453.1. Within the (I) Zone, truck stops, motor freight terminals, or distribution centers are permitted by conditional uses subject to the following criteria:

1. The subject property shall have a minimum of three hundred feet (300') of road frontage along an arterial road;
2. The subject property shall be located no closer than fifteen hundred feet (1500') from the (R-1) or (V) Zones and/or property containing a school, daycare facility, park, playground, library, hospital, or nursing, rest or retirement home;
3. Air compressors, fuel pump islands and kiosks shall be in the rear yard. Other structures may be within fifteen feet (15') of the street ROW line.
4. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;
5. Off-street parking shall be provided in the rear yard at a rate equal to that required for each of the respective uses. The applicant shall also present credible evidence that the number of "oversized" off-street parking spaces provided for trucks will be adequate to accommodate the expected demand generated by truck patrons. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle back-ups onto adjoining roads during peak arrival periods;

6. Trash receptacles shall be provided amid off-street parking areas which shall be routinely emptied. Furthermore, a working plan for the regular clean-up of litter shall be furnished and continuously implemented by the applicant;
7. All uses involving drive-thru restaurant and/or drive-thru vehicle service and/or washing shall provide sufficient on-site stacking lanes in the rear yard to prevent vehicle back-ups on adjoining roads;
8. All vehicle service and/or repair activities shall be conducted within a completely-enclosed building. No outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations, shall be permitted;
9. The outdoor storage of unlicensed vehicles is prohibited;
10. All vehicles and machinery shall be repaired and removed from the premises promptly;
11. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof, shall be removed within two (2) weeks after arrival;
12. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system will not exceed the ambient noise levels of the use, as measured at each of the property lines;
13. The applicant shall submit a traffic impact report as governed by Section 402.5. of the SLDO;
14. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations. In addition, the applicant shall prepare, present and abide by an emergency response plan to handle hazardous material spills and any other reasonable threat to public health or safety; and,
15. Minimum lot size is ten (10) acres.

Section 454 Two-Family Conversions

454.1. A single-family dwelling that existed on the effective date of this Ordinance and contained (at that time) at least three thousand (3,000) square feet of gross floor area, excluding basements, may be converted into two (2) dwelling units by special exception within the (MHP), (NC), (HC) and (I) Zones, and as a conditional use within the (C), (A), (R-1), and (V) Zones, and, within the (VO) Zone, accessory apartments are permitted by conditional use, subject to the following criteria:

1. The applicant shall furnish evidence that an approved system of water supply and sewage disposal will be utilized;

2. No extensions or modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted;
3. All floors above and below grade shall have a permanently affixed direct means of escape to ground level;
4. Four (4) off-street parking spaces shall be provided; and,
5. The applicant shall obtain any required land development approvals.

Section 455

Warehousing and Wholesale Trade Establishments

455.1. Within the (I) Zone, warehousing and wholesale trade establishments are permitted by conditional use, subject to the following criteria:

1. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - A. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - B. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;
 - C. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Section 317 of this Ordinance;
2. A traffic impact report prepared by a professional traffic engineer, according to Section 402.5. of the SLDO; and,
3. Minimum lot size is one (1) acre.

Section 456

Wholesale Produce Auctions

456.1.1 Within the (I) Zone, wholesale produce auctions are permitted by conditional use, subject to the following criteria:

1. No part of the subject property shall be within two hundred feet (200') of any (R-1) or (V) Zones;

2. All access drives onto the site shall be paved for a distance for at least two hundred feet (200') from the street right-of-way line. In addition, a fifty foot (50') long gravel section of driveway should be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels;
3. The owner and/or operator of the produce auction shall be responsible for removing any mud from public roads caused by persons traveling to and from the auction;
4. The applicant shall be required to provide sufficient off-street parking and loading in the rear yard so as not to require such parking or loading on or along any road, nor upon adjoining property. If, at any time after the opening of the facility the Supervisors determine that parking, loading or traffic backups are occurring on adjoining roads, and such are directly related to the lack of on-site facilities on the subject property, the Supervisors can require the applicant to revise and/or provide additional on-site parking and/or loading space. In addition, the Supervisors may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
5. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution;
6. The proposed use shall front along an arterial or collector road;
7. Soil erosion, sedimentation and storm water runoff shall be controlled in accordance with all applicable laws and regulations;
8. The applicant shall submit and continuously implement a working plan for the daily cleanup of litter and other debris; and,
9. The applicant shall obtain any required land development approvals.

Section 457

Helistop

457.1. Within the Industrial (I) Zone, the Agricultural (A) Zone, and in the Highway Commercial (HC) Zone, helistops are permitted by conditional use, subject to the following criteria:

1. All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations;
2. The applicant shall furnish evidence of the obtainment of a license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application;
3. The proposed helistop would not be detrimental to the health, welfare and safety of the Township residents and their property.

4. The landing pad must be at least eighty-five (85) feet square or a circle with an eighty-five (85) foot diameter. The pad must be paved, level, and maintained dirt free. Rooftop pads shall be free of all loose stone and aggregate;
5. At least two (2) approach lanes to each landing pad shall be provided and maintained free of obstructions and shall be located not less than ninety (90) degrees apart. Each approach lane shall be located within forty-five degrees left or right of the prevailing winds and shall fan out at an angle of ten (10) degrees from the width of the landing pad to a width of one thousand (1,000) feet, and shall have a glide angle slope of eight (8) to one (1) measured from the outer edge of the pad;
6. An application for the helistop on a roof shall be accompanied by a certification by a registered engineer that the loads imposed by the helicopter will be supported by the structure;
7. The helistop shall be used only for personal or executive use by a firm or individual;
8. No helicopter over six thousand (6,000) pounds gross weight shall use any helistop; and
9. The helistop shall be located a minimum of one thousand (1,000) feet from any dwelling unit.
10. The applicant shall furnish evidence of the obtainment of a license, if required, from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application.

It shall be unlawful for any person to land, discharge, load or take off in a helicopter in any place within Monroe Township other than at a heliport or helistop except:

1. In conjunction with a special event as an athletic contest, holiday celebration, parade or similar activity, after seven (7) days advance notice has been given to Monroe Township and permission obtained to make such landing and takeoff.
2. When necessary for police and/or fire training or when necessary for law enforcement purposes and for emergencies.
3. In connection with a construction project where a helicopter is to be used to lift equipment in connection with such project.
4. Spraying and dusting for agricultural purposes.

Section 458 Deleted by Ordinance 2007-06

Section 459 Wind Energy Facilities

459.1 Definitions

FACILITY OWNER – the entity or entities having a legal or equitable interest in the Wind Energy Facility, including the respective successors and assigns.

FLICKER – a repeating cycle of changing light intensity.

GROUND CLEARANCE – the minimum distance between the ground and any part of the wind turbine blade, as measured from the lowest point of the arc of the blades.

HUB HEIGHT – the distance measured from the surface of the tower foundation to the highest point of the wind turbine hub, to which the blade is attached.

METEOROLOGICAL TOWER - a tower used for the measurement of wind speed.

NON-PARTICIPATING LANDOWNERS – any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

OCCUPIED BUILDING – a residence, school, hospital, church, public library, commercial building or other building used for public gathering that is in use when the permit application is submitted.

OPERATOR – the entity responsible for the day-to-day operation and maintenance of the wind energy facility.

PARTICIPATING LANDOWNER – a landowner upon whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

ROTOR – that portion of the wind turbine, i.e. blades and associated hub and shaft, which is intended to be moved or activated by the wind.

SHADOW FLICKER – alternating changes in light intensity caused by a moving wind rotor blade casting shadows on the ground and stationary objects.

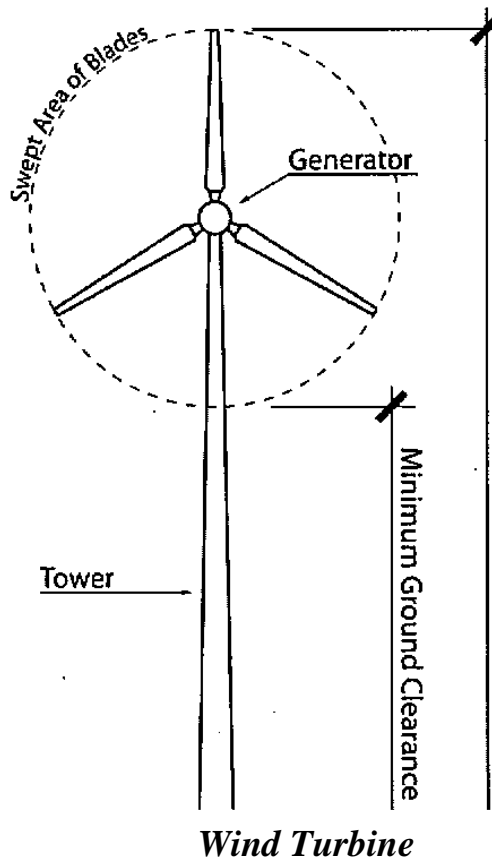
TOTAL HEIGHT – when referring to a wind turbine, the distance measured from the surface of the tower foundation to the highest point of a wind rotor blade when the blade is positioned at 90 degrees to the surface of the ground.

TOWER – the supporting structure of a wind turbine on which a rotor and accessory equipment are mounted. The basic types of towers include self-supporting (free standing) or guyed.

WIND ENERGY FACILITY – an electric generating facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmissions lines and other appurtenant structures and facilities.

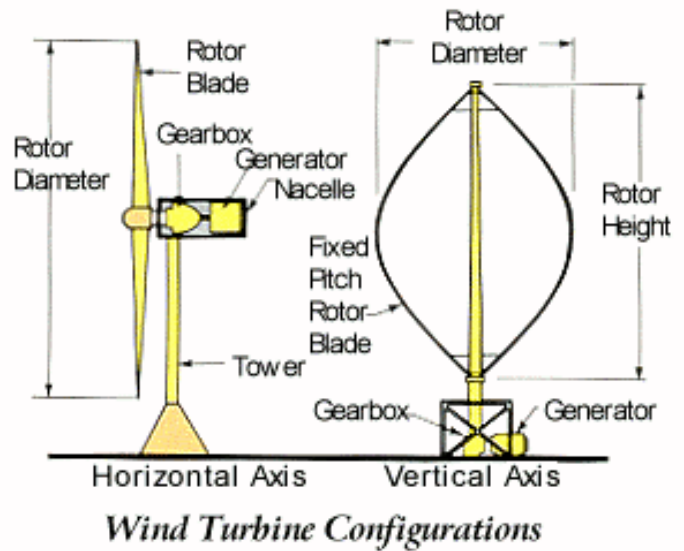
1. **ACCESSORY WIND ENERGY FACILITY** - a system designed as a secondary use on a lot, wherein the power generated is used primarily for on-site consumption.
2. **PRINCIPAL WIND ENERGY FACILITY** – a system designed as the primary use on a lot, wherein the power generated is used primarily for off-site consumption.

WIND TURBINE – a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.



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459.2 Accessory Wind Energy Facilities (AWEF)

1. Requirements for All AWEF

- A. Accessory Wind Energy Facilities (AWEF) shall be permitted in all Zoning Districts as an accessory use. Applications for such uses shall be subject to the requirements set forth below, as well as all other applicable State or Federal Regulations.
- B. The layout, design, and installation of AWEF should conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society of Testing and Materials (ASTM), or other pertinent certifying organizations and comply with the PA Uniform Construction Code.
- C. Number of AWEF permitted on lots with both ground and building mounted AWEF
 - 1. One ground mounted AWEF and one building mounted AWEF is permitted on a lot.

D. Noise

- 1. The sound produced by AWEF under normal operating conditions, as measured at the property line, shall not exceed 55 dBA.

- E. When an accessory building is necessary for storage or related mechanical equipment, the accessory building shall comply with the accessory building requirements of the underlying zoning district.

- F. The owner of an AWEF shall provide the Township written confirmation that the public utility company to which the AWEF will be connected has been informed of the customer’s intent to install a grid connected system and approved of such connection. Off-grid AWEF shall be exempt from this requirement.

- G. All on-site utility, transmission lines, and cables shall be placed underground.

- H. The display of advertising is prohibited except for identification of the manufacturer of the system.

- I. AWEF shall not be lighted except for any lighting required to comply with Federal Aviation Administration (FAA) or Pennsylvania Department of Transportation Bureau of Aviation (BOA) regulations

- J. AWEF shall be painted a non-reflective, flat color such as white, off-white or gray unless required to be colored differently from FAA or BOA regulations.

- K. AWEF shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, overspeeding and excessive pressure on the tower structure, rotor blades and turbine components.

- L. An AWEF shall not cause shadow flicker on any occupied building on a non-participating landowner’s property.

- M. No part of any AWEF shall be located within or above the required setbacks of any lot, extend over parking areas, access drives, driveways or sidewalks.

- N. The owner of the AWEF shall provide evidence that the owner’s insurance policy has been endorsed to cover an appropriate level of damage or injury that might result from the installation and operation of the wind energy facility.

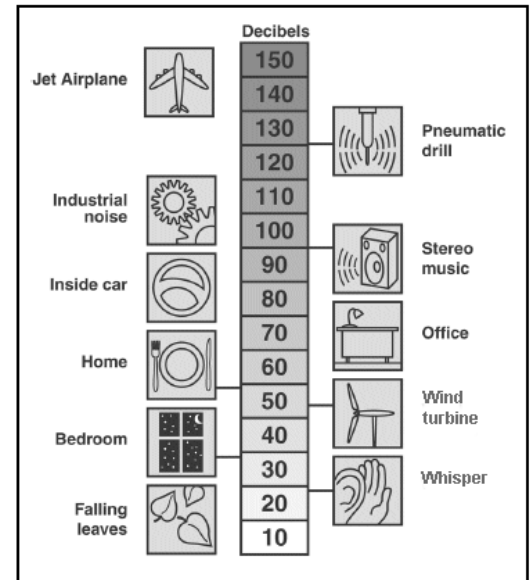


Figure 1 Common noise levels compared to wind turbines.

O. Decommissioning

1. Each AWEF and related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by system owner and/or operator, or upon termination of the useful life of same.
 2. The AWEF shall be presumed to be discontinued or abandoned if no electricity is generated by such AWEF for a period of twelve (12) continuous months.
- P. The AWEF must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the owner of the AWEF to conform or to remove the AWEF.

2. Requirements for Ground Mounted AWEF

- A. Ground mounted AWEF may be placed on lots of any size assuming they meet the height and setback restrictions found in this section.
- B. Height for Ground Mounted AWEF
1. AWEF height shall not be restricted assuming that the AWEF meets the setback requirements.
 2. The minimum ground clearance for the AWEF shall be (15) feet.
- C. Setbacks for Ground Mounted AWEF
1. AWEF shall be set back from property lines, occupied buildings, above ground utility lines, railroads and/or road right-of-ways by a distance equal to no less than one time the total height.
- D. Number of Ground Mounted AWEF allowed per lot
1. One ground mounted AWEF is permitted per lot.
- E. Location
1. Ground mounted AWEF are prohibited in front yards, between the principal building and the public street.
 2. Installation of a ground mounted AWEF may be authorized in front of the principal building, outside the required front yard, if the applicant demonstrates to the Zoning Hearing Board through a Special Exception that, due to wind access limitations, no location exists on the property other than the front yard where the AWEF can perform effectively.
- F. Safety and security

1. The owner shall post electrical hazard warning signs on or near the AWEF.
 2. Ground mounted AWEF shall not be climbable up to (15) feet above ground surface.
 3. Access doors to any AWEF electrical equipment shall be locked to prevent entry by unauthorized persons.
3. Requirements for Building Mounted AWEF
 - A. Building mounted AWEF may be located on any lot regardless of size.
 - B. Height regulations shall not apply to building mounted AWEF, provided the height does not exceed the limitations of the zoning district for which they are located.
 - C. There is no limit on the number of building mounted AWEF assuming that the building is capable of supporting the load of the AWEF.
 - D. For building mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code indicating the building is capable of holding the load imposed on the structure.

459.3

Principal Wind Energy Facilities (PWEF)

1. Design and Installation
 - A. Principal Wind Energy Facilities (PWEF) shall be permitted by conditional use in the Agricultural and Industrial Zoning District(s). Applications for such uses shall be subject to the requirements set forth below, as well as all other applicable State or Federal Regulations.
 - B. The layout, design, and installation of PWEF shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society of Testing and Materials (ASTM), or other pertinent certifying organizations and comply with all applicable building and electrical codes of the Township. The manufacturer specifications shall be submitted as part of the application.
 - C. Applicants shall submit a land development plan which shall be compliant with all land development/subdivision ordinance requirements of the Township.
 - D. The applicant shall provide sufficient documentation showing that the PWEF will comply with all applicable requirements of the Federal Aviation Administration (FAA) and the Commonwealth Bureau of Aviation.
 - E. The PWEF shall provide Monroe Township written confirmation that the public utility company to which the PWEF will be connected has been informed of the intent to install a grid connected system and approved of such connection.

- F. All PWEF shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip and other systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- G. Visual Appearance
1. All on-site utility, transmission lines, and cables shall be placed underground.
 2. PWEF shall be painted a non-reflective, flat color such as white, off-white, or gray unless required to be colored differently from FAA or BOA regulations.
 3. PWEF shall not be artificially lighted, except to the extent require by the Federal Aviation Administration or other applicable authority. If lighting is required, the lighting alternatives and design chosen shall seek to minimize the disturbance to the surrounding views.
 4. The display of advertising is prohibited except for identification of the manufacturer of the system, facility owner and operator.
 5. Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation, and maintenance of the PWEF.
 6. Accessory Buildings, Structures, Mechanical Equipment
 - a. Accessory structures and equipment associated with PWEF shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen.
 - b. The design of accessory buildings and related structures shall, to the extent reasonable, use materials, colors, textures, screening and landscaping that will blend the structures into the natural setting and existing environment.
- H. Warnings and Safety Measures
1. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 2. All access doors to PWEF including electrical equipment, outbuildings and all appurtenances thereto, shall be locked or fenced, as appropriate, to prevent entry by non-authorized personnel.
 3. Wind Turbines shall not be climbable up to (15) feet above ground surface or the climbing apparatus shall be fully contained and locked within the tower structure.

4. Visible, reflective, colored objects, such as flags, reflectors or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10') feet from the ground.
5. The applicant will provide a copy of the project summary and site plan to local emergency services.
6. Facility owner and/or operator shall abide by all applicable local, state and federal fire code and emergency guidelines. Upon request the applicant, facility owner and/or operator shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the PWEF.

2. Zoning Requirements

A. Lot size

1. *Wind Turbines shall be separated from each other by a minimum of 1.1 times the total height of the highest wind turbine.*

B. Setbacks

1. Wind Turbines shall be set back from the nearest property line a distance of not less than the normal setback requirements for the zoning district or its total height, whichever is greater.
2. *Wind Turbines shall be set back from an occupied building, on a non-participating landowner's property, not less than 1.5 times its total height measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.*
3. *Wind Turbines shall be set back from an occupied building on a participating landowner's property, not less than its total height measured from the center of the wind turbine base to the nearest point of foundation of the occupied building. Any operator/occupied building used in connection with the development are exempt from this distance limit.*
4. Wind Turbines shall be set back from the nearest public road right-of-way a distance of not less than the normal setback requirements for the zoning district or its total height, whichever is greater as measured from the right-of-way line to the center of the Wind Turbine base.
5. Each Wind Turbine shall be set back from above-ground electric power lines, public telephone lines and television cable lines a distance of no less than 1.1 times its total height. The setback distance shall be measured from the center of the wind turbine generator base to the nearest point of such lines.
6. *All Wind Turbines shall be setback from any ridge a distance of not less than the wind turbine's total height. For this provision, "ridge" shall be defined as the elongated crest or series of crests at the uppermost point of intersection between opposite slopes of a*

mountain and including all land lying between such point and an elevation 250 feet below the elevation of such point.

7. *Wind Turbines shall be set back at least 2,500 feet from Important Bird Areas as identified by Pennsylvania Audubon and at least 500 feet from identified wetlands.*
8. *Each Wind Turbine shall be set back from the Appalachian Trail and any historic structure, district, site or resource listed in the state inventory of historic places maintained by the Pennsylvania Historical and Museum Commission a distance no less than two thousand five hundred (2,500') feet. The setback distance shall be measured from the center of the wind turbine generator base to the nearest point on the foundation of an historic building, structure or resource, or the nearest property line of an historic district or site or the Appalachian Trail.*
9. *Accessory buildings, structures, and related equipment to the PWEF shall comply with the building setback requirements of the underlying zoning district.*

C. Waiver of Setbacks

1. *Property owners may waive the setback requirements for occupied buildings on non-participating landowner's property and property lines by signing a waiver that sets forth the applicable setback provision(s) and the proposed changes.*
2. *The written waiver shall notify the property owner(s) of the setback required by this Ordinance, describe how the proposed PWEF is not in compliance, and state that consent is granted for the Facility to not be setback as required by this Ordinance.*
3. *Any such waiver shall be recorded in the Recorder of Deeds Office for the County where the property is located. The waiver shall describe the properties benefited and burdened, and advise all subsequent purchasers of the burdened property that the waiver of setback shall run with the land and may forever burden the subject property.*

D. Height

1. *There shall be no specific height limitation, so long as the total height meets sound and set-back requirements, except as imposed by FAA regulations.*
2. *The minimum Ground Clearance shall be thirty (30) feet.*

- E. No PWEF shall be located on a lot of record containing slopes equal to or exceeding 15% on 50% or more of the lot of record. This standard shall apply to each lot where a PWEF extends across multiple lots of record.*

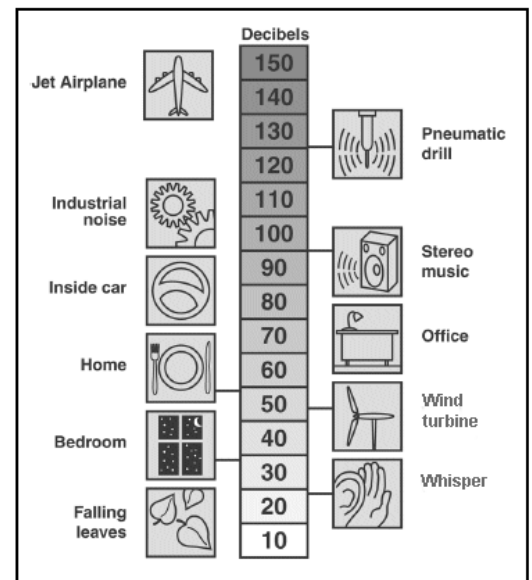
3. Operational Standards

A. Use of Public Roads

1. The applicant shall identify all state and local public roads to be used within the Township to transport equipment and parts for construction, operation or maintenance of the PWEF.
2. The Township's Engineer shall document public road conditions prior to construction of the PWEF. The Engineer shall document road conditions within thirty (30) days after construction of the permitted project is complete, or as soon thereafter as weather may allow.
3. The Township shall require applicant to secure a bond for the road(s) to be used within the Township in compliance with applicable regulations at an amount consistent therewith; or, if not provided by regulation, an amount set at the discretion of the governing body in consultation with the Township Engineer.
4. Any road damage caused by the applicant, facility owner, operator, or contractors shall be promptly repaired to the Township's satisfaction at the expense of the applicant and/or facility owner.
5. The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged public roads.
6. *Every effort should be made to use existing roads and logging roads. New deforestation and forest fragmentation should be kept to a minimum. Private entrance roads to PWEF must be maintained in a mud-free condition.*

B. Noise

1. Audible sound from a PWEF shall not exceed 55 dBA, as measured at the property line between participating and non-participating landowners.
2. Noise limits may be exceeded during short-term events such as utility outages and/or severe wind storms
3. Methods for measuring and reporting acoustic emissions from PWEF shall be equal to or exceed the minimum standards for precision described in American Wind Energy Association (AWEA)



Standard 2.1 - 1989 titled Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier, as amended.

- C. A Wind Turbine shall not cause vibrations through the ground which are perceptible beyond the property line of the parcel on which it is located.
- D. Shadow Flicker.
 - 1. A PWEF shall not cause shadow flicker on any occupied building on a non-participating landowner's property.
 - 2. A PWEF shall be designed in such a manner as to minimize shadow flicker on a roadway.
 - 3. *The facility owner and operator shall conduct, at the applicant's expense, a modeling study demonstrating that shadow flicker shall not occur on any occupied building on a non-participating property.*
- E. *Waiver of Noise and Shadow Flicker Provisions*
 - 1. *Non-participating landowners may waive the noise and shadow flicker provisions of this Ordinance at the request of the participating landowners or PWEF owner by signing a waiver of their rights.*
 - 2. *The written waiver shall notify the non-participating landowner(s) of the sound or flicker limits in this Ordinance, describe the impact on the non-participating landowner(s), and state that the consent is granted for the PWEF to not comply with the sound or flicker limit in this Ordinance.*
 - 3. *Any such waiver shall be recorded in the Recorder of Deeds Office of the County where the property is located. The waiver shall describe the properties benefited and burdened, and advise all subsequent purchasers of the burdened property that the waiver of sound or flicker limit shall run with the land and may forever burden the subject property.*
- F. Facility owner and/or operator shall ensure that the design and operation of any PWEF avoids disruption or loss of radio, telephone, television, cell, Internet or similar signals, and shall mitigate any harm caused thereby.
- G. *The applicant shall provide a proposed foundation design and analysis of soil conditions by a professional engineer.*
- H. Public Inquiries and Complaints
 - 1. The Facility Owner and Operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.
 - 2. The Facility Owner and Operator shall respond to the public's inquiries and complaints.
- I. *A PWEF owner shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$1 million per*

occurrence and \$1 million in the aggregate. A certificate of insurance shall be made available to the Township upon request.

J. Decommissioning

1. The facility owner or operator shall, at his expense, complete decommissioning of the PWEF and all related improvements within twelve (12) months of the date when the use of the particular PWEF has been discontinued or abandoned by the facility owner and/or operator, or upon termination of the useful life of same. The PWEF shall be presumed to be discontinued or abandoned if no electricity is generated by such PWEF for a continuous period of twelve (12) months.
2. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.
3. Disturbed earth shall be graded and re-seeded, unless the land owner requests in writing that the access roads or other land surface areas not be restored.
4. An independent and certified Professional Engineer shall be retained to estimate the cost of decommissioning without regard to salvage value of the equipment. Said estimates shall be submitted to Township after the first year of operation and every fifth year thereafter.
5. The facility owner or operator shall post and maintain decommissioning funds in an amount 110% of the identified decommissioning costs, as adjusted over time. The decommissioning funds shall be posted and maintained with a bonding company or Federal or Commonwealth chartered lending institution chosen by the facility owner or operator and participating land owner posting the financial security, provided that the bonding company or lending institution is authorized to conduct business within the Commonwealth and is approved by Borough/ Township.
6. Decommissioning funds may be in form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to Borough/ Township.
7. If the facility owner or operator fails to complete decommissioning within the period prescribed by paragraph 10.(i) above, then the land owner shall have six (6) months to complete the decommissioning.
8. If neither the facility owner or operator, nor the landowner complete decommissioning within the periods described by paragraphs 10.(i) and 10.(viii) above, then Borough/Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating land owner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the Borough/Township may take such action as necessary to implement the decommissioning plan.

9. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the Borough/Township concurs that decommissioning has been satisfactorily completed, or upon written approval of the Borough/Township in order to implement the decommissioning plan.
4. Application Requirements. A Conditional Use application for a PWEF shall include the following:
 - A. A narrative describing the proposed PWEF, including an overview of the project, the project location, the approximate generating capacity of the PWEF, the approximate number, representative types and height or range of heights of Wind Turbines to be constructed including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
 - B. An affidavit or similar evidence of agreement between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and the operation of the PWEF and setting forth the applicant's and property owner's name, address and phone number.
 - C. Identification of the properties on which the proposed PWEF will be located, and the properties adjacent to where the PWEF will be located.
 - D. A site plan showing the planned location of each Wind Turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the PWEF to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines and layout of all structures within the geographical boundaries of any applicable setback.
 - E. A Decommissioning Plan sufficient to demonstrate compliance with Section C.10 above.
 - F. *A wind resource study shall be submitted documenting wind resources at the site. The study shall include but is not limited to data showing average wind speeds capable of generating electricity and the available capacity to transmit the electricity into the power grid.*
 - G. *A noise study in accordance with Section C.2 above.*
 - H. *A shadow flicker study in accordance with Section C.4 above.*
 - I. Other relevant studies, reports, certifications and approvals as required by this Ordinance or as may be requested by the Borough/Township to ensure compliance with this Ordinance.
 - J. Throughout the permit process, the applicant shall promptly notify the Township of any changes to the information contained in the conditional use/special exception permit application. Changes to the pending

application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

Section 460 Solar Energy Systems

460.1 Definitions

ACCESSORY SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

PRINCIPAL SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. **SOLAR ARRAY:** A grouping of multiple solar modules with purpose of harvesting solar energy.
2. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.

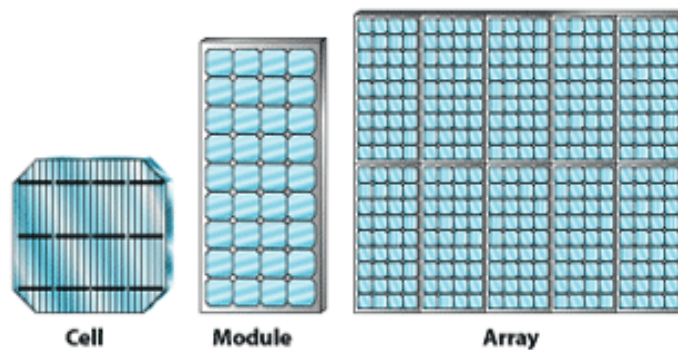
3. SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.

460.2 Accessory Solar Energy Systems (ASES)

1. Regulations Applicable to All Accessory Solar Energy Systems:

A. ASES that have a maximum power rating of not more than 15kW shall be permitted as a use by right in all zoning districts. ASES that have a power rating more than 15kW shall comply with the requirements for Principal Solar Energy Systems.

B. Exemptions



1. ASES with an aggregate collection and/or focusing area of 50 square feet or less are exempt from this ordinance.

C. The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code.

D. ASES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

1. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

2. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.

E. All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.

- F. The owner of an ASES shall provide the Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.
- G. The display of advertising is prohibited except for reasonable identification of the manufacturer of the system.

H. Glare

1. *All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.*
2. *The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.*

I. Solar Easements

1. *Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.*
2. *Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:*
 - a. *A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;*
 - b. *Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;*
 - c. *Enumerate terms and conditions, if any, under which the easement may be revised or terminated;*
 - d. *Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.*
3. *If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).*

- J. Prior to the issuance of a zoning permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.
- K. Decommissioning
1. Each ASES and all solar related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by system owner and/or operator, or upon termination of the useful life of same.
 2. The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by such solar collector for a period of twelve (12) continuous months.
- L. The ASES must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the owner of the ASES to conform or to remove the ASES.
2. Roof Mounted and Wall Mounted Accessory Solar Energy Systems:
- A. A roof mounted or wall mounted ASES may be located on a principal or accessory building.
 - B. The total height of a building with an ASES shall not exceed by more than (1 foot, 3 feet, XX) above the maximum building height specified for principal or accessory buildings within the applicable zoning district.
 - C. Solar panels shall not extend beyond any portion of the roof edge.
 - D. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of the township/borough that the roof or wall is capable of holding the load imposed on the structure.
3. Ground Mounted Accessory Solar Energy Systems:
- A. Setbacks
 1. The minimum yard setbacks from side and rear property lines shall be equivalent to the principal structure setback in the zoning district.
 2. *A ground mounted ASES shall not be located in the required front yard.*

B. Height

1. Ground mounted ASES shall not exceed 15 feet in height above the ground elevation surrounding the systems.

C. Coverage

1. The following components of a ground mounted ASES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:
 - a. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
 - b. All mechanical equipment of the system including any structure for batteries or storage cells.

D. Screening

1. *Ground mounted ASES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen. In lieu of a planting screen, a decorative fence meeting requirements of the zoning ordinance may be used.*

- E. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.

460.3 Principal Solar Energy Systems (PSES)

1. Regulations Applicable to All Principal Solar Energy Systems:

- A. PSES shall be permitted by conditional use in the Agricultural (A) and Industrial (I) Zoning District(s)
- B. PSES shall meet all the requirements listed for ASES listed in Section 460.2, subsections 3 through 10.
- C. *A noise study will be performed and included in the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 50 dBA, as measured at the property line.*
- D. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Borough/Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.
- E. Decommissioning

1. The PSES owner is required to notify the Borough/Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.
2. The PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the municipality may complete the decommissioning at the owners expense.
3. *At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the Borough/Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original.*

F. Land Development Plan

1. PSES shall comply with the Borough/Township subdivision and land development requirements and obtain Land Development approval. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations.
 2. The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.
2. Ground Mounted Principal Solar Energy Systems:
- A. Minimum lot size – one (1) acre
 - B. Setbacks
 1. PSES shall comply with the setbacks of the underlying zoning districts for principal structures.
 - C. Height
 1. Ground mounted PSES shall not exceed 20 feet in height.
 - D. Impervious Coverage
 1. The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:

- a. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
 - b. All mechanical equipment of PSES including any structure for batteries or storage cells.
 - c. Gravel or paved access roads servicing the PSES.
- E. Ground mounted PSES shall be screened from adjoining residential uses or zones according to the standards found in Section 312 of this ordinance.
- F. Security
1. All ground-mounted PSES shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate.
 2. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence on the surrounding the PSES informing individuals of potential voltage hazards.
- G. Access
1. *At a minimum, a 25' wide access road must be provided from a state or township roadway into the site.*
 2. *At a minimum, a 20' wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. Cartway width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.*
- H. The ground mounted PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.
3. Roof and Wall Mounted Principal Solar Energy Systems:
- A. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and that the roof or wall is capable of holding the load imposed on the structure.

PSES mounted on the roof or wall of any building shall be subject to the maximum height regulations of the underlying zoning district.

Article 5

Nonconformities

Section 500 Continuation

Except as otherwise provided in Section 313.4. of this Ordinance, any use, building, or structure lawfully existing at the time of enactment of this Ordinance may be continued, although it is not in conformity with the regulations specified by this Ordinance.

The Township maintains a list of nonconformities.

Section 501 Abandonment

If a nonconforming use of land or of a building or structure ceases or is discontinued for a continuous period of one (1) year, or more, subsequent use of such building, structure, or land shall be in conformity with the provisions of this Ordinance. Vacating of buildings or structures, non-use of land, or non-operative status of use, constitutes evidence of a discontinued use.

Section 502 Extension of a Nonconforming Use of Land

Any lawful nonconforming use of land exclusive of buildings and structures and the use contained therein, may be extended upon the lot upon which it exists at the time of the effective date of this Ordinance, but such extension shall conform to area and lot regulations and the design standards of this Ordinance and to the percentage limitation as set forth in Section 503.1.2. of this Ordinance. The extension of a nonconforming use on a lot shall be limited to the lot which was in existence on the effective date of this Ordinance.

Section 503 Expansion or Alteration

503.1. Any nonconforming use may be expanded or altered through the acquisition of a special exception and subject to the following criteria, and those contained in Section 400:

1. Expansion of the nonconformity shall be confined to the lot on which it was located at the time the use became nonconforming;
2. The total of all such expansions or alterations of use shall not exceed an additional fifty percent (50%) of the area of those buildings or structures or land devoted to the nonconforming use as they existed on the date on which the use of such buildings, structures or land first became nonconformities. The applicant shall furnish conclusive evidence as to the extent of the nonconformity when it was created;
3. Provisions for vehicular access, off-street parking and off-street loading shall be consistent with standards required by this Ordinance.

4. Provisions for yards, building height and building area shall be consistent with the standards required for permitted uses in the zone in which the nonconformity in question is located;
 5. Appearance should be harmonious with surrounding properties; this feature includes but is not limited to landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance of all improvements and open spaces;
 6. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces;
 7. The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities;
 8. No expansion of a nonconforming structure or a nonconforming use located outside of a structure existing on the effective date of this Ordinance shall be permitted in an area subject to regulation by the Monroe Township Floodplain Ordinance;
 9. Excluding expansion, any modification, alteration, repair, reconstruction or improvement of any kind to a nonconforming use or structure located in an area subject to regulation by the Monroe Township Floodplain Ordinance shall comply with the Floodplain Ordinance;
- 503.2. Any dimensional nonconformity may be reduced by permitted use. The extension or enlargement of a dimensional nonconformity may also be permitted by right; however, such extension or enlargement shall be limited to a total of a ten percent (10%) increase of the dimensional nonconformity when it was originally created.
- 503.3. Where a dimensional non-conforming setback exists, expansion of the structure may occur to the face of the dimensional non-conformity by right, subject to the overall dimension of the non-conformity not being reduced.
- 503.4. The construction of an accessory structure to an existing non-conforming residential use is permitted by right, subject to the area dedicated to the accessory use being no greater than 50% of the area of the existing principal dwelling unit and meeting the requirements for accessory structures in the nearest residential zone.
- 503.5. The expansion of an existing conforming structure or use that is permitted by Conditional Use, located on a lot created by Conditional Use approval, or existing at the time of Ordinance adoption, shall be permitted by right

Section 504 Substitution or Replacement

Any nonconforming use may be replaced or substituted by another nonconforming use by special exception, if the Zoning hearing Board determines that the proposed use is at least equally compatible with the surrounding area, as the original nonconforming use. In addition, the

proposed nonconforming use shall not increase any dimensional nonconformities. The Zoning hearing Board may attach reasonable conditions to the special exception to keep the use compatible within its surroundings.

Section 505 Restoration

Any lawful nonconforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm, or other similar active cause may be reconstructed on the same property in the same location, or another location which reduces any nonconformance of existing setbacks, provided that:

- 505.1. The reconstructed building or structure shall not exceed the height, area, or volume of the damaged or destroyed building or structure and such reconstructed building or structure shall not increase any dimensional nonconformities; and,
- 505.2. Reconstruction shall begin within six (6) months from the date of damage or destruction and shall be carried on without interruption.

Section 506 Previously Expanded Nonconforming Uses and Structures

It is the express intent and purpose of this Ordinance that if a building, structure, sign or land was expanded or extended to the limits of expansion for a nonconforming building, structure, sign, or use of land as authorized by a prior zoning regulation or ordinance, no further expansion of said building, structure, sign, or land shall be authorized. In the event a nonconforming building, structure, sign, or use of land was expanded to a portion of the limits of expansion authorized by a prior zoning regulation or ordinance, additional expansion if permitted by this Ordinance, shall only be authorized to the amount of expansion not previously utilized pursuant to said prior zoning regulation or ordinance.

Section 507 Nonconforming Lots

Subject to the provisions of Section 508(4) of the Act, the following shall apply:

- 507.1. In any zone in which single-family dwellings are permitted, a single-family dwelling may be erected on a vacant single lot, as defined in this Ordinance, existing in single and separate ownership on the effective date of this Ordinance, if:
- 1) the dwelling can comply with applicable design standards of this Ordinance. If it cannot, then:
 - 2) the dwelling can comply with the applicable design standards in effect at the time of the creation of the lot.

Article 6

Zoning Hearing Board

Section 600 Establishment and Membership

There shall be a Zoning Hearing Board which shall consist of three (3) members who shall be appointed by resolution by the Board of Supervisors. The membership of the Zoning Hearing Board shall consist of residents of the Township. Their terms of office shall be three (3) years and shall be so fixed that the term of office of one member shall expire each year. The Zoning Hearing Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other office in the Township. Any member of the Zoning Hearing Board may be removed for malfeasance, misfeasance, or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

The Board of Supervisors may appoint by resolution at least one (1) but no more than three (3) residents of the municipality to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be three (3) years. When seated pursuant to the provisions of Section 601, 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 Ordinance 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 Zoning Hearing Board but shall not be entitled to vote as a member of the Zoning Hearing Board nor be compensated pursuant to Section 602, unless designated as a voting alternate member pursuant to Section 601 of this Ordinance.

Section 601 Organization of Zoning Hearing Board

The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Zoning Hearing Board, but the Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Zoning Hearing Board as provided in Section 603. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairman of the Zoning Hearing Board shall designate as many alternate members of the Zoning Hearing Board to sit on the Zoning Hearing Board as may be needed to provide a quorum. Any alternate member of the Zoning Hearing Board shall continue to serve on the Zoning Hearing Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Zoning Hearing Board has made a final determination of the matter or case. Designation of an alternate pursuant to this section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

The Zoning Hearing Board may make, alter, and rescind rules and forms for its procedure, consistent with Ordinances of the Township and laws of the Commonwealth. The Zoning Hearing Board shall keep full public records of its business, which records shall be the property of the Township, and shall submit a report of its activities to the Board of Supervisors upon request.

Section 602 Expenditures for Services

Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors. Alternate members of the Zoning Hearing Board may receive compensation, as may be fixed by the Board of Supervisors, for the performance of their duties when designated as alternate members pursuant to Section 601, but in no case shall such compensation exceed the rate of compensation authorized to be paid to the members by the Board of Supervisors.

Section 603 Hearings

603.1. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

1. Public notice (as defined herein) shall be provided. In addition, the Zoning Hearing Board shall notify by mail the Zoning Officer, Township Secretary, each member of the Board of Supervisors, Secretary of the Township Planning Commission, and every other person or organization who shall have registered with the Zoning Hearing Board for the purposes of receiving such notices. Such mailed notices shall state the location of the site and the nature of the request. It shall also state the time, date, and location of the proposed hearing. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing;
2. The Board of Supervisors may prescribe reasonable fees with respect to hearing before the Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs;
3. The first hearing before the Zoning Hearing Board or hearing officer shall be commenced within sixty (60) days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the Zoning Hearing Board or hearing officer shall be held within forty-five (45) days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of its case-in-chief within one hundred (100) days of the first hearing. Upon the request of the applicant, the Zoning Hearing Board or hearing officer shall assure that the applicant receives at least seven (7) hours of hearing within the one hundred

(100) days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within one hundred (100) days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete its case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and the Township, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.

- 603.2. The hearings shall be conducted by the Zoning Hearing Board or the Zoning Hearing Board may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Zoning Hearing Board; however, the appellant or the applicant, as the case may be.

In addition to the municipality, may, prior to the decision of the hearing, waive decisions or findings by the Zoning Hearing Board and accept the decision or findings of the hearing officer as final;

- 603.3. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Zoning Hearing Board, and any other person including civic or community organizations permitted to appear by the Zoning Hearing Board. The Zoning Hearing Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Zoning Hearing Board for that purpose;
- 603.4. The chairman or acting chairman of the Zoning Hearing Board or the hearing officer presiding shall have 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;
- 603.5. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues;
- 603.6. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded;
- 603.7. The Zoning Hearing Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Zoning Hearing Board. The cost of the original transcript shall be paid by the Zoning Hearing Board if the transcript is ordered by the Zoning Hearing Board or hearing officer; or shall be paid by the person appealing the decision of the Zoning Hearing Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof;
- 603.8. The Zoning Hearing Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue

involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the materials so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present;

- 603.9. The Zoning Hearing Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Zoning Hearing Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by the findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final the Zoning Hearing Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Zoning Hearing Board prior to final decision or entry of findings, and the Zoning Hearing Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer. Except for challenges filed under Section 703.6 of this Ordinance where the Zoning Hearing Board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Section 603.1.3 of this Ordinance, 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 rendered in favor of the applicant because of the failure of the Zoning Hearing Board to meet or render a decision as hereinabove provided, the Zoning Hearing Board shall give public notice of said decision with ten (10) days from the last day it could have met to render a decision in the same manner as provided in Section 603.1 of this Ordinance. If the Zoning Hearing Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal.
- 603.10. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the next business day following its date. To all other person who have filed their name and address with the Zoning Hearing Board not later than the last day of the hearing, the Zoning Hearing 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; and,
- 603.11. Effect of Zoning Hearing Board's Decision:
1. If the variance or special exception is granted or the issuance of a permit is approved, or other action by the appellant is authorized, the necessary permit shall be secured and the authorized action begun within two (2) years after the date when the variance or special exception is finally granted, or the issuance of a permit is finally approved, or the other action by the appellant is authorized, and the building or alteration, as the case may be, shall be completed within

three (3) years of said date. For good cause, the Zoning Hearing Board may at any time, upon application in writing, extend either of these deadlines;

2. Should the appellant or applicant fail to obtain the necessary permits within said two (2) year period, or having obtained the permit, should he fail to commence work thereunder within such two (2) year period, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his application, and all provisions, variances and permits granted to him shall be deemed automatically rescinded by the Zoning Hearing Board;
3. Should the appellant or applicant commence construction or alteration within said two (2) year period, but should he fail to complete such construction or alteration within said three (3) year period, the Zoning Hearing Board may, upon ten (10) days' notice in writing, rescind or revoke the granted variance or special exception, or the issuance of the permit, or permits, or the other action authorized to the appellant or applicant, if the Zoning Hearing Board finds that no good cause appears for the failure to complete within such three (3) year period, and if the Zoning Hearing Board further finds that conditions have so altered or changed in the interval since the granting of the variance, permit or action, that revocation or rescission of the action is justified; and,
4. As an alternative to the preceding, an applicant can request, as part of the original application before the Zoning Hearing Board, the granting of a timetable associated with the request which would supersede the deadlines imposed in Section 603.11.1.-3. In so doing, the applicant must demonstrate that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this section, the Zoning Hearing Board must establish and bind a definite time-frame for (1) issuance of a zoning permit, and (2) completion of construction of the project.

Section 604 Zoning Hearing Board's Functions

The Zoning Hearing Board shall have the exclusive jurisdiction to hear and render decisions in the following matters:

604.1.1 Substantive Challenges to the Validity of the Zoning Ordinance, except those brought before the Board of Supervisors pursuant to Section 703.6. of this Ordinance.

1. If a challenge heard by a Zoning Hearing Board is found to have merit, the decision of the Zoning Hearing Board shall include recommended amendments to the challenged Ordinance which will cure the defects found.

In reaching its decision, the Zoning Hearing Board shall consider the amendments, plans and explanatory material submitted by the landowner and shall also consider:

- A. The impact of the proposal upon roads, sewer facilities, water supplies,

schools and other public service facilities;

- B. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the Ordinance or Zoning Map;
- C. The suitability of the site for the intensity of use proposed by the site’s soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources and other natural features;
- D. The impact of the proposed use on the site’s soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and,
- E. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare;

2. Public notice of the hearing shall be provided as specified in Section 703.2.2. of this Ordinance;

3. The Zoning Hearing Board shall commence its hearings within sixty (60) days after the request is filed unless the landowner requests or consents to an extension of time; and,

4. The Zoning Hearing Board, shall render its decision with forty-five (45) days after the conclusion of the last hearing. If the Board fails to act on the landowner’s request within this time limit a denial of the request is deemed to have occurred on the 46th day after the close of the last hearing;

604.2. Challenges to the Validity of the Zoning Ordinance, raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of the Ordinance;

604.3. Special Exceptions, as provided for in this Ordinance and subject to all applicable requirements, including, but not limited to:

- 1. Filing Requirements - In addition to the required zoning permit information (See Section 701) each special exception application shall include the following:
 - A. Ground floor plans and elevations of proposed structures. This requirement shall not apply for proposed single family dwellings.
 - B. Names and address of adjoining property owners including properties directly across a public right-of-way;
 - C. A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance; and,

- D. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Ordinance;
2. General Criteria - Each applicant must demonstrate compliance with the following:
- A. The proposed use shall be consistent with the purpose and intent of the Zoning Ordinance;
 - B. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties;
 - C. The proposed use will not substantially change the character of the subject property's neighborhood;
 - D. Adequate public facilities are available to serve the proposed use (e.g., schools, fire, police and ambulance protection, sewer, water and other utilities, vehicular access, etc.);
 - E. The proposed use complies with the Monroe Township Floodplain Ordinance.
 - F. The proposed use shall comply with those criteria specifically listed in Article 4 of this Ordinance. In addition, the proposed use must comply with all other applicable regulations contained in this Ordinance; and,
 - G. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan;
3. Conditions - The Zoning Hearing Board in approving special exception applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. The conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Ordinance and be subject to the penalties described in Article 7; and,
4. Site Plan Approval - Any site plan presented in support of the special exception pursuant to Section 604.3.1. shall become an official part of the record for said special exception. Approval of any special exception will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan, shall require the obtainment of another special exception approval;
- 604.4. Variances - The Zoning hearing Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Zoning Hearing Board may, by rule, prescribe the form of application to the Zoning Officer. The Zoning Hearing Board may grant a variance, provided that all of the following findings are made where relevant in a

given case:

1. 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 Ordinance in the neighborhood or zone in which the property is located;
2. That because of such physical circumstances or conditions, there is not possibility that the property can be developed in strict conformity with the provisions of this Ordinance and that the authorization of a variance is therefore necessary to enable reasonable use of the property;
3. That such unnecessary hardship has not been created by the appellant;
4. That the variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, not be detrimental to the public welfare;
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue;
6. The proposed use complies with the Monroe Township Floodplain Ordinance;
7. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Ordinance and be subject to the penalties described in Article 7;
8. Filing Requirements - In addition to the required zoning permit information (See Section 701), each variance application shall include the following:
 - A. Ground floor plans and elevations of existing and/or proposed structures;
 - B. Names and addresses of adjoining property owners, including properties directly across a public right-of-way;
 - C. A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance; and,
 - D. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Ordinance;

9. Conditions - The Zoning Hearing Board in approving variance applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this ordinance and be subject to the penalties described in Article 7; and,
10. Site Plan Approval - Any site plan presented in support of a variance shall become an official part of the record for said variance. Approval of any variance will also bind the use in accordance with the submitted site plan;
- 604.5. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot;
- 604.6. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of the Zoning Ordinance;
- 604.7. Appeals from the Zoning Officer's determination under Section 916.2 (and any subsequent amendments) of the Act; and,
- 604.8. Appeals from the determination of the Zoning Officer or municipal engineer in the administration of any land use Ordinance with reference to sedimentation and erosion control, and/or storm water management for applications not involving a subdivision/land development, nor a planned residential development as regulated in Article V and VII of the Act, respectively.

Section 605 Parties Appellant Before the Zoning Hearing Board

Appeals under Sections 604.5., 604.6., 604.7., 604.8., and 604.9. and proceedings to challenge this Ordinance under Sections 604.1. and 604.2. may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under Section 604.4. and for special exception under Section 604.3. may be filed with the Zoning Hearing Board by any landowner or any tenant with the permission of such landowner. Any appeal shall state:

- 605.1. The name and address of the appellant and applicant;
- 605.2. The name and address of the landowner of the real estate to be affected;
- 605.3. A brief description and location of the real estate to be affected by such proposed change together with a plot plan drawn to scale with sufficient clarity to show the nature and character of the request;
- 605.4. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof; and,
- 605.5. A statement of the section of this Ordinance under which the request may be allowed, and reasons why it should, or should not be granted.

Section 606 Time Limitations

No person shall be allowed to file any proceeding with the Zoning Hearing Board later than thirty (30) days after an application for development, preliminary or final, has been approved by the Zoning Officer or the agency responsible for granting such approval if such proceeding is

designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice or knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.

The failure of anyone other than the landowner to appeal from an adverse decision by the Zoning Officer on a challenge to the validity of this Ordinance or the Official Zoning Map pursuant to Section 916.2. of the Act, as amended, shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative preliminary approval.

Section 607 Stay of Proceeding

Upon filing of any proceeding referred to in Section 605 and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged Ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case, the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Zoning Hearing Board by person other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such person to post bond as a condition to continuing the proceedings before the Zoning Hearing Board. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee but such waiver may be revoked by him if an appeal is taken from a final decision of the court. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.

If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses, and attorney fees incurred by the petitioner.

Section 608 Appeal

Any person, taxpayer, or the township aggrieved by any decision of the Zoning Hearing Board

may within thirty (30) days after such decision of the Zoning Hearing Board seek review by the Court of Common Pleas of such decision in the manner provided by the laws of the Commonwealth of Pennsylvania and Article X-A of the Act as amended.

Article 7

Administration

Section 700 Administration and Enforcement

700.1. Administration:

1. Zoning Officer - The provisions of this ordinance shall be enforced by an agent, to be appointed by the Board of Supervisors, who shall be known as the Zoning Officer. The Zoning Officer shall be appointed at the first meeting of the Board of Supervisors in January to serve until the first day of January next following, and shall thereafter be appointed annually to serve for a term of one (1) year and/or until his successor is appointed. The Zoning Officer may succeed himself. He/she shall receive such fees or compensation as the Board of Supervisors may, by resolution, provide. The Zoning Officer may designate an employee of the Township as his Assistant, subject to the approval of the Board of Supervisors, who shall exercise all the powers of the Zoning Officer during the temporary absence or disability of the Zoning Officer.
2. Duties - The duties of the Zoning Officer shall be:
 - A. To receive, examine and process all applications and permits as provided by the terms of this Ordinance. The Zoning Officer shall also issue zoning permits for special exception and conditional uses, or for variances after the same have been approved;
 - B. To record and file all applications for zoning permits or certificates of occupancy, and accompanying plans and documents, and keep them for public record;
 - C. To inspect properties to determine compliance with all provisions of this Ordinance as well as conditions attached to the approval of variances, special exceptions, conditional uses and curative amendments;
 - D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed. The Zoning Officer shall determine an appropriate duration of time for compliance of the specified activity, not to exceed 30 days. Extensions up to a total of 90 days from the date of receipt of the enforcement notice may be granted at the discretion of the Zoning Officer if applied for in writing.
 - E. Upon the request of the Board of Supervisors or the Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests, to assist such bodies in reaching their decisions;
 - F. To be responsible for keeping this Ordinance and the Official

Zoning Map up to date, including any amendments thereto;

- G. To remain eligible for the National Flood Insurance Program, the Zoning Officer shall submit a biannual report to the Federal Insurance Administration concerning the status of the Program in the Township (the report form shall be provided by the Federal Insurance Administration);
- H. To render a preliminary opinion regarding a proposed land use in accordance with Section 916.2. of the Act; and,
- I. To revoke a permit or approval issued under the provisions of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in the Zoning Ordinance, or otherwise permitted by law;

700.2. Enforcement - This Ordinance shall be enforced by the Zoning Officer of the Township. No zoning permit or certificate of use and occupancy shall be granted by him/her for any purpose except in compliance with the literal, provisions of this ordinance. The Zoning Officer may be authorized to institute civil enforcement proceedings as a means of enforcement when acting within his/her scope of employment;

700.3. Violations - Failure to secure a zoning permit prior to a change in use of land or structure, or the erection, construction or alteration of any structure or portion thereof, shall be a violation of this Ordinance. It shall also be a violation of this Ordinance to undertake other deliberate actions which are contrary to the terms of the Ordinance and any conditions placed upon the approval of special exceptions, variances, and conditional uses. Each day that a violation is continued shall constitute a separate offense.

If it appears to the Township that a violation of this Zoning Ordinance enacted under the Act or prior enabling laws has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in the following:

1. 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;
2. An enforcement notice shall state at least the following:
 - A. The name of the owner or record and any other person against whom the Township intends to take action;
 - B. The location of the property in violation;
 - C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Ordinance;

- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed;
- E. 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 the Ordinance; and,
- F. 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;

700.4. Enforcement Remedies - Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance enacted under the Act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500) 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 be 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 the Ordinance to have believed that there was no such 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 district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of the Zoning Ordinance shall be paid over to the Township;

700.5. Cause of Action - In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, repaired, converted, maintained, or used in violation of this Ordinance enacted under the Act or prior enabling laws, the governing body or, with the approval of the governing body, an officer of the municipality, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any 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. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the municipality at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the governing body of the municipality. No such action may be maintained until such notice has been given.

Section 701 Permits

701.1. General Requirements for Zoning Permits:

1. Where required by the Uniform Construction Code, an application for a building permit shall be made simultaneously in conjunction with the zoning permit, which application shall be required prior to:
 - A. a change in use of land or structure;
 - B. the erection, construction, improvement demolition or alteration of any structure or portion thereof;
 - C. the alteration or development of any improved or unimproved real estate, including, but not limited to, mining, dredging, filling, grading, paving, excavation or drilling operations for new underground utilities.
 - D. the erection or alteration of any signs as specified in Section 313 of this Ordinance;
 - E. the construction or installation of animal waste impoundments, lakes, ponds, dams, or other water retention basins; and/or
 - F. Forestry Operations (See Section 3260).

Exemptions - No zoning permit shall be required for the following activities, provided such activities do not change the use or the exterior dimension of the structure, or alter the elevation of the final grade, or otherwise violate the provisions of this Ordinance:

- A. Incidental Repairs
 - B. Maintenance Activities including roofing, siding and window replacement
 - C. Installation of trees, shrubs and other landscaping materials
 - D. Concrete pad or sidewalks less than 150 square feet in total area
2. Application for zoning permits shall be made in writing to the Zoning Officer;
3. Such zoning permits shall be granted or refused within ninety (90) days from date of application;
4. No zoning permit shall be issued except in conformity with:
 - A. all applicable regulations of this Ordinance;
 - B. any conditions imposed upon the site by the Zoning Hearing Board or the Board of Supervisors; and,
 - C. any recorded subdivision or land development plan;
5. In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed use to meet all of the above-described requirements, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied;
6. Application for a permit shall be made by the Owner or Lessee of any building or structure, or the agent of either; provided, however, that if the application is made by a person other than the Owner or Lessee, it shall be accompanied by a written authorization of the Owner or the qualified person making the application, that the proposed work is authorized by this Owner.

The full names and addresses of the Owner, Lessee, Applicant, and of the responsible officers, if the Owner or Lessee is a corporate body, shall be stated in the application;

7. The Zoning Officer may call upon other Township Staff and/or Township-appointed consultants in the review of submitted materials for applications;
8. The Zoning Officer may revoke a permit or approval issued under the provisions of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans which the permit or approval was based or for any other cause set forth in the Zoning Ordinance;
9. Where a permit is required by this Ordinance, but the work is commenced or changed prior to obtaining such permit, and after notice by the Township, the fees set by ordinance or resolution of the Township Board of Supervisors for such permit shall be doubled. The doubling of the permit fee shall be required to reflect the additional expense incurred by the Township resulting from the need to inspect the property, respond to any complaints, issue any enforcement notices and/or process the application as soon as it is received. The payment of such increased permit fee shall not relieve any person from complying with all requirements of this Ordinance or any other applicable Township ordinances or from any penalties or enforcement actions authorized by this Ordinance or the Act;
10. Issuance of Permits - Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application or plans do not conform to the provisions of all pertinent local laws, he shall reject such application in writing, stating the reasons therefore. He shall inform the applicant of his right to appeal to the Zoning Hearing Board in the event such application is rejected. If satisfied that the proposed work and/or use conforms to the provisions of the Zoning Ordinance and all laws and ordinances applicable thereto, and that the certificate of use and occupancy as required herein has been applied for, he shall issue a permit therefore as soon as practical but not later than ninety (90) days from receipt of the application;
11. Reconsideration of Application - An applicant whose request for a permit has been denied by the Zoning Officer may make a later application for a permit provided all deficiencies which were the basis for the prior denial of the permit have been eliminated. The Zoning Officer shall not be required to make a new inspection of the application if this condition is not met. Additional fees may apply as set by the Board of Supervisors.
12. Expiration of Permit - The permit shall expire after two (2) years from the date of issuance; provided, however, that the same may be extended one time for one (1) additional year, upon written request by the applicant on a form provided by the Township. A permit shall become invalid if the work authorized under the permit does not commence within 180 days from the date of permit issuance, or if the authorized work is suspended or abandoned for 180 days after the work commenced. If the applicant fails to complete the work within the timeframe of the extension, the applicant shall be

required to apply for and obtain another zoning permit, and pay for any fees prescribed, prior to use and occupancy.

13. Compliance with Ordinance - The permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of the Zoning Ordinance, except as stipulated by the Zoning Hearing Board;
14. Compliance with Permit and Plot Plan - All work or uses shall conform to the approved application and plans for which the permit has been issued as well as the approved plot plan;
15. Display of Zoning Permit - All approved zoning permits shall be prominently displayed on the subject property during construction, renovation, reconstruction, repair, remodeling or the conduct of other site improvements. Such permit displays shall occur within five (5) days of permit issuance, or prior to the commencement of actual work on the site, whichever occurs first. Such permit display shall be continuous until the site receives its certificate of occupancy; and,
16. Temporary Use Permits - It is recognized that it may be in accordance with the purpose of this Ordinance to permit temporary activities for a limited period of time, which activities may be prohibited by other provisions of this Ordinance. If such uses are of such a nature and are so located that, at the time of petition of special exception, they will:
 - A. In no way exert a detrimental effect upon the uses of land and activities normally permitted in the zone, or
 - B. Contribute materially to the welfare of the Township, particularly in a state of emergency, under conditions peculiar to the time and place involved, then, the Board of Supervisors may direct the Zoning Officer to issue a permit for a period not in excess of six (6) months. Such permits may be extended not more than once for an additional period of six (6) months;
17. Inspections - Inspections of the property in question by the Zoning Officer or other duly appointed official may be required at various intervals during the construction process. By submitting an application for a zoning permit, the landowner authorizes the Township to perform such inspections as required.

701.2. Application for All Zoning Permits:

1. Applications shall be accompanied by plans and application forms showing the following. Plans for residential permits which do not require a building permit may be generally drawn to scale as long as critical dimensions are provided. The Zoning Officer may waive any of the requirements for submission below, if, in his or her opinion, that requirement will not apply to the specific use outlined in the application:
 - A. Plot plan illustrating the shape of a lot to be developed with critical dimensions which may affect the work. Plot plans are not required for permit applications which do not expand the horizontal footprint of an

existing structure or use, unless specifically requested by the Zoning

Officer to determine compliance with other applicable requirements or regulations.

- B. Location and dimensions of structures to be erected, constructed and altered;
 - C. Existing and proposed uses, including the number of occupied units, businesses, etc., all structures are designed to accommodate;
 - D. Off-street parking and loading spaces where required;
 - E. Location and impacted utility systems and rights-of-way;
 - F. Alteration or development of any improved or unimproved real estate;
 - G. The size of structures and the number of employees anticipated;
 - H. Any other lawful information that may be required by the Zoning Officer to determine compliance with this Ordinance; and
 - I. Copy of the applicable sanitary sewerage disposal permit, issued by the Sewerage Enforcement Officer or appropriate Municipal Authority.
2. If the proposed development, excavation or construction is located within an area subject to regulation by the Monroe Township Floodplain Ordinance.

The following information is specifically required to accompany all applications, as prepared by a licensed professional:

- A. The accurate location and elevation of the floodplain and floodway;
 - B. The elevation, in relation to the National Geodetic Vertical Datum of 1929 (NGVD), of the lowest floor, including basements;
 - C. The elevation, in relation to the NGVD, to which all structures and utilities will be flood-proofed or elevated;
 - D. Where floodproofing is proposed to be utilized for a particular structure, the zoning permit application shall be accompanied by a document certified by a licensed professional engineer registered by the Commonwealth of Pennsylvania, or a licensed professional architect registered by the Commonwealth of Pennsylvania certifying that the flood-proofing methods used meet all applicable codes and ordinances; and,
 - E. A plot plan certified by a professional surveyor verifying the elevation of the finished floor of the installed improvements and corresponding elevation of the 100 year regulatory flood.
3. Where the proposed use is regulated under the Uniform Construction Code,

the applicant shall submit an application of building permit concurrently with the zoning permit. A zoning permit will not be issued until

satisfactorily meeting the requirements of the Uniform Construction Code.

701.3. Application for Zoning Permits for Uses in All Commercial and Industrial Zones (excluding demolition permits):

1. A location plan showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred feet (200') from all tract boundaries;
2. A plot plan certified by a professional surveyor of the lot showing the location of all existing and proposed buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, parking stalls access from streets, screening fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the lot, and the location of all topographical features;
3. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation;
4. Evidence that the disposal of materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within Cumberland County which have been contracted to dispose of the materials used and wastes generated on-site. The zoning permit shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future such that the materials used or wastes generated change significantly, either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section;
5. Engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation;
6. Designation of the manner by which sanitary sewage and storm water shall be disposed and water supply obtained;
7. The proposed number of shifts to be worked and the maximum number of employees on each shift;
8. Where use by more than one firm is anticipated, a list of firms which are likely to be located in the center, their floor area, and estimated number of employees; and,
9. Submission, approval and recordation of a Subdivision or Land Development plan, as required.

701.4. Certificate of Occupancy:

1. It shall be unlawful to use and/or occupy any structure, building, sign, and/or land or portion thereof for which a zoning permit is required herein until a certificate of use and occupancy for such structure, building, sign, and/or land or portion thereof has been issued by the Zoning Officer;
2. The application for a certificate of use and occupancy shall be in such form as the Zoning Officer may prescribe and may be made on the same application as it required for a zoning permit;
3. The application shall contain the intended use and/or occupancy of any structure, building, sign, and/or land or portion thereof for which a zoning permit is required herein;
4. The Zoning Officer shall inspect any structure, building, or sign within ten (10) days upon notification that the proposed work that was listed under the permit has been completed and if satisfied that the work is in conformity and compliance with the work listed in the issued permit and all other pertinent laws, he shall issue a certificate of use and occupancy for the intended use listed in the original application. Where a building permit is required under the Uniform Construction Code, a certificate of use shall not be issued until a final inspection by the Building Code Official is complete and found to be satisfactory;
5. The certificate of use and occupancy or a true copy thereof shall be kept available for official inspection at all times;
6. Upon request of a holder of a zoning permit, the Zoning Officer may issue a temporary certificate of use and occupancy for a structure, building, sign and/or land, or portion thereof, before the entire work covered by the permit shall have been completed provided such portion or portions may be used and/or occupied safely prior to full completion of the work without endangering life or public welfare. The Zoning Officer shall also issue a temporary certificate of use and occupancy for such temporary uses as tents, use of land for religious or other public or semi-public purposes and similar temporary use and/or occupancy. Such temporary certificates shall be for the period of time of 30 days, which can be extended by the Zoning Officer for a period of six months total, subject to more restrictive requirements of any other Section of this Ordinance;
7. A Certificate of Use and Occupancy shall not be issued for structures and buildings located in subdivisions requiring Improvement Guarantees until the structure of building abuts either a roadway which has been accepted by the Township for dedication or abuts upon a street which has been paved with a base wearing course; and,
8. In commercial and industrial zones in which operation standards are imposed, no certificate of use and occupancy shall become permanent until thirty (30) days after the facilities are fully operational when, upon a reinspection by the Zoning Officer, it is determined that the facilities are in

compliance with all operation standards.

Section 702 Fees

- 702.1. Determination - The Board of Supervisors may, by resolution, establish fees for the administration of this Ordinance. All fees shall be determined by a schedule that is made available to the general public. The Board of Supervisors may reevaluate the fees schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Ordinance and may be adopted at any public meeting of the Board of Supervisors.

Section 703 Amendments

- 703.1 Power of Amendment - The Board of Supervisors may from time to time, amend, supplement, change or repeal this Ordinance including the Official Zoning Map. Any amendment, supplement, change or repeal may be initiated by the Township Planning Commission, the Board of Supervisors or by a petition to the Board of Supervisors by an interested party;

- 703.2 Hearing and Enactment Procedures for Zoning Amendments:

1. Public Hearing - Before hearing and enacting Zoning Ordinance and/or Zoning Map amendments, the Board of Supervisors shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice (as defined herein and listed below) has been given.
2. Public Notice - Before conducting a public hearing, the Board of Supervisors shall provide public notice as follows:
 - A. Notice shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication shall not be less than seven days from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the municipal solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:
 - A copy of the full text shall be supplied to a newspaper of general circulation in the municipality at the time the public notice is published; and,
 - An attested copy of the proposed Ordinance shall be filed in the county law library or other county office designated by the county commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing said Ordinances;
 - B.1. For Zoning Map amendments, public notice shall also include the posting of a sign at conspicuous locations along the perimeter of the

subject property; these sign(s) shall be posted at least one week prior to

the hearing and will exhibit the nature, date, time and location of the hearing;

- B.2. In addition to the requirement that notice be posted under 2.B.1. where the proposed amendment involves a zoning map change, notice of the public hearing shall be mailed by the Township at least thirty (30) days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned, as evidenced by tax records within the possession of the municipality. The notice shall include the location, date and time of the public hearing. The provisions of this section shall not apply when the rezoning constitutes a comprehensive rezoning.
- C. For curative amendments, public notice shall also indicate that the validity of the Ordinance and/or map is in question, and shall give the place where and the times when a copy of the request including any plans, explanatory material or proposed amendments may be examined by the public; and,
- D. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment;
3. Enactment Notice - In addition to the public notice requirements defined herein, the Board of Supervisors must publish a reference to the time and place of the meeting at which passage of the Ordinance or amendment will be considered, and a reference to a place within the municipality where copies of the proposed Ordinance or amendment may be examined without charge, or obtained for a charge not greater than the cost thereof. Enactment notice shall be published at least once in one newspaper of general circulation in the municipality not more than sixty (60) days nor less than seven (7) days prior to passage. The published content of the enactment notice shall be the same as that required for public notice described in the preceding subsection A.;
4. Township Planning Commission Referrals - For amendments proposed by parties other than the Township Planning Commission, the Board of Supervisors shall submit each amendment at least thirty (30) days prior to public hearing to the Township Planning Commission for review and comment. The Township Planning Commission shall submit a report of its review, together with any recommendations, to the Board of Supervisors within forty-five (45) days from the date of said referral. The recommendation of the Township Planning Commission may include a specific statement as to whether or not the proposed amendment is in accordance with the intent of this Ordinance and any officially adopted Comprehensive Plan of the Township. The Board of Supervisors cannot act upon the amendment until it has received a recommendation from the

Township Planning Commission; however, should the Township Planning Commission fail to submit its recommendation within forty-five (45) days, the Board of Supervisors may proceed without its recommendation;

5. County Planning Commission Referrals - All proposed amendments shall be submitted to the County Planning Commission at least thirty (30) days prior to public hearing on such amendments. The County Planning Commission may submit recommendations to the Board of Supervisors within forty-five (45) days of such referral. The Board of Supervisors cannot act upon the amendment until it has received a recommendation from the County Planning Commission; however, should the County Planning Commission fail to submit its recommendation within forty-five (45) days, the Board of Supervisors may proceed without its recommendation;
6. Adjournment of Public Hearing - If during the public hearing process, the Board of Supervisors needs additional time to understand the proposal inform the public, receive public comment, and/or render a decision, it may adjourn the public hearing to a specific time and place; and,
7. Within thirty (30) days after enactment, a copy of the amendment to the zoning ordinance shall be forwarded to the Cumberland County Planning Commission;

703.3. Amendments Initiated by the Township Planning Commission - When an amendment, supplement, change or repeal is initiated by the Township Planning Commission, the proposal shall be presented to the Board of Supervisors which shall then proceed in the same manner as with a petition to the Board of Supervisors which has already been reviewed by the Township Planning Commission;

703.4. Amendment Initiated by the Board of Supervisors - When an amendment, supplement, change or repeal is initiated by the Board of Supervisors, such amendment, supplement, change or repeal shall follow the procedure prescribed under Section 703.2;

703.5. Amendment Initiated by a Petition from an Interested Party - A petition for amendment, supplement, change or repeal for a portion of this Ordinance shall include an accurate legal description and surveyed plan of any land to be rezoned, and all of the reasons supporting the petition to be considered. The petition shall also be signed by at least one record owner of the property in question whose signature shall be notarized attesting the truth and correctness of all the facts and information presented in the petition. A fee to be established by the Board of Supervisors shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein. The Board of Supervisors may require duplicate sets of petition materials;

703.6. Curative Amendment by a Landowner - A landowner, who desires to challenge on substantive grounds the validity of the Ordinance or the Official Zoning Map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the Board of Supervisors (including all of the reasons supporting the request to be considered) with a written request that his challenge and proposed amendment be heard and decided as provided in Sections 609.1. and 916.1. of the Act; as

amended. The Board of Supervisors shall commence a hearing thereon within sixty (60) days of the request. The curative amendment shall be referred to the

Township and Cumberland County Planning Commissions as provided for in Section 703.2. and public notice of the hearing shall be provided as defined herein.

1. In reviewing the curative amendment, the Board of Supervisors may deny the request, accept the request as submitted, or may adopt an alternative amendment which will cure the challenged defects. The Board of Supervisors shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:
 - A. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
 - B. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the Ordinance or map;
 - C. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources and other natural features;
 - D. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and,
 - E. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare;
2. The Board of Supervisors shall render its decision within forty-five (45) days after the conclusion of the last hearing;
3. If the Board of Supervisors fails to act on the landowner's request within the time limits referred to in paragraph (b), a denial of the request is deemed to have occurred on the 46th day after the close of the last hearing;
4. Public notice of the hearing shall include notice that the validity of the Ordinance or Zoning Map is in question and shall give the place where and the times when a copy of the request including any plans, explanatory material or proposed amendments may be examined by the public;
5. The challenge shall be deemed denied when:
 - A. The Board of Supervisors, fails to commence the hearing within sixty (60) days;
 - B. The Board of Supervisors notified the landowner that it will not adopt the curative amendment;

- C. The Board of Supervisors adopts another curative amendment which is unacceptable to the landowner; or
 - D. The Board of Supervisors fails to act on the request forty-five (45) days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and municipality;
6. Where, after the effective date of the Act, a curative amendment proposal is approved by the grant of a curative amendment application by the Board of Supervisors pursuant to this section or a validity challenge is sustained by the Zoning Hearing Board pursuant to Section 604.1., or the court acts finally on appeal from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two years from the date of such approval to file an application for preliminary or tentative approval for a subdivision, land development or planned residential development. Within the two-year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Upon the filing of the preliminary or tentative plan, the provisions of Section 508 (4) of the Act shall apply; and,
7. Where the proposal appended to the curative amendment application or the validity challenge is approved but does not require further application under any subdivision or land development Ordinance, the developer shall have one year within which to file for a zoning permit. Within the one-year period, no subsequent change or amendment in the zoning, subdivision or other governing Ordinance or plan shall be applied in any manner which adversely affects the rights of applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purposes of awarding such supplemental relief as may be necessary;

703.7.

Curative Amendment by the Board of Supervisors:

- 1. The Board of Supervisors, by formal action, may declare this Ordinance of portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal, the Board of Supervisors shall:
 - A. By resolution, make specific findings setting forth the declared invalidity of the Ordinance or portions thereof which may include:
 - a. references to specific uses which are either not permitted or not permitted in sufficient quantity;
 - b. references to a class of use or uses which require revision; or
 - c. references to the entire Ordinance which requires revisions;
 - B. Begin to prepare and consider a curative amendment to the Ordinance to correct the declared invalidity;
- 2. Within one hundred eighty (180) days from the date of the declaration and

proposal, the Board of Supervisors shall enact a curative amendment to validate or reaffirm the validity of, this Ordinance pursuant to the

provisions required by Section 609 of the Act in order to cure the declared invalidity of the Ordinance;

3. Upon the date of the declaration and proposal, the Board of Supervisors shall not be required to entertain or consider any curative amendment filed by a landowner. Nor shall the Zoning Hearing Board be required to give a report, upon request, for a challenge to the validity of the Ordinance under Section 604.1. subsequent to the declaration and proposal, based upon the grounds identical to or substantially similar to those specified in the resolution required by this section. Upon the enactment of a curative amendment to, or the reaffirmation of the validity of this Ordinance, no rights to a cure by amendment or challenge shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which the Board of Supervisors propose to prepare a curative amendment; and,
4. The Board of Supervisors, having utilized the procedures as set forth in this section, may not again utilize said procedures for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of the Ordinance; provided however, that if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the Township by virtue of a decision by any Court of competent jurisdiction, the Board of Supervisors may utilize the provisions of this section to prepare a curative amendment to the ordinance to fulfill this duty or obligation; and,

- 703.8. Authentication of Official Zoning Map - Whenever there has been a change in the boundary of a zone or a reclassification of the zone adopted in accordance with the above, the change on the Official Zoning Map shall be made, and shall be duly certified by the Township Secretary and shall thereafter be refiled as part of the permanent records of the Township.

Section 704

Conditional Uses

- 704.1. Filing of Conditional Use - For any use permitted by conditional use, a conditional use must be obtained from the Board of Supervisors. In addition to the information required on the zoning permit application, the conditional use application must show:
1. Ground floor plans and elevations of proposed structures. This requirement shall not apply for proposed single family dwellings.
 2. Names and addresses of adjoining property owners including properties directly across a public right-of-way;
 3. A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Ordinance; and,
 4. A written description of the proposed use in sufficient detail to demonstrate

compliance with all applicable provisions of this Ordinance;

704.2. General Criteria - Each applicant must demonstrate compliance with the following:

1. The proposed use shall be consistent with the purpose and intent of the Zoning Ordinance;
2. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties;
3. The proposed use will not effect a change in the character of the subject property's neighborhood;
4. Adequate public facilities are available to serve the proposed use (e.g. schools, fire, police and ambulance protection, sewer, water, and other utilities, vehicular access, etc.);
5. The proposed use complies with the Monroe Township Floodplain Ordinance;
6. The proposed use shall comply with those criteria specifically listed in Article 4 of this Ordinance. In addition, the proposed use must comply with all other applicable regulations of this Ordinance; and,
7. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan;

704.3. Conditions - The Board of Supervisors in approving conditional use applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Ordinance and be subject to the penalties described in this Article;

704.4. Site Plan Approval - Any site plan presented in support of the conditional use pursuant to Section 704.1. shall become an official part of the record for said conditional use. Approval of any conditional use will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan, shall require the obtainment of another conditional use approval;

704.5. Hearing Procedures:

1. Before voting on the approval of a conditional use, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. The Board of Supervisors shall submit each such application to the Township Planning Commission at least thirty (30) days prior to the hearing on such application to provide the Township Planning Commission an opportunity to submit recommendations. If, after any public hearing held upon an application, the

proposed application is revised, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the application;

2. Public notice as defined herein, and written notice shall be given to the applicant, the Zoning Officer, such other persons as the Board of Supervisors shall designate by Ordinance, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by Ordinance or, in the absence of Ordinance provisions, by rules of the Board of Supervisors. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing;
3. The Board of Supervisors may prescribe reasonable fees with respect to hearings. Fees for said hearings may include compensation for the secretary, notice and advertising costs, and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses, expenses for engineering, architectural, or other technical consultants, or expert witness costs;
4. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board of Supervisors, and any other person, including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have power to require that all persons who wish to be considered parties enter appearance in writing on forms provided by the Board of Supervisors for that purpose;
5. The Chairman or Acting Chairman of the Board of Supervisors shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and paper, including witnesses and documents requested by the parties;
6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues;
7. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded;
8. The Board of Supervisors may keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by the Board of Supervisors; or shall be paid by the person appealing the decision of the Board of Supervisors if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof; and,
9. The Board of Supervisors shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except

upon notice and opportunity for all parties to participate, shall not take notice

of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless parties are afforded an 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 representative unless all parties are given an opportunity to be present.

10. The hearing shall be conducted by the Board of Supervisors or the Board may appoint any member or an independent attorney as a hearing officer. The decision, or, where there is no decision, the findings shall be made by the Board of Supervisors. However, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the Board of Supervisors and accept the decision or findings of the hearing officer as final.
11. The Board of Supervisors shall render a written decision or, when no decision is called for, make written finds on the conditional use application within forty-five (45) days after the last hearing before the Board of Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
12. Where the Board of Supervisors fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Section 603.1.3 of this Ordinance, 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 rendered in favor of the applicant because of the failure of the Board of Supervisors to meet or render a decision as hereinabove provided, the Board of Supervisors shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Board of Supervisors shall fail to provide such notice, the applicant may do so.

704.6.

Time Limitation:

1. If a conditional use is granted, the necessary permit shall be secured and the authorized action begun within two (2) years after the date when the conditional use is finally granted, and the building or alteration, as the case may be, shall be completed within three (3) years of said date. For good cause, the Board of Supervisors may at any time, upon application in writing, extend either of these deadlines;
2. Should the appellant or applicant fail to obtain the necessary permits within said two (2) year period, or having obtained the permit should the fail to commence work thereunder within such two (2) year period, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his application, and all approvals and permits

granted to him shall be deemed automatically rescinded by the Board of Supervisors;

3. Should the appellant commence construction or alteration within said two (2) year period, but should he fail to complete such construction or alteration within said three (3) year period, the Board of Supervisors may, upon ten (10) days notice in writing, rescind or revoke the granted conditional use, if the Board of Supervisors finds that no good cause appears for the failure to complete within such three (3) year period, and if the Board of Supervisors further finds that conditions have altered or changed in the interval since the granting of the conditional use that revocation or rescission of the action is justified; and,
4. As an alternative to the preceding, an applicant can request, as part of the original application before the Board, the granting of a timetable associated with the request which would supersede the deadlines imposed in Sections 704.6.1.-3. In so doing, the applicant must demonstrate that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this section, the Board must establish and bind a definite time frame for (1) issuance of a zoning permit, and (2) completion of construction of the project.

Section 705 Repeals and Inconsistencies

Any resolution or ordinance, or part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed.

Section 706 Effective Date

This Zoning Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Monroe Township, County of Cumberland, Commonwealth of Pennsylvania.

Section 9: Zoning Map Changes

The Monroe Township Zoning Map shall be amended, changed and modified as follows:

The Village Zone (V) shall be increased by rezoning the following land from Agricultural Zone (A) to Village Zone (V):

TAX PARCEL NO.	PROPERTY ADDRESS
22-11-0280-021A	1299 Brandt Road
22-28-2401-114	1298 Brandt Road
22-28-2401-112	357 Old Stonehouse Road S.
22-28-2401-113	361 Old Stonehouse Road S.
22-28-2401-078	362 Old Stonehouse Road S.
22-28-2401-110	353 Old Stonehouse Road S.

The Neighborhood Commercial Zone shall be decreased by rezoning the following land from Neighborhood Commercial (NC) to Suburban Residential (R-1):

TAX PARCEL NO.	PROPERTY ADDRESS
22-12-0352-002	600 Lucinda Lane
22-12-0352-029	599 Lucinda Lane

These proposed zoning map changes are illustrated on the proposed Zoning Map on display in the Monroe Township Municipal Building.

Section 10: Continuation

Provisions of this Ordinance, so far as they are the same of those of Ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and not as new enactments. Provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any Ordinance repealed by this Ordinance.

Section 11: Effective Date

This Ordinance shall become effective in accordance with the law.

Section 12: Severability

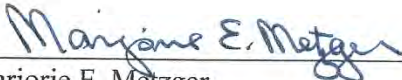
In the event that any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sentence, clause or part of this Ordinance or other Ordinances affected by this Ordinance, it being the intent of Monroe Township that such remainder shall be and shall remain in full force and effect.

Section 13: Relationship to Other Ordinances

All other Ordinances, parts of Ordinances or parts of Resolutions inconsistent herewith shall be and the same expressly are repealed.

DULY ORDAINED AND ENACTED this 10 day of April, 2014, by the Board of Supervisors of Monroe Township, Cumberland County Pennsylvania.


ATTEST:



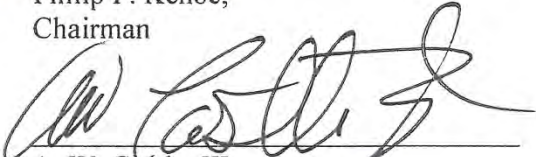
Marjorie E. Metzger,
Secretary

(SEAL)


MONROE TOWNSHIP
BOARD OF SUPERVISORS



Philip F. Kehoe,
Chairman



A. W. Castle, III,
Vice-Chairman



Samuel M. Simmons, III,
Supervisor

Appendix 1

Historic Houses in Monroe Township, ca. Mid 1700s - 1930s

Method of Determination:

Buildings were selected based on architectural style and the commonly known decades of usage for various styles in this area. Other visual clues as to age, such as building materials, siting and evidence of existence on the 1872 Beers' Atlas Maps were also utilized. (Deed research for 370 some buildings was simply not possible!). As in the Cumberland County Historical Society's book Cumberland County: An Architectural Survey, architectural styles used primarily up through the 1930s were considered to be "historic" for the purposes of this list. A more detailed explanation of the selection methodology can be found in the photographic study "the Historic Houses in Monroe Township, ca. Mid 1700s - 1930s: THEME and VARIATIONS". This study also contains maps and photographs of the houses enumerated on this list.

Structure of this List:

The list is divided into two sections: **Houses**, and **Other Primary Buildings** (schools, churches, meeting houses, railroad stations and mills). Barns, carriage houses, sheds, outhouses and other secondary structures or outbuildings are not listed.

Notation:

Normal type indicates a house displaying the most commonly found form of historic architecture in Monroe Township, having no real formal name, but known sometimes as "Vernacular Georgian" or "German Georgian".

Italic type indicates a house displaying one of the other, less common historic architectural styles found in the township. These styles are illustrated and described in the parent study. Many too have no formal name, but the categories can be generally described as : Italian Villa; frontal gable end, long and narrow "company style housing;" L, T and cross shaped varied massing; American Four Square; Bungalow; hip, gambrel and mansard roof variations; and a European style castle.

"(?)" after the address number indicated address number uncertain. Refer to map and photographs for definite identification and location.

"(?)" after the entire address and road name indicates uncertain as to age.

Descriptive clarifications are provided in parentheses when necessary to distinguish unclear or multiple listings.

Houses:

- | | |
|--|---|
| 1. 1012 Baish Rd. | 54. 316 Brindle Rd. |
| 2. 1060 Baish Rd. | 55. 335 Brindle Rd. |
| 3. 1191 Baish Rd. | |
| 4. 1220 Baish Rd. | 56. 1301 Church St. (variation) |
| 5. 1256 Baish Rd. | 57. 1310 Church St. (variation) |
| 6. 830 Boiling Springs Rd. (variation) | 58. 1316 Church St. |
| 7. 849 Boiling Springs Rd. | 59. 1320 Church St. |
| 8. 856 Boiling Springs Rd. | 60. 1327 Church St. |
| 9. 995 Boiling Springs Rd. (variation) | 61. 1329 Church St. |
| 10. 1024 Boiling Springs Rd. | 62. 37 Clouser Rd. (?) (half stone, half frame farm house) |
| 11. 1040 Boiling Springs Rd. | |
| 12. 1082 Boiling Springs Rd. | 63. 69 Clouser Rd. |
| 13. 1146 Boiling Springs Rd. | 64. 96 Clouser Rd. (variation) |
| 14. 1155 Boiling Springs Rd. | 65. 146 Clouser Rd. |
| 15. 1210 Boiling Springs Rd. | 66. 188 Clouser Rd. |
| 16. 1251 Boiling Springs Rd. | 67. 207 Clouser Rd. |
| 17. 1259 Boiling Springs Rd. | 68. 273 Clouser Rd. (variation) |
| 18. 1261 Boiling Springs Rd. | 69. 19 Clouser Rd. Spur |
| 19. 1263 Boiling Springs Rd. | 70. 1186 Creek Rd. |
| 20. 1265 Boiling Springs Rd. | 71. 1275 Creek Rd. (variation) |
| 21. 1267 Boiling Springs Rd. | 72. 1369 Creek Rd. |
| 22. 1269 Boiling Springs Rd. | 73. 1245 Creekview Lane (old frame house only, since the log cabin was moved here from outside of the township) |
| 23. 1272 Boiling Springs Rd. | |
| 24. 1274 Boiling Springs Rd. | 74. 381 Criswell Dr. |
| 25. 1276 Boiling Springs Rd. | 75. 456 Criswell Dr. |
| 26. 1278 Boiling Springs Rd. | 76. 497 Criswell Dr. |
| 27. 1279 Boiling Springs Rd. | 77. 512 Criswell Dr. |
| 28. 1280B Boiling Springs Rd. | 78. 542A Criswell Dr. |
| 29. 1281 Boiling Springs Rd. | 79. 542B Criswell Dr. (log cabin) |
| 30. 1283 Boiling Springs Rd. | 80. 542C Criswell Dr. (log cabin) |
| 31. 1284 Boiling Springs Rd. | 81. 561 Criswell Dr. |
| 32. 1285 Boiling Springs Rd. | 82. 570 Criswell Dr. |
| 33. 1288 Boiling Springs Rd. | 83. 415 Dunkleberger Rd. |
| 34. 1289 Boiling Springs Rd. | 84. 717 Eppley Rd. |
| 35. 1348 Boiling Springs Rd. | 85. 720 Eppley Rd. |
| 36. 1369 Boiling Springs Rd. | 86. 765 Eppley Rd. |
| 37. 1386 Boiling Springs Rd. (variation) | 87. 776 Eppley Rd. |
| 38. 1445 Boiling Springs Rd. | 88. 821 Eppley Rd. |
| 39. 1549 Boiling Springs Rd. | 89. 880 Eppley Rd. |
| 40. 1559A Boiling Springs Rd. (Allenberry Stone mansion house) | 90. 895 Eppley Rd. |
| 41. 1559B Boiling Springs Rd. (Allenberry Stone creekside house) | 91. 904 Eppley Rd. |
| 42. 1571A Boiling Springs Rd. (Crockett stone mansion house) | 92. 1045 Eppley Rd. |
| 43. 1571B Boiling Springs Rd. (roadside stone guest house) | 93. 832 Fisher Rd. (?) |
| | 94. 849 Fisher Rd. (variation) |
| 44. 1590 Boiling Springs Rd. | 95. 175 Fertenbaugh Ln. |
| 45. 105 Boyer Rd. | 96. 324 Gish Lane |
| 46. 181 Boyer Rd. | 97. 950 Green Lane |
| 47. 190 Boyer Rd. | 98. 548 Gutshall Rd. |
| 48. 215 Boyer Rd. | 99. 552 Gutshall Rd. |
| 49. 1180 Brandt Rd. | 100. 554 Gutshall Rd. |
| 50. 1299 Brandt Rd. | 101. 558 Gutshall Rd. |
| 51. 132 Brindle Rd. | 102. 562 Gutshall Rd. |
| 52. 205 Brindle Rd. | 103. 564 Gutshall Rd. |
| 53. 245 Brindle Rd. | 104. 588 Gutshall Rd. |
| | 105. 997 Hauck Rd. |
| | 106. 280 Heisey Rd. (variation) |
| | 107. 345 Heisey Rd. (variation) |

108. 410 Heisey Rd.
 109. 460 Heisey Rd.
 110. 1261 High St.
 111. 1263 High St.
 112. 1265 High St.
 113. 1266 High St.
 114. 1267 High St.
 115. 1284 High St.
 116. 1287 High St.
 117. 1288 High St.
 118. 1289 High St.
 119. 1290 High St.
 120. 1291 High St.
 121. 1295 High St.
 122. 1302 High St.
 123. 1306A High St.
 124. 1306B High St.
 125. 1306C High St.
 126. 1306D High St.
 127. 1311 High St.
 128. 1312 High St.
 129. 1314 High St.
 130. 1497 Kuhn Rd.
 131. *1291 Leidigh Dr. (variation)*
 132. 1322 Leidigh Dr.
 133. 1385 Leidigh Dr.
 134. 1387 Leidigh Dr.
 135. 1458 Leidigh Dr.
 136. 1463 Leidigh Dr.
 137. 1480 Leidigh Dr.
 138. 1526 Leidigh Dr.
 139. *1538 Leidigh Dr. (variation)*
 140. *1540 Leidigh Dr. (variation)*
 141. 1600 (?) Leidigh Dr. (stone house back by the RR tracks, along the Appalachian Trail)
 142. 1319 Lisburn Rd.
 143. 1360 Lisburn Rd.
 144. 1377 Lisburn Rd.
 145. 1404 Lisburn Rd.
 146. 1430 Lisburn Rd.
 147. 1500 Lisburn Rd.
 148. 1522 Lisburn Rd.
 149. 1576 Lisburn Rd.
 150. 1595 Lisburn Rd.
 151. 1602 Lisburn Rd.
 152. 1668 Lisburn Rd.
 153. 1698 Lisburn Rd.
 154. 1710 Lisburn Rd.
 155. *1815 Lisburn Rd. (variation)*
 156. 1880 Lisburn Rd.
 157. 1885 Lisburn Rd.
 158. 1 (?) Locust Pt. Rd. (odd #, intersection Trindle, frame farmhouse)
 159. 39 Locust Pt. Rd.
 160. 89 (?) Locust Pt. Rd. (odd #, log farmhouse with frontal two-tiered porch)
 161. 126 Locust Pt. Rd.
 162. 144 Locust Pt. Rd.
 163. 190 Locust Pt. Rd.
 164. 203 Locust Pt. Rd.
 165. 258A Locust Pt. Rd.
 166. 291 Locust Pt. Rd.
 167. 348 Locust Pt. Rd.
 168. 380 Locust Pt. Rd.
 169. 449 Locust Pt. Rd.
 170. *575 Locust Pt. Rd. (variation)*
 171. 441 Long Rd.
 172. 1329 Lutztown Rd.
 173. 1343 Lutztown Rd.
 174. 1446 Lutztown Rd.
 175. 1447 Lutztown Rd.
 176. *1453 Lutztown Rd. (variation)*
 177. 1460 Lutztown Rd.
 178. 295 Martin Rd. A (main house, brick)
 179. 295 Martin Rd. B (frame, tenant house)
 180. 493 Miller's Rd.
 181. *495 Miller's Rd. (variation)*
 182. *496 Miller's Rd. (variation)*
 183. 503 Miller's Rd.
 184. *507 Miller's Rd. (variation)*
 185. *509 Miller's Rd. (variation)*
 186. *511 Miller's Rd. (variation)*
 187. *513 Miller's Rd. (variation)*
 188. 1221 Minnich Rd.
 189. 826 Moser's Ln.
 190. *280 Myers Rd. (variation)*
 191. *315 Myers Rd. (variation)*
 192. 323 North St.
 193. *324A North St. (variation)*
 194. 324B North St.
 195. 8 Old Stone House Rd.
 196. 29 Old Stone House Rd.
 197. 36 Old Stone House Rd.
 198. *50 Old Stone House Rd. (variation)*
 199. 53 Old Stone House Rd.
 200. 65 Old Stone House Rd.
 201. 133 Old Stone House Rd.
 202. 136 Old Stone House Rd.
 203. 226 Old Stone House Rd.
 204. 245 Old Stone House Rd.
 205. 276 Old Stone House Rd.
 206. 277 Old Stone House Rd. (a brick farmhouse physically situated on Gish Lane)
 207. 300 Old Stone House Rd.
 208. 304 Old Stone House Rd.
 209. *306 Old Stone House Rd. (variation)*
 210. 307 Old Stone House Rd.
 211. 308 Old Stone House Rd.
 212. 310 Old Stone House Rd.
 213. 312 Old Stone House Rd.
 214. 313 Old Stone House Rd.
 215. 314 Old Stone House Rd.
 216. *316 Old Stone House Rd. (variation)*
 217. 318 Old Stone House Rd.
 218. 320 Old Stone House Rd.
 219. 322 Old Stone House Rd.

220. 324 Old Stone House Rd.
221. 326 Old Stone House Rd.
222. 328 Old Stone House Rd. (variation)
223. 332 Old Stone House Rd. (variation)
224. 334 Old Stone House Rd.
225. 335 Old Stone House Rd. (variation)
226. 336 Old Stone House Rd.
227. 337 Old Stone House Rd.
228. 338 Old Stone House Rd.
229. 339 Old Stone House Rd.
230. 340 Old Stone House Rd.
231. 341 Old Stone House Rd.
232. 343 Old Stone House Rd.
233. 344 Old Stone House Rd.
234. 345 Old Stone House Rd.
235. 346 Old Stone House Rd. (variation)
236. 347 Old Stone House Rd.
237. 348 Old Stone House Rd. (variation)
238. 349 Old Stone House Rd.
239. 350 Old Stone House Rd.
240. 352 Old Stone House Rd.
241. 353 Old Stone House Rd.
242. 357 Old Stone House Rd. (variation)
243. 361 Old Stone House Rd. (variation)
244. 1000 Otto Dr.
245. 928 Park Place (variation)
246. 930 Park Place (variation)
247. 932 Park Place (variation)
248. 978 Park Place
249. 983 Park Place (variation)
250. 993 Park Place (variation)
251. 1022 Park Place
252. 1056 Park Place
253. 1101 Park Place
254. 1103 Park Place (variation)
255. 1106 Paulus Rd. (variation)
256. 1170 Peffer Rd.
257. 1219 Peffer Rd.
258. 1180 Rhoda Blvd.
259. 1187 Rhoda Blvd.
260. 1225B Rhoda Blvd.
261. 1225C Rhoda Blvd.
262. 161 Ryegate Rd.
263. 174 Ryegate Rd.
264. 1086 Sheaffer Rd.
265. 1100 Sheaffer Rd.
266. 1469 Shughart Rd.
267. 1510 Shughart Rd.
268. 1520 Shughart Rd.
269. 1356 Shuman Dr.
270. 117 Simmons Rd.
271. 151 Simmons Rd.
272. 159 Simmons Rd. (variation)
273. 17 Sinclair Rd.
274. 24 Sinclair Rd.
275. 35 Sinclair Rd.
276. 55 Sinclair Rd.
277. 68 Sinclair Rd.
278. 426 Speedway Dr.
279. 270 Stoner Rd.
280. 277 Stoner Rd.
281. 315 Stoner Rd.
282. 366 Stought Rd.
283. 380 Stought Rd.
284. 386 Stought Rd.
285. 920 Strock Rd.
286. 331 Stumpstown Rd.
287. 2091 Stumpstown Rd. (?) (house is in Monroe Twp.,
but bulk of property in Upper Allen)
288. 711 Trindle Rd.
289. 805 Trindle Rd. (variation)
290. 821 Trindle Rd. (variation)
291. 831 Trindle Rd.
292. 843 Trindle Rd. (variation)
293. 901 Trindle Rd. (variation)
294. 973 Trindle Rd.
295. 981 Trindle Rd.
296. 993 Trindle Rd.
297. 1013 Trindle Rd.
298. 1017 Trindle Rd.
299. 1021 Trindle Rd.
300. 1031 Trindle Rd.
301. 1039 Trindle Rd.
302. 1041 Trindle Rd.
303. 1049 Trindle Rd. (variation)
304. 1065 Trindle Rd.
305. 1341 Trindle Rd.
306. 1421 Trindle Rd. (variation)
307. 916 Williams Grove Rd.
308. 1215 Williams Grove Rd.
309. 1356 Williams Grove Rd.
310. 1371 Williams Grove Rd. (variation)
311. 1433 Williams Grove Rd.
312. 1554 Williams Grove Rd.
313. 1620 Williams Grove Rd. (variation)
314. 1622 Williams Grove Rd.
315. 1624 Williams Grove Rd.
316. 1628 Williams Grove Rd.
317. 1630 Williams Grove Rd.
318. 1632 Williams Grove Rd.
319. 1634 Williams Grove Rd.
320. 1636 Williams Grove Rd.
321. 1638 Williams Grove Rd.
322. 1640 Williams Grove Rd.
323. 1034 York Rd.
324. 1041 York Rd.
325. 1047 York Rd. (variation)
326. 1070 York Rd.
327. 1086 York Rd.
328. 1095 York Rd. (variation)
329. 1120 York Rd.
330. 1161 York Rd. (variation)
331. 1167 York Rd. (variation)
332. 1179 York Rd.

- | | |
|--|-------------------------------------|
| 333. 1181 York Rd. | 349. 1566 York Rd. |
| 334. 1223 York Rd. | 350. 1600 York Rd. |
| 335. 1236 York Rd. | 351. 1610 York Rd. |
| 336. 1237 York Rd. | 352. 1620 York Rd. |
| 337. 1240 York Rd. | 353. 1632 York Rd. |
| 338. 1241 York Rd. | 354. 1650 York Rd. |
| 339. 1248 York Rd. | 355. 1657 York Rd. |
| 340. 1280 York Rd. | 356. 1327 Zimmerman Rd. |
| 341. 1313 York Rd. (stone farm house, way down by
Creek, only visible from Creek Rd.) | 357. 1370 Zimmerman Rd. |
| 342. 1332 York Rd. | 358. 1371 Zimmerman Rd. |
| 343. 1410 York Rd. | 359. 1380 Zimmerman Rd. |
| 344. 1468 York Rd. | 360. 1381 Zimmerman Rd. |
| 345. 1485 York Rd. | 361. 1413 Zimmerman Rd. (variation) |
| 346. 1488 York Rd. (variation) | |
| 347. 1495 York Rd. (variation) | |
| 348. 1520 York Rd. | |

(Note: There may be a few more “*variation*” houses hidden away on the private property of Williams Grove Amusement Park, which do not seem to have street addresses, and were not visible from the road for survey purposes.)

OTHER PRIMARY BUILDINGS:

School Houses:

- 240 Boyer Rd. (Churchtown Mennonite School)
- 1260 Boiling Springs Rd. (Churchtown School)
- 1020 Hauck Rd. (Line’s School)
- 493 Heisey Rd. (Maple Grove School)
- 1499 Leidigh Rd. (Mt. Pleasant School)
- 1355 Lisburn Rd. (Rife’s School)
- 1547 Lisburn Rd. (Givler’s School)

Churches:

- 325 Old Stone House Rd. (Mt. Zion Lutheran Church)
- 351 Old Stone House Rd. (Churchtown Church of God)

Meeting Houses:

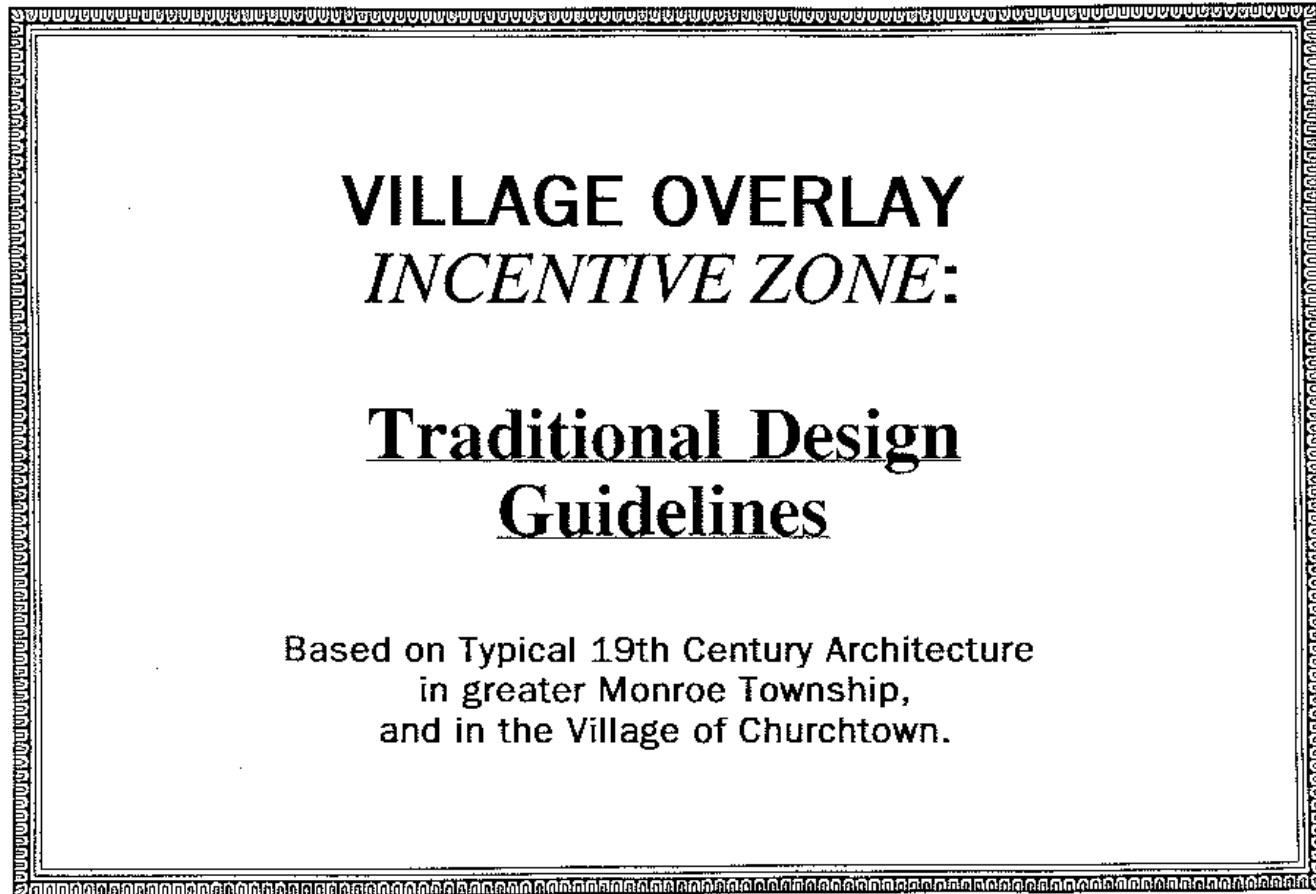
- 1341 Church St. (Churchtown Mennonite Meeting House)
- 1285 High St. (Knights of Pythias Hall)

Railroad Stations:

- 833 Trindle Rd.
- 1156 York Rd.

Mills:

- 1049 Park Place (only surviving mill in township)



TOPICS ILLUSTRATED:

1.) GENERAL BUILDING STRUCTURE

- 1a.) Structure and Massing of Main Building
- 1b.) Optional Rear Extensions
- 1c.) Siding and Masonry

2.) ROOF ELEMENTS

- 2a.) Roof Shape and Pitch
- 2b.) Roof Covering
- 2c.) Attic Window Construction
- 2d.) Attic Window Placement
- 2e.) Chimney Construction
- 2f.) Chimney Placement
- 2g.) Cornice Construction
- 2h.) Cornice Ornamentation

3.) WINDOWS

- 3a.) Window Placement on the Facade
- 3b.) Window Placement on the Side Walls
- 3c.) Window Frame Construction
- 3d.) Window Frame Ornamentation
- 3e.) Window Sashes and Panes
- 3f.) Window Shutter Placement
- 3g.) Window Shutter Construction

4.) DOORS

- 4a.) Door Placement
- 4b.) Door Frame Construction
- 4c.) Door Frame Ornamentation
- 4d.) Door Types
- 4e.) Storm Doors

5.) PORCHES

- 5a.) Porch General Construction
- 5b.) Porch Support Posts
- 5c.) Porch Cornice Ornamentation

6.) OUTBUILDINGS

- 6a.) Outbuilding Types
- 6b.) Outbuilding Construction
- 6c.) Outbuilding Layout

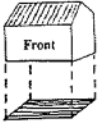
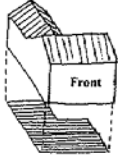





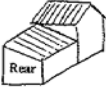

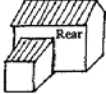
7.) ATTACHED AND ACCESSORY DWELLING UNITS

8.) COMMUNITY LAYOUT

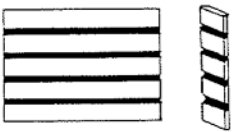
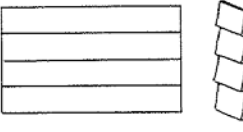
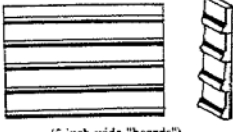
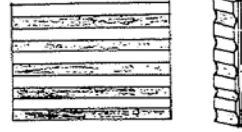


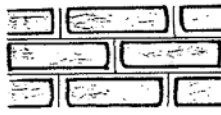





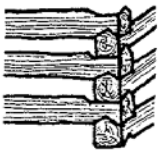
- 8a.) Block and Lot Layouts
- 8b.) Streetscape Rhythm

*** GENERAL NOTE: THESE GUIDELINES CONCERN APPEARANCES ONLY. THEREFORE, SYNTHETIC MATERIALS AND COMPONENTS ARE PERFECTLY FINE!**

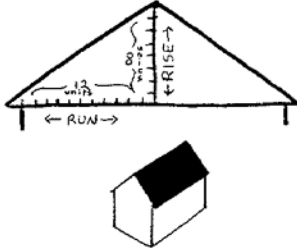




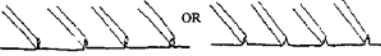




1. GENERAL BUILDING STRUCTURE

<p>1a</p> <p>SHAPE & MASSING OF MAIN BUILDING</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> All buildings should be 2 or 2.5 stories, and total height should not exceed 35 feet. Facades and Side Walls should be FLAT (i.e. no overhanging 2nd stories or varied massing) Main building should display singular massing and a simple rectangular, square or ell-shaped footprint. 	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Rectangular or Square</p> </div> <div style="text-align: center;">  <p>Ell-Shaped</p> </div> </div>	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="text-align: center;">  <p>Rectangular, with Gable End Facade</p> </div> <div style="text-align: center;">  <p>2 Parallel Gables</p> </div> </div>	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="text-align: center;">  <p>Varied Massing</p> </div> <div style="text-align: center;">  <p>Overhanging 2nd Story</p> </div> <div style="text-align: center;">  <p>Front-Facing Garage</p> </div> </div>
	<p><i>CHOOSE FROM THESE OPTIONS</i></p>	<p><i>ALSO O.K., BUT USE SPARINGLY</i></p>	<p><i>DON'T USE</i></p>
<p>1b</p> <p>OPTIONAL REAR EXTENSIONS</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Roof of extension should be distinct and distinguishable from roof of main building. 	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Shed Roofed Extension</p> </div> <div style="text-align: center;">  <p>Gable Roofed Extension</p> </div> <div style="text-align: center;">  <p>Shed Roofed Extension</p> </div> </div>		
	<p><i>APPROPRIATE EXAMPLES</i></p>		

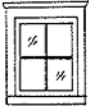

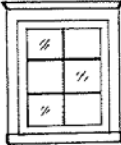


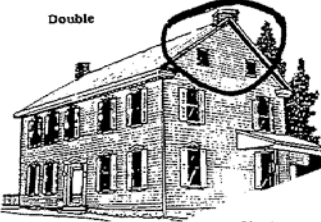


1. GENERAL BUILDING STRUCTURE

<p style="text-align: center;">Ic</p> <p style="text-align: center;">SIDING & MASONRY</p> <p><i>General Characteristics:</i></p> <ul style="list-style-type: none"> Synthetic facsimiles are fine. Use only one type of material for each wall (i.e. no brick 1st stories with sided 2nd stories) The color of the side and rear walls should match that of the facade, even if the materials differ. (i.e. if a building has a brick facade, but vinyl siding on the sides and rear, the vinyl siding should be reddish to blend in with the brick. Sided walls should terminate with cornerboards or facsimiles thereof. 	<p>German Lap Siding</p>  <p>Grooves should not be overly wide. Use a style with a 5 inch "whole-board" width, but only a 1.25 to 1.5 inch groove width (leaving 3.5 - 3.75 inches worth of raised board below every groove).</p>	<p>Clapboard Siding</p>  <p>"Boards" should not be overly narrow. Use a style with a 5 inch or greater board width.</p>	<p>Beaded Clapboard</p>  <p>(5 inch wide "boards")</p>	 <p>overly wide grooves in German Lap Siding</p>  <p>mottled bricks</p>  <p>excessive variations in color from brick to brick</p>  <p>linear grooves tooled into overly thick mortar</p>  <p>ornamental courses of vertical bricks</p>
	<p>Flemish Bond Brick</p>  <p>Running Bond Brick</p>  <p>{A great optional detail for any brick side walls would be to use a Common Bond brickwork pattern, rather than the Flemish or Running Bond pattern used on the facade. Common Bond is Running Bond with string courses of horizontal "header" bricks laid every 6 or 8 rows.}</p> 	<p>Bricks should measure 2 x 4 x 8 inches, with the 2 x 8 (and in Flemish Bond, the 2 x 4) faces showing. (2 x 8 and 2 x 4 brickface is also fine.)</p> <p>Bricks on a particular building should be either a deep "brick red" or a rich, rusty red, and should be fairly uniform in color. Pastel, frosted, mottled or dramatically varicolored brickwork is not appropriate.</p> <p>Mortar should be whitish in color, be neatly and thinly laid (1/4 - 1/2 inch thick), and have no artificial lines tooled into it.</p> <p>Painting over brick walls with a solid color of paint is very appropriate too!</p>	<p>Random Stone</p>  <p>(light gray or tan in color)</p> <p>Square-Cut Logs</p>  <p>(dark brown, with flush corners)</p>	<p>ALSO O.K., BUT USE SPARINGLY</p>
	<p style="text-align: center;"><i>CHOOSE FROM THESE OPTIONS</i></p>	<p style="text-align: center;"><i>DON'T USE</i></p>		

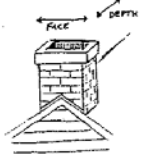
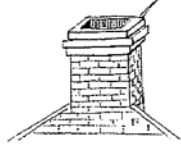
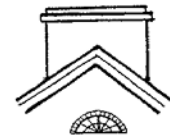


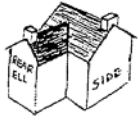
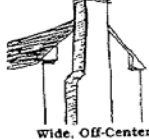
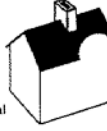
2. ROOF ELEMENTS

<p style="text-align: center;">2a</p> <h3 style="text-align: center;">ROOF SHAPE & PITCH</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Roof shape should be a single, simple, <u>symmetrical</u> gable, or 2 such gables (see shape illustrations in section 1a). • Pitch of the main gable should be 6/12 to 8/12 (allowing enough room for an average adult to stand up in the center of the attic, or just barely). 		<p>Half-hipped gable roofs on corner houses </p> <p>Gable Roofs over Eyebrow Windows may need to be less steep than regular gable roofs to make up for the height difference.</p> <p>Roofs of Rear Ells and Extensions may need to be steeper than 8/12.</p> <p>Shed Roofs on Extensions may have a relatively shallow pitch if desired.</p>	<p style="text-align: center;">Wall Dormers</p>  <p style="text-align: center;">Dormers</p>  <p style="text-align: center;">Towers</p> 
	<i>EXAMPLE</i>	<i>APPROPRIATE EXCEPTIONS</i>	<i>DON'T USE</i>
<p style="text-align: center;">2b</p> <h3 style="text-align: center;">ROOF COVERING</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Use only one type and color of roofing material for each building. 	<p style="text-align: center;">  Standing Seam or V Seam Metal </p> <p>Width between ridges should be about 1 to 2 feet. Excessive, sharply defined minor ribbing in between the major ridges is not appropriate. That area should appear more or less smooth and undivided.</p> <p>Colored metal roofs are very appropriate! Red and green are especially predominant in this region.</p>	<p style="text-align: center;">  Wood Shakes or Lookalikes </p> <p>Color should be brownish or grayish (the hues of faded wood)</p> <p>(Do not mix shingle styles, especially "wood shakes" to form patterns.)</p>	<p style="text-align: center;">  Slate Shingles or Lookalikes </p> <p>Color should be grayish.</p>
	<i>CHOOSE FROM THESE OPTIONS</i>		<i>DON'T USE</i>
			<p style="text-align: center;">  U Seam Metal (i.e. Board & Batten Style) </p> <p style="text-align: center;">  Flat, Uniform, Rectangular Shingles </p>

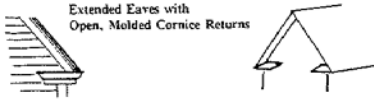





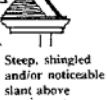



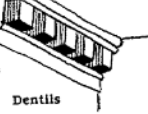

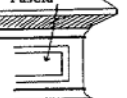
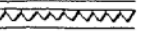
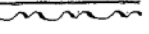
2. ROOF ELEMENTS

<p style="text-align: center;">2c</p> <h3 style="text-align: center;">ATTIC WINDOW CONSTRUCTION</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • If permanently open attic vents are desired, small triangular vents of the same color as the siding or masonry can be concealed at the gable peaks. • Or, dark colored louver vents can be concealed behind the non-glassed muntins of a false attic window. • Construction and ornamentation of attic window frames should mimic or echo that of the full size windows. 	<p style="text-align: center;">4 Panes</p> <div style="display: flex; justify-content: center; align-items: center;">  <div style="margin: 0 10px;">OR occasionally</div>  </div> <p style="text-align: center;">Size: About 1/4 of a Normal Window</p>	<div style="display: flex; justify-content: center; align-items: center;">  <div style="margin-left: 10px;">6 Panes</div> </div> <div style="text-align: center; margin-top: 20px;">  <p>Fanlight</p> </div> <p style="text-align: center;">Size: About 1/2 of a Normal Window</p>	<div style="text-align: center;">  </div> <p style="text-align: center;">prominent rectangular Attic Vents</p>
<p style="text-align: center;">2d</p> <h3 style="text-align: center;">ATTIC WINDOW PLACEMENT</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • The chosen arrangement should be repeated on at least 2 gable ends of the building, (unless of course one or both ends of the building are attached to another dwelling unit!) 	<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p>Double</p>  </div> <div style="text-align: center;"> <p>Single Off Center</p>  </div> </div> <div style="text-align: center; margin-top: 20px;"> <p>Single Centered</p>  </div>		
<p>CHOOSE FROM THESE OPTIONS</p>		<p>ALSO O.K., BUT USE SPARINGLY</p>	<p>DON'T USE</p>





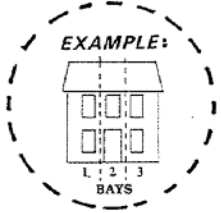
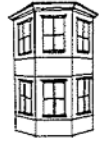

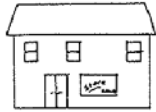
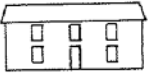

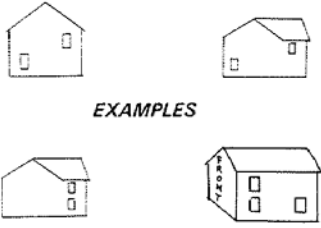

2. ROOF ELEMENTS

<p style="text-align: center;">2e</p> <p style="text-align: center;">CHIMNEY CONSTRUCTION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Chimneys should be made of 2 x 4 x 8 bricks (or covered with 2 x 8 brick face), horizontally laid. Chimneys should not be "enormous." Generally, they should measure only 2 to 5 bricklengths across the gable-end face, and 2 to 2.5 bricklengths in depth. 	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Brick or Frame House Chimney</p>  </div> <div style="text-align: center;"> <p>Brick Parapet Chimney</p>  <p>(brickwork of wall continues right up onto chimney, unbroken by the roof edge)</p> </div> </div>	<p style="text-align: center;">Wide Brick-House Chimney</p>  <p style="text-align: center;">(7 - 10 bricklengths across, but still only 2.5 wide)</p>	
	<p><i>CHOOSE FROM THESE OPTIONS</i></p>	<p><i>ALSO O.K., BUT USE SPARINGLY</i></p>	
<p style="text-align: center;">2f</p> <p style="text-align: center;">CHIMNEY PLACEMENT</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> It is preferable that the chimneys be INTERNAL. Chimneys should be placed on the peak of the roof at one or more gable ends (except, of course, any gable end functioning as a front facade). All dwelling units should have at least one chimney. Chimneys may purely ornamental if desired, rather than functional. 	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Double Chimneys</p>  </div> <div style="text-align: center;"> <p>Single Chimney</p>  </div> <div style="text-align: center;"> <p>Additional Rear Chimney</p>  </div> </div>		<div style="display: flex; flex-direction: column; align-items: center;">  <p>Wide, Off-Center External Chimney</p>  <p>Large Central Internal Chimney</p> </div>
	<p><i>CHOOSE FROM THESE OPTIONS</i></p>		<p><i>DON'T USE</i></p>

2.) ROOF ELEMENTS

<p>2g</p> <p>CORNICE CONSTRUCTION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Extended Eaves with Open Cornice Returns should predominate. This is a primary distinguishing feature of local 19th century architecture. 	<p>Extended Eaves with Open, Molded Cornice Returns</p>  <p>(If a slope is placed on top of the return to deflect runoff or discourage roosting birds, the slope should either be <u>very</u> shallow, or else it should match the color of the <u>WALL</u>, behind rather than the color of the cornice and eaves. In either case, the slope should <u>not</u> be shingled. Such slopes are not traditionally appropriate for this region, and if used, should be visually <u>concealed</u> rather than accentuated.)</p>	<p>Minimal Box Cornice (flush with the side wall)</p>  <p>Open Cornice</p> 	<p>Eyebrow Windows</p>  <p>Brick Parapets</p> 	<p>Protruding Cornice Box</p>  <p>Steep, shingled and/or noticeable slant above cornice return</p>  <p>Closed Gable</p> 
	<p><i>SHOULD BE PREDOMINANT</i></p>	<p><i>ALSO O.K.</i></p>	<p><i>ALSO O.K., BUT USE SPARINGLY</i></p>	<p><i>DON'T USE</i></p>
<p>2h</p> <p>CORNICE FRONTAL ORNAMENTATION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Colors of cornice and cornice ornamentation should contrast with the color of the walls, and complement or match the color of the windows and doors. 	<p>Decorative Molding</p>  <p>(“molded” rain gutters are a fine substitute, as they were, after all, designed to mimic cornice molding.)</p> <p>Corbels or Ornamental Brackets</p>  <p>(singles, or pairs)</p> <p>Dentils</p>  <p>Brick Sawtoothing</p>  <p>(single or double row) (for brick facades only)</p> <p>Fascia</p>  <p>(flat panel surrounded by molding)</p> <p>Triangular “Dentils”</p> 	<p>“Gingerbread”</p> 		
	<p><i>CHOOSE FROM THESE OPTIONS</i></p>	<p><i>ALSO O.K., BUT USE SPARINGLY</i></p>		

3.) WINDOWS

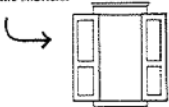
<p>3a</p> <p>WINDOW PLACEMENT ON FACADE</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Windows and door should dominate the facade spatially, and be fairly evenly spread across it. • Windows and Door should be set relatively close together, with only 1 to 4 feet of wall between each frame, or between a frame and the edge of a building. • 2nd floor windows should be placed directly above all 1st floor openings (i.e. "as above, so below"). • Tops and bottoms of window frames should be even with each other, forming straight "lines" across the facade. 	<p>2 Bay House</p>  <p>3 Bay Houses</p>  <p>4 Bay House</p>  <p>5 Bay House</p>  <p>EXAMPLE:</p> 	 <p>2-story "Queen Anne" Tripartite Window</p>  <p>First Floor Store Front (for shops only)</p>	 <p>Rhythm of Openings Disrupted</p>  <p>Excessive Spacing of facade wall between openings (openings too few and far between for the width of the building)</p>	
<p>3b</p> <p>WINDOW PLACEMENT ON SIDE WALLS</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Windows on the side of a house should have the same shape, size and appearance as those on the facade. • Windows on side walls will most likely need to be spread much further apart than those on the facade. • It is more appropriate to position these windows closer to the corners of the building than to each other. 	<p>A <u>full set</u> of windows (either 4 or 6) <u>on at least one</u> of the side walls</p> 	<p>At least <u>some</u> windows on <u>at least 1</u> side wall</p> <p>EXAMPLES</p> 	 <p>Detached houses with 2 bare side walls, completely devoid of side windows.</p>	
	<p>SHOULD BE PREDOMINANT</p>	<p>ALSO O.K.</p>	<p>ALSO O.K., BUT USE SPARINGLY</p>	<p>DON'T USE</p>

3.) WINDOWS

3c

WINDOW FRAME CONSTRUCTION

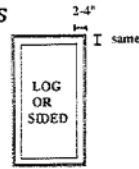
General Characteristics:

- The size of 1st floor window frames should be 2.5 to 3 feet wide, and 5 to 6 feet tall, measured from their outer edges. (The peaks of peaked lintels may rise slightly higher).
- 2nd story window frames may be up to 6 inches shorter if desired, but should match the 1st story frames in width.
- All windows should have prominent, full frames or frame-like surrounds.
- If desired, to achieve this effect with less work and materials, shutters may be placed to conceal the absence of window frame sides. Lintel and sill, however, should extend wider, as though the frame DID continue beneath the shutters.
 
- The frames or frame-like surrounds should be a different color from the underlying siding or masonry so that they stand out visually.
- The basic type of frame, the ornamentation on it, and the type of sashes in it should be the same for all windows on the facade.

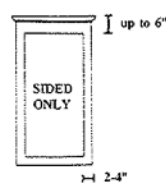
SIDED (OR LOG) BUILDING WINDOWS

General:

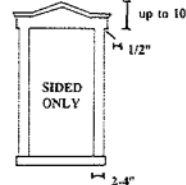
- All frames should be 2 to 4 inches "thick," although ornamental lintels may stand somewhat taller. (see illustrations)
- Peaked lintels should stand no taller than 10 inches from bottom of lintel to top of peak. (see illustrations)
- Extra tall rectangular lintels should stand not taller than 6 inches. (see illustrations)



Uniform Frame
"Thickness" of frame is fairly uniform all the way around.



Higher Lintel
Ornamented lintels can be somewhat "thicker" than the other sides of the frame, thus standing higher. (Please note height limitations mentioned!)

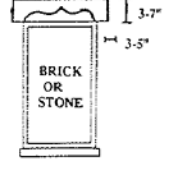
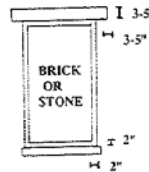


Slightly Wider Lintel
The lintel may also extend 1/2 to 1 inch "wider" to each side than the rest of the frame for added emphasis.

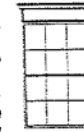
BRICK (OR STONE) BUILDING WINDOWS

General:

- All brick house window frames should be 2 inches "thick," and should be inset in the masonry. (Stone house window frames may be wider, and may protrude.) (see illustrations)
- All brick house windows should be crowned by a separate lintel that sits above the frame. This separate lintel should be flush with the masonry, be 3 to 5 inches in height, and should extend 3 to 5 inches wider than the frame on either side. (see illustrations)
- Stone houses may use either lintels or keystone style stonework to crown their windows.



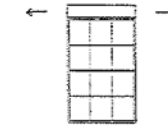
No frame to speak of. Lintel just "sits" on top of bare window.



Lintel too tall, too "grand"



Lintel should extend "wider" than the rest of the frame.






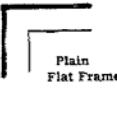
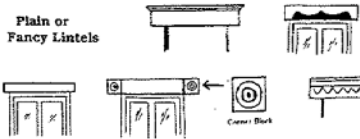





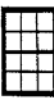


Lintel too tall, too "grand"








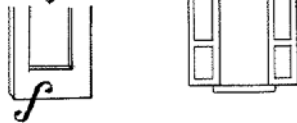
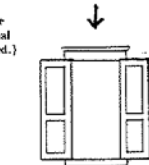
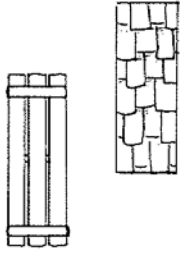
APPROPRIATE EXAMPLES

DON'T USE

3.) WINDOWS

<p style="text-align: center;">3d</p> <p style="text-align: center;">WINDOW FRAME ORNAMENTATION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Remember, the construction and ornamentation of these full-size window frames should be repeated (or at least echoed) on any rectangular attic window frames. 	<p style="text-align: center;"><i>SIDED (OR LOG) BUILDING WINDOWS</i></p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Projecting Molded Lintel</p>  </div> <div style="text-align: center;"> <p>Peaked Lintel</p>  </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Molded Frames</p>  </div> <div style="text-align: center;"> <p>Plain Flat Frame</p>  </div> </div>	<p style="text-align: center;"><i>BRICK (OR STONE) BUILDING WINDOWS</i></p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Plain or Fancy Lintels</p>  </div> <div style="text-align: center;"> <p>Molded Frame (FOR STONE ONLY)</p>  </div> </div>	<div style="text-align: center;">  <p>Greek Pediment (has pointed ends rather than the squared-off ends of a peaked lintel)</p> </div> <div style="text-align: center; margin-top: 20px;">  <p>Broken Pediment (unless for a church!)</p> </div> <div style="text-align: center; margin-top: 20px;">  <p>Sunburst</p> </div>
<p><i>CHOOSE FROM THESE OPTIONS</i></p>		<p><i>DON'T USE</i></p>	
<p style="text-align: center;">3e</p> <p style="text-align: center;">WINDOW SASHES & PANES</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> All windows should have, or appear to have muntins. Artificial muntins, as well as storm windows, are fine. Windows should be single, as opposed to bipartite (double). 	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>"2 over 2" Windows</p>  <p>Upper Sash: 2 panes Lower Sash: 2 panes</p> </div> <div style="text-align: center;"> <p>"6 over 6" Windows</p>  <p>Upper Sash: 6 panes Lower Sash: 6 panes</p> </div> </div>	<div style="text-align: center;">  <p>"1 over 1" window (no muntins)</p> </div> <div style="text-align: center; margin-top: 20px;">  <p>Bipartite Window (Paired)</p> </div>	
<p><i>CHOOSE FROM THESE OPTIONS</i></p>		<p><i>DON'T USE</i></p>	

3.) WINDOWS

<p style="text-align: center;">3f</p> <h4 style="text-align: center;">WINDOW SHUTTER PLACEMENT</h4> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> The most common shutter arrangement should be solid (paneled) shutters on the 1st story windows, with louvered shutters on the 2nd story and attic windows. Traditionally, this is how it was done in this region. 	<p style="text-align: center;">Solid (Paneled) Shutters on 1st Story Windows, Louvered on 2nd Story and Attic Windows</p> 	<p style="text-align: center;">Solid (Paneled) Shutters on All Stories</p>  <p style="text-align: center;">No Shutters</p> 	<p style="text-align: center;">Louvered Shutters on 1st Story</p> 
	<p><i>SHOULD BE PREDOMINANT</i></p>	<p><i>ALSO O.K.</i></p>	<p><i>DON'T USE</i></p>
<p style="text-align: center;">3g</p> <h4 style="text-align: center;">WINDOW SHUTTER CONSTRUCTION</h4> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Synthetic shutters are fine. 	<p style="text-align: center;">Solid (Paneled) Shutter Louvered Shutter Combination Shutter</p>  <p style="text-align: center;">(upper floors only) (upper floors only)</p>	<p style="text-align: center;">(A great optional detail would be to attach shutter hooks (functional or not) to the shutters as pictured.)</p>  <p style="text-align: center;">{ Shutter Hook }</p> <p style="text-align: center;">(Another great detail would be to mount shutters partially over top of the sides of the window frame. This could result in slightly angled shutters which would look "real" even if they were not.)</p> 	<p style="text-align: center;">Plank or Shingled Shutters</p> 
	<p><i>CHOOSE FROM THESE OPTIONS</i></p>		<p><i>DON'T USE</i></p>

4.) DOORS

4a

DOOR PLACEMENT

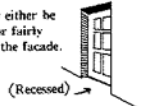
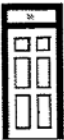


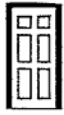
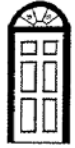

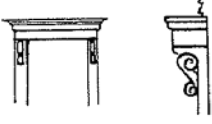


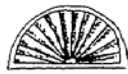
General Characteristics:

- For two, three and four bay buildings, the front door may be placed directly under any of the 2nd story windows on the facade.
- For five bay houses, the front door would be most appropriately placed in the middle, under the center 2nd story window.
- The top of the front door frame (above the transom) should almost always line up with the tops of the 1st story window frames, unless the door is crowned by a substantial entablature (see below), which by nature would rise higher than a window lintel.

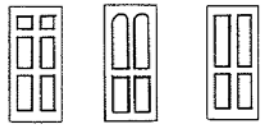
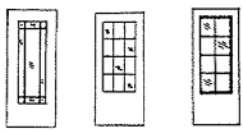
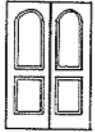
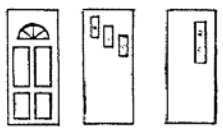
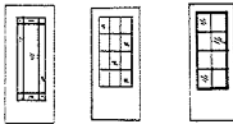
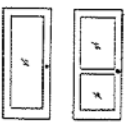
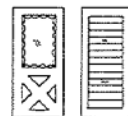


APPROPRIATE EXAMPLES




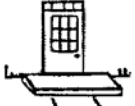



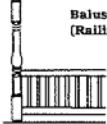





4.) DOORS

<p>4b</p> <p>DOOR FRAME CONSTRUCTION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Door Frames should be at least as wide and noticeable as the window frames, and often more elaborate. • <u>Most</u> Front Doors should be topped by a rectangular TRANSOM window. • Doors may either be recessed, or fairly flush with the facade. 	<p>Transom Window</p>  <p>Transom Window & Sidelights</p> 	<p>Sidelights</p>  <p>Plain</p> 	<p>Fanlight Transom Window</p> 	
<p>4c</p> <p>DOOR FRAME ORNAMENTATION</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • The basic color of a door frame should match that of the window frames. Multiple colors to accentuate the details are of course O.K. too. • If applicable, door frame construction and ornamentation may mimic or repeat motifs found on the windows or cornice. 	<p>PICK ANY OF THE APPROPRIATE OPTIONS FROM CATEGORY 3d) WINDOW FRAME ORNAMENTATION, or PICK FROM THESE ADDITIONAL CHOICES PICTURED BELOW:</p> <div style="display: flex; justify-content: space-around;"> <div data-bbox="619 909 871 1031">  <p>Modest Entablature Supported by Pilasters (keep the Entablature between 1 and 2 feet in height)</p> </div> <div data-bbox="924 909 1134 1031">  <p>Projecting Molded Lintel Supported by Corbels or Ornamental Brackets</p> </div> </div>			 <p>Greek Pediment (has pointed ends rather than the squared-off ends of a peaked lintel)</p>  <p>Broken Pediment (unless for a church!)</p>  <p>Sunburst</p>
<p><i>CHOOSE FROM THESE OPTIONS</i></p>			<p><i>DON'T USE</i></p>	

4. DOORS

<p style="text-align: center;">4d</p> <p style="text-align: center;">DOOR TYPES</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Front Doors should either have large glass windows that stretch from 1/2 to 3/4 of the door's length, or they should be solid and paneled. Doors containing small windows are not appropriate. 	<p style="text-align: center;"><small>(Actually, large-windowed doors were predominantly an early 20th century feature, but like the seamed metal roofs that replaced most of the wood shales shingles) they were so frequently used in Charlestown that they are included here as an option.)</small></p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Paneled Doors</p> </div> <div style="text-align: center;"> <p>OR</p>  <p>Large-Windowed Doors</p> </div> </div>	<div style="text-align: center;">  </div>	<div style="text-align: center;">  </div>
<i>APPROPRIATE EXAMPLES</i>		<i>ALSO O.K., BUT USE SPARINGLY</i>	<i>DON'T USE</i>
<p style="text-align: center;">4e</p> <p style="text-align: center;">STORM DOORS</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • If used at all, front Storm Doors should either mimic traditional large-windowed door styles, or else be almost totally see-through to permit as unobstructed a view of the door as possible. 	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  </div> <div style="text-align: center;"> <p>OR</p>  </div> </div>	<div style="text-align: center;">  </div>	
<i>APPROPRIATE EXAMPLES</i>		<i>DON'T USE</i>	

5.) PORCHES

<p style="text-align: center;">5a</p> <p style="text-align: center;">PORCH CONSTRUCTION</p> <p><i>General Characteristics:</i></p> <ul style="list-style-type: none"> Most houses should have a covered front porch of some type. 	<p style="text-align: center;">Full Width Canopies</p>  <p style="text-align: center;">Partial Width Canopies</p> 	<p style="text-align: center;">(in the ELL., under the house's gable roof)</p>  <p style="text-align: center;">Side Porch w/ Balcony</p>  <p style="text-align: center;">Uncovered Stoop</p>	 <p style="text-align: center;">Wrap Around Porch</p>  <p style="text-align: center;">Commercial Overhang (for Shops Only)</p>	
	<p><i>SHOULD BE PREDOMINANT</i></p>	<p><i>ALSO O.K.</i></p>	<p><i>ALSO O.K., BUT USE SPARINGLY</i></p>	
<p style="text-align: center;">5b</p> <p style="text-align: center;">PORCH SUPPORT POSTS</p>	 <p style="text-align: center;"><i>CHOOSE FROM THESE OPTIONS</i></p>	<p style="text-align: center;">Balustrade (Railing)</p>  <p style="text-align: center;"><i>ALSO O.K., BUT USE SPARINGLY</i></p>		
<p style="text-align: center;">5c</p> <p style="text-align: center;">PORCH CORNICE ORNAMENTATION</p>	<p style="text-align: center;">Decorative Molding</p>  <p style="text-align: center;">Fascia</p>  <p style="text-align: center;">Corbels</p>  <p style="text-align: center;">Brackets</p>  <p style="text-align: center;"><i>CHOOSE FROM THESE OPTIONS</i></p>	<p style="text-align: center;">Scalloped "Gingerbread"</p>  <p style="text-align: center;"><i>ALSO O.K., BUT USE SPARINGLY</i></p>		

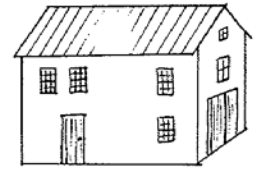
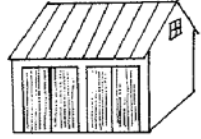
6.) OUTBUILDINGS

6a

OUTBUILDING TYPES

General Characteristics

- Appearance of outbuildings should mimic traditional regional types, if not necessarily traditional uses.
- Appropriate types of outbuildings include Garages or Accessory Apartments that look like Carriage Houses, Small Barns or Summer Kitchens, and smaller Sheds, especially ones resembling traditional Outhouses.



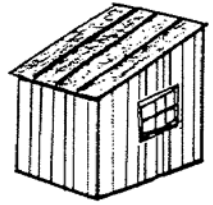
Garage/Carriage House



Small Barn



Outhouse Lookalike (Small Shed)






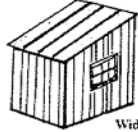

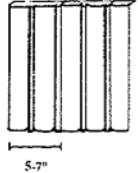


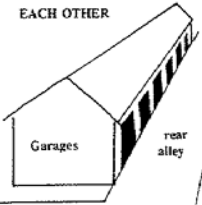
Shed



Summer Kitchen Lookalike
(actually an accessory apartment)

APPROPRIATE EXAMPLES


6.) OUTBUILDINGS

<p style="text-align: center;">6b</p> <h3 style="text-align: center;">OUTBUILDING CONSTRUCTION</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Structure and building materials of outbuildings should be similar to that of the main buildings - simpler, but echoing their style. Additional choices are listed and illustrated to the right. Outbuildings may be anywhere from 1 to 2.5 stories in height, and may contain accessory apartments. 	<p><u>Additional elements and materials which are very appropriate for Outbuildings, although not for houses, include:</u></p> <ul style="list-style-type: none"> Overhanging Second Stories Wide Vertical Board Siding ("T-3", vinyl and metal facsimiles, etc.) but WITHOUT BATTENS (i.e., still no U-seam metal sheathing) Narrow, Beaded Vertical Board Siding (this also comes in vinyl and metal) Sloping Shed Roofs Hipped Roofs for Small Sheds, especially those resembling Outhouses The same 6 and 4 pane "barn sashes" that make appropriate attic windows on houses make great "regular" windows on outbuildings. <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>6 Panes</p> </div> <div style="text-align: center;">  <p>4 Panes</p> </div> <div style="text-align: center;">  <p>Hipped Roof</p> </div> <div style="text-align: center;">  <p>Sloping Shed Roof</p> </div> <div style="text-align: center;">  <p>Wide Vertical Board Siding</p> </div> <div style="text-align: center;">  <p>Narrow, Beaded Vertical Board Siding</p> <p>5-7"</p> </div> </div>	 <p>U Seam Metal (i.e. Board & Batten Style)</p>
<i>APPROPRIATE</i>		<i>DON'T USE</i>
<p style="text-align: center;">6c</p> <h3 style="text-align: center;">OUTBUILDING PLACEMENT & LAYOUT</h3> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> Outbuildings (except for Summer Kitchen Lookalikes) should generally be located toward the rear of smaller lots, along alleys if they exist. Garages should vary in appearance, and should not all be attached to each other in a row like some sort of trucking depot. If this is not possible or desirable, just don't bother building any. The owners can build their own if they wish. 		<p>ALL ALIKE AND ATTACHED TO EACH OTHER</p>  <p>Garages rear alley</p> <p>LIKE A TRUCKING DE . . .</p>
<i>APPROPRIATE EXAMPLES</i>		<i>DON'T USE</i>

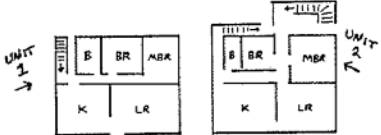
7.) ATTACHED AND ACCESSORY DWELLING UNITS


7

**APPROPRIATE
ATTACHED
&
ACCESSORY
UNITS**

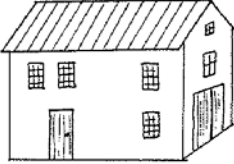


A DUPLEX THAT LOOKS LIKE
A SINGLE FAMILY HOME

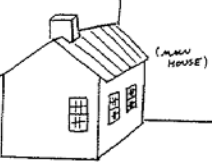





APARTMENTS
in what appears to be a
Single Family Home




Garage/"Carriage House"




Summer Kitchen Lookalike
(actually an accessory apartment)



TWO DIFFERENT DWELLINGS ATTACHED
(As Opposed To Attached Cookie Cutter Twins)




TWIN GERMAN-STYLE ENTRANCES:
(This Area's TRADITIONAL Duplex)




* CARRIAGE HOUSE/ACCESSORY APARTMENTS

APARTMENTS
Over
Commercial
Shops



ROW HOUSES
No More than 5 attached units in the Row.
No 2 Rows located together. Scattered amongst
a mix of dwelling types.

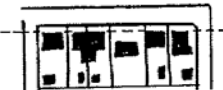
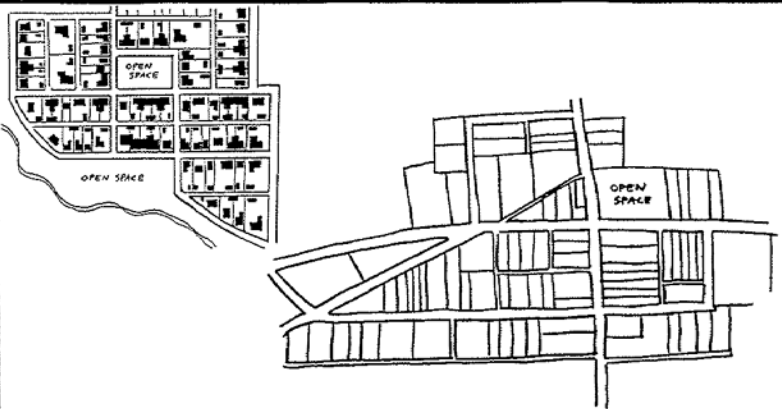


Cookie Cutter units



So... **DON'T USE**

ALL APPROPRIATE !

8.) LAYOUT

<p style="text-align: center;">8a</p> <p style="text-align: center;">BLOCK & LOT LAYOUTS</p>	<ol style="list-style-type: none"> 1.) No more than 5 Same-Width Lots in a Row, and usually Less. 2.) Primary Buildings should be situated at the Front of Lots, with Accessory Structures towards the Rear. 3.) SETBACKS should be MINIMAL. 4.) Approximately 80% of Total Buildings within each Block should Conform to the Build-To Line, with approximately 20% (generally one or two buildings) Varying. <p>Build-To Line --></p> 	
	<p><i>IN GENERAL</i></p>	<p><i>APPROPRIATE EXAMPLES</i></p>
<p style="text-align: center;">8b</p> <p style="text-align: center;">STREETScape "RHYTHM"</p> <p><u>General Characteristics:</u></p> <ul style="list-style-type: none"> • Spacing between buildings should <u>VARY</u>. • Building type and appearance should <u>VARY SIGNIFICANTLY</u>. Pick <u>at least 3 or 4</u> basic building types, intermingle their locations, and vary the materials used on same-type buildings. 	 <p style="text-align: center;">NOTE: <u>ANY</u> OR ALL OF THESE BUILDINGS COULD BE <u>DUPLEXES</u> OR <u>APARTMENTS!</u> MOST JUST DON'T LOOK IT FROM THE OUTSIDE.</p>	 <p style="text-align: center;"><i>APPROPRIATE EXAMPLES</i></p>







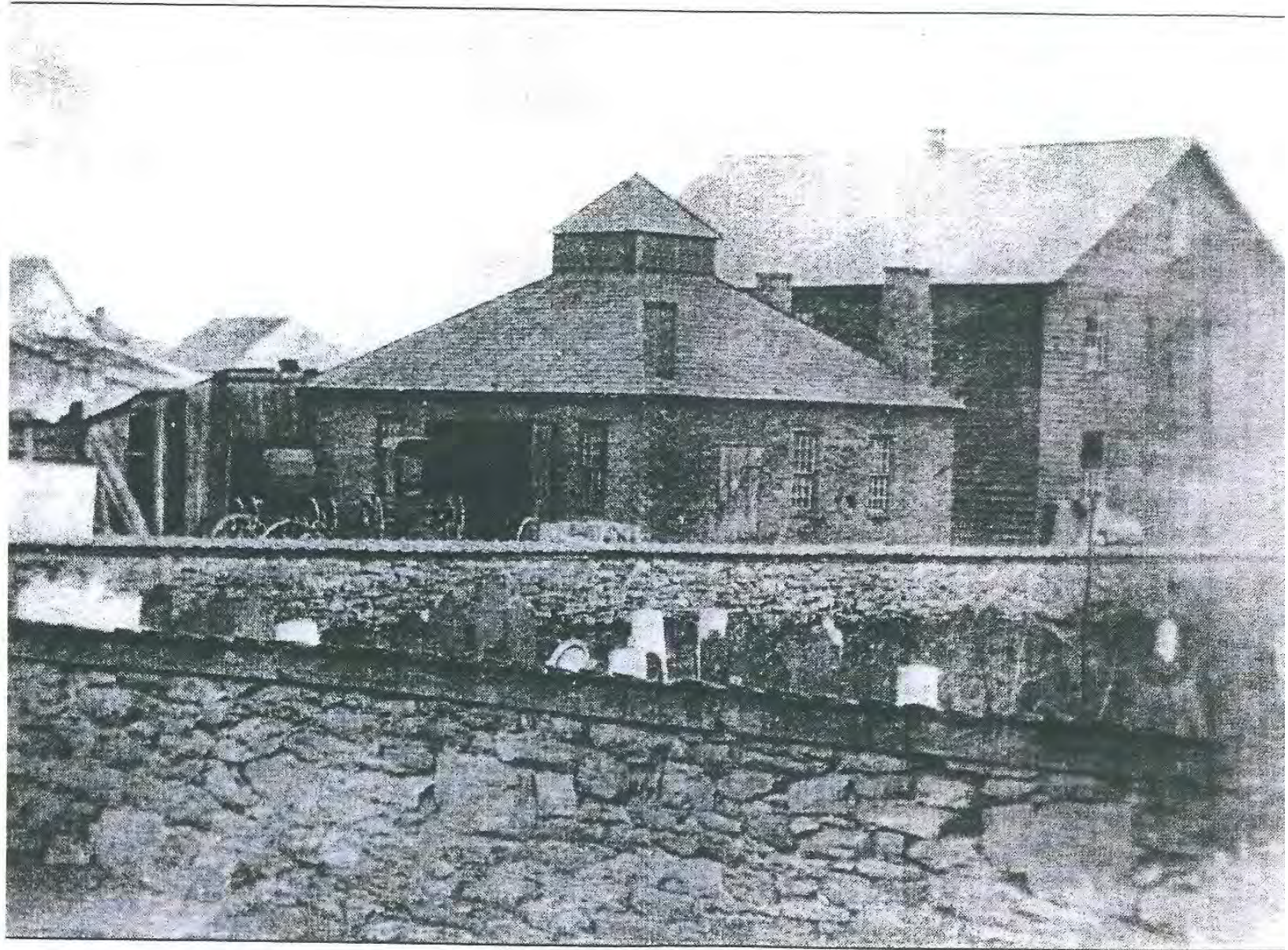




Store and post office in Churchtown (Allen), July 1925.
Albert E. Enck, Reily B. Urich. – CCHS.



L. H. Arnold Blacksmith Shop in Churchtown, c. 1920. – Courtesy of Jacob L. Heisey.



1875 photo of Churchtown.
CCHS Photo Archives



Blacksmith and wagonmaker shop of John D. Zell Jr. in Churchtown, c.1910.
– Courtesy of Quentin and Dorothy Zell.



MAIN ST
CHURCHTOWN PA

