Preliminary Review Draft
Chapter 325, ZONING
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Chapter 325, ZONING

ARTICLE I. General Provisions

§ 325-1-1. Title.

An ordinance of Springettsbury Township, York County, Pennsylvania, amending and restating the Zoning Ordinance of 1990, as amended, permitting, prohibiting, regulating, restricting and determining the uses of land, watercourses and other bodies of water, the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures, the areas of dimensions of land and bodies of water to be occupied by uses and structures as well as courts, yards and other open spaces and distances to be left unoccupied by uses and structures, the density of population and intensity of use, the location and size of signs, creating zoning districts and establishing the boundaries thereof on a zoning map incorporated therein by reference, continuing the office of Zoning Officer, continuing a Zoning Hearing Board and providing for the administration, amendment and enforcement of this chapter, including the imposition of penalties.

§ 325-1-2. Short title.

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

§ 325-1-3. Purpose.

This chapter has been prepared in accordance with the "Springettsbury Township Comprehensive Township Plan" of 2006, with consideration for the character of the Township and the suitability of the various parts for particular uses and structures and is enacted for the following purposes:

A. To promote the health, safety, morals and general welfare of the inhabitants of the Township of Springettsbury by lessening congestion in the roads and streets.

B. Securing safety from fire, panic and other dangers.

C. Providing adequate light and air.

D. Preventing the overcrowding of land.

E. Avoiding undue concentration of population.

F. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public requirements.

G. Conserving the value of buildings and encouraging the most appropriate use of land.

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§ 325-1-4. Interpretation.

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comforts, convenience and general welfare. Where the provisions of this chapter impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this chapter shall be controlling. Where the provisions of any statute, other ordinance or regulations impose greater restrictions than this chapter, the provisions of such statute, other ordinance or regulation shall be controlling.

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ARTICLE II. Definitions

§ 325-2-1. Definition of terms.

A. The following words are defined in order to facilitate the interpretation of the chapter for administrative purposes and in the carrying out of duties by appropriate officers and by the Zoning Hearing Board.

B. Unless otherwise expressly stated, the following words shall, for the purposes of this chapter, have the meaning herein indicated.

C. Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation and/or partnership as well as an individual. The word "lot" includes the word "plot" or "parcel." The term "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied." The word “building” or “structure” includes any part thereof.

ABANDONMENT -- An intent to abandon or to relinquish which may be demonstrated by some overt act, or some failure to act which carries the implication that the owner neither claims nor retains any interest in the subject matter of the abandonment.

ACCESS DRIVE -- Anything other than a street or driveway as defined herein.

ACCESSORY BUILDING -- A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building, but not including utility sheds.

ACCESSORY DWELLING: A dwelling unit that has been added onto, or created within, a single-family house, which is subordinate to the principal single family dwelling unit in terms of size, location and appearance and provides complete housekeeping facilities for one family, including independent cooking, bathroom, and sleeping facilities with physically separate access from any other dwelling unit.

ACCESSORY USE -- A use customarily incidental and subordinate to the principal use or the main building and located on the same lot with such principal use or main building.

AGRICULTURE -- The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

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AGRICULTURE BUILDINGS -- Buildings used to store equipment, materials, livestock and products as a part of the customary and generally accepted activities, practices and procedures of farming, which includes the production and preparation of livestock and poultry and the production and harvesting of agricultural, agronomical, horticultural and aquacultural commodities.

ALLEY -- A public thoroughfare other than a side street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS -- As applied to a building or structure, any change or rearrangement in the total floor area or an enlargement, whether by extending on a side or by increasing in height or the moving from one location or position to another.

ALTERATIONS, STRUCTURAL -- Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

AMENDMENT -- A change which includes revisions to the zoning text and/or the Official Zoning Map. The authority for any amendment lies solely with the Township Board of Supervisors.

ANIMAL HOSPITAL -- A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits, birds or fowl. Boarding of such animals shall be for medical or surgical treatment.

ANIMAL SHELTER -- Any structure or property which houses stray, abandoned or owner-surrendered animals except for fish for impoundment purposes for future disposition including redemption, adoption, sale or disposal. This use may include facilities for the destruction and disposal of animals. Foster home sites and mobile adoption sites may be utilized in the operation of the animal shelter.

APARTMENT CONVERSION -- A multifamily dwelling constructed by converting an existing building into apartments for more than one family without substantially altering the exterior of the building.

APARTMENT HOUSE -- A building occupied by three or more dwelling units, whether such units be leased or owned by their occupant.

APPLICANT -- A landowner or developer, as hereinafter defined, including his heirs, successors or assigns, who has filed an application for development.

AREA -- The total area within the property lines.

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

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AREA, FLOOR -- The sum of the gross horizontal areas of the several floors of a building, including interior balconies, mezzanines and basements, but excluding exterior balconies, and attics. All horizontal dimensions of each "floor area" shall be measured by the exterior face of walls of each such floor, including the walls of roofed porches having more than one (1) wall. The "floor area" of a building shall include the floor area of accessory buildings on the same lot, measured the same way.

ART GALLERY -- A structure or building utilized for the display of art work, including paintings, sculptures and paints for sale to the public.

ARTIST STUDIO -- A workshop or workroom for the creation of fine art and crafts such as painting, sculpturing, photography, or other handmade pieces of art. The space may include a residential unit and/or a teaching area for groups of ten or fewer.

ASSISTED LIVING FACILITY -- Housing designed primarily for elderly or retired persons, other than nursing or convalescent homes, in which additional nonresident services may be included as an incidental use. Such incidental uses may include retail, dining, medical services and entertainment.

AUTOMOBILE -- A self-propelled motor vehicle designed for the conveyance of persons or property requiring a registration plate by the Commonwealth of Pennsylvania for operation upon public highways, including a truck, motor home, motorcycle.

AUTOMOBILE AND/OR TRAILER SALES LOT -- An open lot for the outdoor display of new or used automobiles or trailers when accessory to an automobile or trailer sales display building.

AUTOMOBILE BODY SHOP -- A building on a lot that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers and/or accessories of automobiles and other vehicles for conveyance.

AUTOMOBILE, GARAGE, MAJOR -- A building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, rental, servicing or supplying of gasoline or oil to automobiles, trucks and similar motor vehicles.

AUTOMOBILE, GARAGE, MINOR -- An accessory building for the storage of one or more automobiles and/or vehicles accessory and incidental to the primary use of the premises, provided that no business, occupation or service is conducted for profit therein or space therein for more than one automobile is leased to a nonoccupant of the premises.

AUTOMOBILE OR GASOLINE SERVICE STATION -- A building on a lot or part thereof that is used primarily for the retail sale of gasoline, oil or other fuel and which may include facilities used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing automobiles and other vehicles.

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AUTOMOBILE OR TRAILER SALES DISPLAY BUILDING -- A building for the display and sale of new or used automobiles or trailers.

AUTOMOBILE WASHING (CAR WASH) -- A building on a lot designed and used primarily for the washing and polishing of automobiles and which may provide accessory services as set forth herein for automobile service station.

AUTOMOBILE WRECKING -- The dismantling or wrecking of used automobiles or trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

BAKERY: A building or structure utilized for the baking of breads and/or pastries for sale on or off the premises.

BAR: An establishment used primarily for the serving of alcoholic beverages, including liquor, beer and/or wine, by the drink to the general public and where food or packaged liquors may be served or sold only as accessory to the primary use. It may or may not provide musical or other entertainment as an incidental or accessory function.

BASEMENT -- The portion of a building which is partly or completely below grade. For Article XV purposes only, any area of the building having its floor subgrade (below ground level) on all sides.

BED AND BREAKFAST INN -- A residence used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers, and containing at least one but not more than four bedrooms for such lodgers. Bed and breakfast establishments may have regularly scheduled commercial indoor or outdoor activities such as weddings/receptions/showers, business meetings, catered events, etc., with the issuance of special use permit based on individual project review by the Zoning Board of Appeals. In the review of a special use permit, the Zoning Board of Appeals shall establish the type of permissible activities, a maximum number of events/days on which such commercial activity can occur and the maximum number of people who can attend such events. When so approved by a special use permit the above commercial activities shall not require any additional off-street parking requirement.

BILLBOARD and OUTDOOR ADVERTISING DEVICES -- A sign whose major purpose is for directing attention to a business commodity, service or entertainment conducted, sold or offered elsewhere than upon the same lot.

BOARDING HOUSE -- A building where, for compensation, provisions are made for lodging and meals for at least three but not more than 15 persons.

BREW PUB -- A facility where malt or brewed beverages are manufactured on site in conjunction with an eating establishment. The minibrewery may sell, transport and deliver malt beverages to various off-site locations; however, in all districts where this use is permitted, except the Flexible Development District (Article XX), the majority of

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the malt or brewed beverage products must be sold and consumed on-premises. The facility must be licensed by the commonwealth and conducted in accordance with commonwealth requirements.

BUILDABLE AREA -- That portion of a lot remaining after required setbacks have been provided.

BUILDING COVERAGE -- That portion of a lot that covered by the maximum horizontal cross sections of all principal and accessory buildings.

BUILDING -- Any structure on a lot having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels and including covered porches or bay windows and chimneys.

BUILDING COMPLETELY ENCLOSED -- A building which is enclosed on all sides by permanent exterior walls.

BUILDING, DETACHED -- A building surrounded by open space on the same lot.

BUILDING HEIGHT -- The total overall height of a building measured from the grade level to the highest point of the roof.

BUILDING LINE -- A line parallel to the front, side or rear lot line set so as to provide the required yard.

BUILDING, MAIN -- A building in which is conducted the principal use of the lot on which it is located.

BUSINESS PARK -- A high quality mixed-use working environment following the requirements of § 325-29-13, Business parks.

BUSINESS SERVICES -- Business services shall include and be limited to accountants, actuaries, advertising agencies, attorneys, art and photography studios, banks and credit unions, bonding agents, business offices, consulting services, governmental and utility offices, insurance agencies, loan companies, medical and dental offices, optician offices and real estate offices.

BULK -- A term used to describe the size, volume, area, and shape of buildings and structures, and the physical relationship of their exterior walls or their location to lot lines, other buildings and structures, or other walls of the same building; and all open spaces required in connection with a building, other structure, or tract of land.

BUS DEPOT -- A lot containing a building or structure utilized for the boarding and exiting of buses, the selling of transport tickets and the incidental sale or dispensing of food and drink, but specifically excluding the storage, servicing or repairing of buses.

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CAMP -- Any one or more of the following, other than a hospital, place of detention, school offering general instructions, or a mobile home park:

(1) Type 1. Any area of land or water of a design or character used for seasonal, recreational or similar temporary living purposes which may include any building or group of buildings of a movable, temporary or seasonal nature, such as cabins, tents or shelters.

(2) Type 2. Any land and buildings thereon used for any assembly of persons for what is commonly known as "day camp" purposes, whether or not conducted for profit and whether occupied by adults or children either as individuals, families or groups.

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 camper units.

CAMPER UNIT -- A tent or camping vehicle which can be temporarily located by a campsite for transient dwelling purposes.

CARPORT -- An accessory building not totally enclosed which is attached to the main building and primarily designed or used for parking automobiles.

CAR RENTAL AGENCY -- A building or structure utilized for the rental of automobiles or light vans or trucks to the public. It may include incidental or minor repair or servicing of vehicles available for rent.

CAR WASH -- A facility equipped with apparatuses for the washing, waxing, vacuuming, drying or any combination thereof, of vehicles.

CEMETERY -- Property used for the interring of the dead. This use shall not include facilities for cremation.

CERTIFICATE OF USE AND OCCUPANCY -- The certificate issued by the Building Code Official which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the zoning permit.

CHILD DAY-CARE CENTER -- A state-licensed and/or -registered facility in which care is provided or is intended to be provided for seven or more children at any age at any time.

CHILD DAY-CARE HOME -- A state-licensed and/or -registered single-family dwelling in which child care is provided at any time for not more than six children under the age of 12, including any children under the age of 12 who are residents of the dwelling.

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CLUSTER DEVELOPMENT -- An area of land in single ownership to be developed as a residential community in which the dimensions of the individual lots may be reduced, but in which common areas are provided so that the overall density required in that zoning district is maintained.

COMBINATION -- Two or more vehicles physically interconnected in tandem.

COMMUNITY CENTER -- A place, structure, area, or other facility used for and providing religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments for the community.

COMPREHENSIVE PLAN -- The official public document prepared in accordance with Pennsylvania Municipalities Planning Code, Act 170 of 1988, as amended, consisting of maps, charts and textual material, that constitutes a policy guide to decisions about the physical and social development of Springettsbury Township, as amended from time to time.

CONDITIONAL USE -- A use which the Board of Supervisors is permitted to authorize in specific instances listed in this chapter, under the terms, procedures and conditions prescribed herein.

CONTRACTOR'S OFFICE -- An office or shop with an accessory storage area or yard for any construction, building, electrical, plumbing or mechanical contractor. An office for a contractor which does not contain an accessory storage area and/or shop area shall be considered a business office.

CONVENIENCE MARKET -- Any retail establishment containing less than 10,000 square feet offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

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

COURT, INNER -- A court which does not extend to a street, alley, yard or other outer court.

COURT, OUTER -- A court which extends to a street, alley, yard or other outer court.

CREMATORIUM -- A facility licensed by the Department of Environmental Protection and equipped with a furnace for the purpose of reducing the deceased to ashes by heat.

CROP FARMING -- The agricultural use of land for the production of nonanimal or livestock commodities.

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CULTURAL FACILITY -- Art galleries, auditoriums, libraries, museums, adult education centers or other similar facilities open to the public or connected with a permitted educational, philanthropic or religious use.

CURB LEVEL -- The officially established grade of the curb in front of the midpoint of the lot.

DAIRY -- A commercial establishment for the manufacture or processing of dairy products.

DENSITY FACTOR -- Density factors are assigned to dwelling types in accordance with the following table:

Dwelling Unit Type	Density Factor
Efficiency unit	1
One-bedroom unit	2
Two-bedroom unit	3
Three-bedroom unit	4
Four-bedroom unit	6
More than four-bedroom unit	8

DOMICILIARY CARE UNIT -- An existing building or structure designed for a dwelling unit for one family which provides twenty-four-hour supervised living arrangements by the family residing therein for not more than two unrelated persons 18 years of age and above who are disabled physically, mentally, emotionally or who are aged persons.

DRIVE-IN FACILITY -- An establishment offering primarily stand-up counter, vending machine or window service, wherein the customer leaves his automobile and approaches the counter for service.

DRIVE-THROUGH FACILITY -- A facility which provides for service to persons while seated in their automobiles and which does not require that the customer leave the vehicle at anytime. A drive-through facility could be associated with walk-in services at the same location.

DRIVEWAY (RESIDENTIAL) -- A paved or unpaved surface, other than a street or access drive, which is intended to provide vehicular access from a street or a private lane to a single residential dwelling unit.

DUMP -- A lot or land or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or other means, and for whatever purposes, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof or waste material of any kind.

DWELLING -- A building or structure designed for living quarters for one or more families, including trailers and mobile homes which are supported by a foundation of

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mortared masonry or concrete construction and permanently affixed to the land and which have the area between the ground and body of the trailer or mobile home completely enclosed to prevent the accumulation of debris and to provide additional stability and safety to the trailer or mobile home, but shall not include hotels, rooming houses or other accommodations used for transients.

DWELLING, GROUP -- A group of two or more single-family, two-family or multifamily dwellings occupying a lot in one ownership.

DWELLING, MULTIFAMILY -- A building containing three or more dwelling units in a vertical or horizontal arrangement. All dwelling units are on the same lot.

DWELLING, SINGLE-FAMILY, ATTACHED (ROW) -- A building containing one dwelling unit and having two party walls in common with other buildings (such as a rowhouse or townhouse). The end unit for each row of dwelling units shall be a single-family semidetached dwelling unit.

DWELLING, SINGLE-FAMILY, DETACHED -- A building containing one dwelling unit and having two side yards.

DWELLING, SINGLE-FAMILY, SEMIDETACHED -- A building containing one dwelling unit, having one side yard and one party wall in common with another building.

DWELLING, TWO-FAMILY, DETACHED -- A building containing two dwelling units with one dwelling unit arranged vertically over the other or horizontally beside the other and having two side yards. Each set of two dwelling units is on a separate lot.

DWELLING, TWO-FAMILY, SEMIDETACHED -- A building containing two dwelling units with one dwelling unit arranged over the other, having one side yard and one party wall in common with another building. Each set of two dwelling units is on a separate lot.

DWELLING UNIT -- Any structure, or part thereof, designed to be occupied as a living quarters for one family.

EATING ESTABLISHMENT -- Restaurants providing prepared foods, whether sit-in, carry-out or drive-through. These facilities must be licensed by the Commonwealth's Department of Agriculture.

EDUCATIONAL FACILITY, PRESCHOOL THROUGH POSTSECONDARY -- Public and private school, including preschool, K-12 schools, secondary colleges and universities, technical training schools and postsecondary educational facilities.

ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES -- Electric public utilities' transmission distribution facilities, including substations.

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ENERGY CONVERSION SYSTEMS -- Systems which serve to produce energy from non-depletable energy sources. These sources of energy (excluding minerals) are derived from:

(a) Incoming solar radiation, including, but not limited to, natural daylighting and photosynthetic processes; and
(b) Energy derived from the internal heat of the earth, including nocturnal thermal exchanges.
(c) Windmills.

ENTERTAINMENT FACILITY -- Any establishment that is operated, maintained, or devoted to amusement of the general public, whether privately or publicly owned, where entertainment is offered by the facility. Entertainment facilities shall include, but not be limited to, theaters, bowling alleys, movie theaters, dance halls, video arcades, skating rinks, batting cages, and miniature golf courses. Entertainment facilities shall not include adult entertainment businesses, clubs, bars, pubs, golf courses, or parks.

EQUIPMENT REPAIR SHOP -- Any building or structure utilized for the repair of items including but not limited to small mechanical equipment, watches, clocks, lawn mowers, small engines, etc., excluding automobiles, truck, construction equipment, etc. All repair activity and storage shall be conducted entirely within the structure.

FAÇADE: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FAMILY -- One or more persons who live in one dwelling unit and maintain a common household. May consist of a single person or of two or more persons, whether or not related by blood, marriage or adoption. May also include domestic servants and gratuitous guests, but not occupants of a club, fraternal lodging house or boarding house.

FARM -- Any parcel of land which is used for gain in raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures, within the prescribed limits and the storage of equipment customarily incidental to the primary use. For the purpose of this chapter, a farm shall not include the raising of fur-bearing animals, a riding academy, livery, boarding stables or dog kennels.

FENCE -- A barrier consisting of wood, vinyl, metal, masonry or other commonly used fencing materials for the purpose of enclosing space or separating parcels of land, includes hedges and/or similar plantings.

FINANCIAL INSTITUTION -- A building or structure utilized for the direct transactional services to the public, including the maintenance of checking and savings accounts, certificates of deposits, etc., and the providing of related financial services associated with a bank.

FINISHED GRADE -- The elevation at which the finished surface of the surrounding lot intersects the walls or supports, or a building or other structure. If the line of the

intersection is not reasonably horizontal, the finished grade in computing height of buildings and other structures or for other purposes shall be the average elevation of all finished grade elevations around the periphery of the building, except that the finished grade shall not be higher than one-half of the floor to ceiling height.

FLOOR AREA, HABITABLE -- The sum of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen or bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, bathrooms, closets, nor unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court, nor rooms having a height of less than seven feet between the floor and ceiling. Earth-sheltered dwellings, designed as such, shall include the aggregate of area used for habitation as defined above, whether or not all or a portion is below ground level.

FLOOR AREA OF A BUILDING -- The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FORESTRY -- The use of land for the raising of trees.

FRONT PORCH -- A roofed structure supported by columns with no enclosures whatsoever, including insect screening, jalousie windows and doors; except a railing or barrier may be erected around the perimeter of the porch floor, provided it does not exceed 36 inches in height.

GARAGE OR CARPORT, PRIVATE -- A roofed or partly enclosed building or structure arranged, designed or intended to be used for the parking or storage of one or more vehicles, provided that not more than one parking space is leased to a nonresident of the premises.

GARAGE, PUBLIC -- A building or part thereof, used only for the parking and storage of vehicles for gain that is open to the general public.

GARDEN POOL -- An artificially enclosed body of water or receptacle for water having a depth of less than three (3) feet that may be used or intended to be used as an ornamental feature constructed, installed or maintained in or above the ground. It may include a fountain display, water plants or fish. A water feature shall be deemed a structure for all purposes under the provision of this code.

GOLF COURSE -- A tract of land for playing golf for a fee, improved with tees, greens and fairways and which may include clubhouses, pro shops, food and beverage service and shelters.

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GROUP HOME -- A dwelling designed for a group of mentally and/or physically disabled persons living and cooking together in a single unit. A group home shall be directly affiliated with a parent institution which provides for the administration of the residents through the direction of a professional staff.

GROUP QUARTERS -- Any dwelling or portion thereof which is designed or used for eight or more persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Group quarters include, but are not limited to, fraternity and sorority houses and dormitories or other quarters of an institutional nature. Such quarters must be associated with a parent religious, educational, charitable or philanthropic institution.

GUEST ROOM -- A room which is intended, arranged or designed to be occupied or which is occupied by one or more guests, but in which no provision is made for cooking. Residential noncommercial guest rooms shall be within or attached to the principal residence and shall be a part of the residential utility (sewer, electric, etc.) service line.

HAZARDOUS SUBSTANCE -- Any substance, material, or waste appearing on either of:

A. The Title III List of Lists: Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 published July, 1987, U.S. Environmental Protection Agency, or
B. Hazardous Materials Table, in the Code of Federal Regulations (CFR), Title 49, Part 172.101.

HOME OCCUPATION -- Any use of a dwelling conducted solely by a member or members of the family residing therein which is incidental or subordinate to the main use of the building for dwelling purposes; which utilizes not more than 20% of the total floor area of the dwelling not exceeding 350 square feet; which does not generate vehicular parking or nonresidential traffic to a greater extent than would normally result from residential occupancy; in connection with which no inventory or stock-in-trade is kept for regular sale to persons coming to the premises and with no evidence being visible or audible or abnormally odoriferous activity detected from the outside of the dwelling to indicate it is being used for anything other than residential purposes.

HORTICULTURE -- The growing of fruit, vegetables, flowers, ornamental plants or trees for a profit. Such use may be within a building or structure or outdoors.

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

HOTEL -- A building designed for occupancy primarily as the temporary abiding place of individuals who are lodged with or without meals, in which building:

(1) There are more than 10 sleeping rooms.
(2) Fifty percent or more of the gross floor area shall be devoted to residential use.

(3) Business may be conducted when accessory and incidental.
(4) There may be club rooms, ballrooms and common dining facilities.
(5) Such hotel services as maid, telephone and postal services are provided.

HOTEL, APARTMENT -- A building designed for occupancy primarily as the permanent abiding place of families who are lodged with or without meals, in which building:

(1) More than 50% of the gross floor area devoted to residential use is in dwelling area.
(2) Business may be conducted when accessory and incidental.
(3) Such hotel services as common dining facilities, maid, telephone and postal services are provided.
(4) There may be club rooms and ballrooms.

HOUSE OF WORSHIP -- A building, structure or group of buildings or structures, including accessory uses, designed or intended for worship. Accessory uses may include rectories, convents, church-related schools, church day-care facilities, cemeteries or any combination thereof.

INDUSTRIAL PARK -- The orderly development of industrial land meeting the requirements of § 325-29-13, Industrial park standards.

INOPERATIVE MOTOR VEHICLE -- A vehicle intended to be self-propelled that shall not be operative under its own power for any reason or a vehicle that shall be without a valid current registration plate or valid current certificate of inspection.

INTERIOR LOT -- A lot that has no direct frontage on a public or private street, but which obtains access to such streets by way of a private driveway or access agreement across land owned by another party. INTERIOR LOTS shall be prohibited in Springettsbury Township.

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

JUNKED MOTOR VEHICLE -- A motor vehicle from which parts or accessories have been removed or that shall be inoperable (inoperative) as a result of damage thereto.

KENNEL -- Any building and/or land used for the sheltering, boarding, breeding or training of three or more dogs, cats, fowl or other small domestic animals at least six months of age.

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LABORATORY -- A building for experimentation in pure or applied research design, development and production of prototype machines or devices or of a new product, and uses accessory thereto. Also RESEARCH AND DEVELOPMENT FACILITY

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 persons having a proprietary interest in land.

LAUNDROMAT -- A business premises equipped with individual clothes washing and drying machines for the use of public customers.

LIVESTOCK FARMING -- The agricultural use of land for the raising of animal and livestock commodities.

LOADING AREA, OFF STREET -- Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off highway parking spaces are filled.

LODGING HOUSE (ROOMING HOUSE) -- A building or a portion thereof, other than an apartment, hotel or a hotel, containing not more than one dwelling unit, where lodging is provided without meals for three or more persons in addition to the family unit.

LOT -- A designated parcel, tract or area of land, established by a plan or otherwise as permitted by law, to be used, developed or built upon as a unit.

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

LOT, CORNER -- A lot with two adjacent sides abutting on streets which has an interior angle of less than 135° at the intersection of the two street lines. A lot abutting on 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 135°.

LOT COVERAGE -- The percentage of the plot or lot area covered by impervious material.

LOT FRONTAGE -- A lot line which is coincident with a street line.

LOT, INTERIOR -- A lot other than a corner lot.

LOT LINES -- The lines bounding a lot as defined herein.

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LOT OF RECORD -- An area designated as a separate and distinct parcel of land on a properly filed subdivision plat or in a legally recorded deed as filed in the official records of the Office of the York County Clerk.

LOT, THROUGH -- An interior lot having frontage on two approximately parallel or converging streets.

LOT WIDTH -- Width of a lot measured at the building setback and at the right-of-way line for the various zoning districts per this chapter.

LOWEST FLOOR -- The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement is not considered the lowest floor provided that such enclosure is not built as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

MANUFACTURING -- The treatment or processing of raw materials or the production of products from raw or prepared materials by giving them new forms or qualities.

MEDICAL CARE FACILITY, INCLUDING HOSPITALS AND CLINICS -- Any building or group of buildings occupied by licensed medical practitioners and related services for the purpose of providing inpatient or outpatient medical services.

MEMBERSHIP CLUB -- An area of land or building used by a recreational, civic, social, fraternal, religious, political or labor union association of persons for meetings and routine socializing and recreation that are limited to members and their occasional guests, but not including members of the general public. These uses are restricted to those not conducted primarily for gain, although a restaurant may be operated primarily to serve members and their guests. This use shall not include a target range for outdoor shooting, boarding house, a bar, restaurant open to the general public, or an auditorium unless that particular use is permitted in that district and the applicable requirements of that use are met.

MINISTORAGE FACILITY -- A storage facility providing garages, rooms, closets and lockers for rent on an individual basis, usually by month.

MOBILE HOME -- A transportable single-family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

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MOBILE HOME LOT -- A parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK -- A parcel, or contiguous parcels of land, which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MORTUARY -- A building in which one or more parlors or rooms are maintained for the temporary resting place of the deceased pending final disposition thereof. Such buildings may include the following:

(1) Space and facilities for the preparation of such bodies for burial.
(2) A chapel for the purpose of conducting religious or memorial services and viewing.
(3) Rooms or space for administrative offices for conducting the business of the mortuary.
(4) Space for the housing of equipment, including motor vehicles.

MOTEL -- A group of attached or detached buildings containing sleeping rooms or living units with accessory facilities, designed for temporary use by automobile tourists or transients, including auto courts, motels, motor lodges and similar establishments.

NIGHTCLUB -- An establishment primarily engaged in the sale and service of beverages for on-premises consumption and the providing of musical entertainment, singing, dancing or other forms of amusement and entertainment, with the sale or service of food being incidental and accessory thereto. Such establishment may also have one or more of the following characteristics: age restrictions, dancing, cover charges, charges for admission, disc jockeys, jukeboxes, amplified sound systems, live entertainment and the like; the hours of operation extended beyond 11:00pm. The term “nightclub” includes the term “cabaret” and “disco”. A cabaret, disco or nightclub shall not include a restaurant as defined herein or any form of bar or lounge.

NONCONFORMING SIGN -- A sign which does not conform to the regulations of a district in which it is located.

NONCONFORMING STRUCTURE -- A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this chapter 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 this chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of

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such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

NURSERY, HORTICULTURE -- Any lot or parcel of land used to cultivate, propagate and grow trees, shrubs, vines and other plants, including the buildings, structures and equipment customarily incidental and accessory to the primary use.

OFFICE: A room or group of rooms for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files and communication equipment. These may be grouped into categories that identify principal function, e.g. medical offices, business offices, or professional offices.

OFFICES, CORPORATE -- Executive and administrative offices of business firms.

OFFICE, GENERAL -- The use of office and related spaces primarily for conducting affairs of a business, profession, service industry or government, or like activity and may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, and child care facilities.

OFFICE, MEDICAL -- A place where medical or dental care is furnished to persons on an outpatient basis by one or more doctors or dentists. A place for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room or kept overnight on the premises. A facility for human ailments operated by a group of physicians, dentists, chiropractors, or other licensed practitioners for the treatment and examination of outpatients. A "medical or dental clinic" is an organization of specializing physicians or dentists, or both, who have offices in a common building. A clinic may include laboratory facilities in conjunction with normal clinic services, but shall not include inpatient care.

OFFICES, PROFESSIONAL -- An office that includes accountants, actuaries, advertising agencies, medical and dental offices, optician offices, attorneys, insurance and bonding agencies, realtors, photography and art studios, miscellaneous consulting services and therapeutic massage offices.

OPEN SPACE -- The unoccupied space open to the sky on the same lot with the building.

PARK AND RIDE LOT -- A parking lot intended primarily for use by persons riding mass transit or carpooling.

PARKING AREA -- An open space other than a street or alley used exclusively for the parking of automobiles.

PARKING SPACE -- The space within a building or on a lot or parking lot for the parking of one automobile or truck.

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PARKING SPACE, STACKED -- A stacked parking space shall be any parking space that is located behind another parking space and is not directly accessible from a driveway or aisle.

PARKING STRUCTURE -- A structure in which automobiles may be parked or stored.

PERMEABLE -- The ability to absorb into the ground at least one (1) inch of water in thirty (30) minutes. Except in unusual circumstances those portions of the site that are required by this code to be permeable shall be those areas having a vegetative cover.

PATIO -- An unroofed area or courtyard which shall not be completely enclosed, except for any side which may adjoin a structure or for any fences, walls, shrubs, or hedges. Outdoor areas covered by a roof, trellis, or fixed awning shall be considered to be a structure. Also DECK

PERSON -- Any individual, corporation, cooperative, partnership, firm, association, trust, estate, private institution, group, agency or any legal successor, representative, agent or agency thereof.

PERSONAL CARE SERVICES -- Establishments primarily engaged in providing services involving the care of a person such as beauty shops, barbershops, nail salons, shoe repair, other salons, and tanning. This definition includes incidental uses and additional related cosmetic and/or beauty services such as facials, waxing and the retail sale of cosmetic products.

PET GROOMING -- Any business which is involved in grooming of pet animals for profit.

PLAN -- The map or plan of a subdivision or land development whether sketch, preliminary or final.

(1) PLAN, SKETCH -- An informal plan, not necessary to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed land development for discussion purposes only and not presented for approval.
(2) PLAN, PRELIMINARY -- A plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.
(3) PLAN, FINAL -- A complete and exact plan prepared for official recording to define property rights and proposed streets and other improvements.

PLAT -- A map or chart indicating the subdivision or resubdivision of land.

PORCH -- A roofed or unroofed structure projecting from the front, side, or rear wall of a building.

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

PRINCIPAL SUPPLY UTILITY -- Land, including buildings thereon, for use by providers of electric, telephone, natural gas, cable or any other similar utility for such utility purposes.

PRINCIPAL USE -- The main or primary use of property or structure measured in terms of the area occupied by such use.

PRIVATE -- Not publicly owned, operated or controlled.

PRIVATE CLUB -- Building or facility owned or operated by a corporation, association, or persons for a social, cultural, educational, or recreational purpose; but not primarily for profit or to solely render a service that is publicly accessible and customarily carried on as a business. The use of such premises is typically restricted to club members and their guests.

PRIVATE ROAD -- A right-of-way not publicly owned, operated or maintained which provides vehicular access to two or more lots.

PUBLIC -- Owned, operated or maintained by a government agency (federal, state or local), including a corporation created by law for the performance of certain specialized governmental functions and the Board of Public Education.

PUBLIC FACILITY -- Any land, including buildings thereon, operated or used by a governmental agency, including but not limited to governmental administrative offices, fire stations, police stations, courthouses and other similar uses.

PUBLIC UTILITY FACILITIES: Telephone, electric and cable TV lines, poles, appurtenances and structures; water or gas pipes, mains, valves or structures; sewer pipes, valves or structures, pumping stations; telephone exchanges, and other facilities, appurtenances and structures necessary for conducting a service by a government or public utility.

QUARRY, SAND PIT, GRAVEL PIT, TOPSOIL STRIPPING -- A lot or part thereof used for the purpose of extracting stone, sand, clay, gravel or topsoil for sale and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a zoning permit has been made.

RAILROAD TERMINAL, YARD -- Use of land, including buildings thereon, by a railroad company for the purpose of loading, unloading, storing, maintaining and transferring rail cars on or between rail lines.

RECREATION FACILITY -- A place designed and equipped for the conduct of sports and/or leisure time activities.

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RECREATION FACILITY, PRIVATE -- Recreation facility operated as a for-profit enterprise by a private owner or group of owners and may be open to the general public.

RECREATION FACILITY, PUBLIC -- Recreation facility operated as a nonprofit enterprise by the city of Rome, any other governmental entity or any nonprofit organization and open to the general public.

RECREATION , PASSIVE -- Low intensity recreational uses or activities including, but not limited to, viewpoints, unpaved trails, limited picnic facilities, hiking, nature study, photography and fishing.

RECREATION TRAILS --A network of trails designed for recreational use.

RECREATIONAL VEHICLES -- A vehicle with or without motive power, which is designed for sport or recreational use, or which is designed for human occupancy on an intermittent basis. These include but are not limited to motor homes, campers, fifth wheel trailers, off-road vehicles and recreational boats.

RESEARCH AND TESTING LABORATORY -- A facility engaged in the research and testing of products, materials, persons, animals or specimens within a completely enclosed building or structure.

RESTAURANT -- A public eating place primarily offering sit-down counter or table service and custom-prepared foods for on-premises consumption. If carry-out service is available, this shall constitute less than 10% of sales volume.

RESTAURANT, FAST FOOD OR CARRY OUT -- An establishment selling food or beverage which is served in disposable containers or wrappers. Such food or beverage may be consumed inside or outside of the building or carried out for consumption off the premise.

RESTAURANT, SIT DOWN -- A public eating place where food or beverage is served on non-disposable containers and which primarily offers service and custom-prepared food for on-premises consumption.

RIDING ACADEMY -- An establishment where horses are kept for riding or driving or are stabled for compensation or incidental to the operation of any club, association, ranch or similar establishment.

RIGHT-OF-WAY -- A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

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ROADWAY CLASSIFICATION MAP -- The map adopted by the Board of Supervisors of Springettsbury Township classifying the streets and roads of the Township as major arterial, minor arterial, collector or local.

SANITARY LANDFILL -- A facility licensed and approved by the Pennsylvania Department of Environmental Protection for the disposal of solid waste where there is no reasonable probability of adverse effects on the public health or the environment from such disposal.

SATELLITE ANTENNA -- A public or private land use that transmits and/or receives radio frequency signals, including but not limited to directional, omnidirectional, or parabolic (dish) antennae transmitting devices and related equipment, transmission towers and other support structures, connecting appurtenances, accessory equipment shelters and cabinets, or other related structures or development. Wireless communication facilities are either "freestanding" (equipment mounted on a "wireless communication support structure") or "attached" (equipment affixed to or erected upon existing buildings, water tanks, or other existing structures).

SCHOOL -- Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SCHOOL, COLLEGE -- Same as elementary and secondary school, except general education provided above the level of the secondary school and may include junior college, college or university.

SCHOOL, ELEMENTARY -- Any school having regular sessions with employed instruction which teaches those subjects that are fundamental and essential in general education for elementary school.

SCHOOL, NURSERY -- Any place designed and operated to provide regular instruction and daytime care for two or more children under the age of elementary school.

SCHOOL, SECONDARY -- Same as elementary school, except general education is provided for secondary grades.

SCHOOL, VOCATIONAL -- Same as elementary and secondary school except that the primary activity is training in a trade or vocation.

SEMITRAILER -- A trailer so connected that some part of its weight rests upon or is carried by the towing vehicle.

SENIOR HOUSING: A structure containing individual residence units in which at least one of the primary occupants shall be a senior citizen (55 years of age or older) who does not require continued medical or nursing care, providing long-term residential

accommodations with or without room, board, housekeeping, personal care and supervision.

SETBACK: The minimum horizontal distance between the street, rear or side lines of the lot and the front, rear or side lines on the building. When two or more lots under single ownership are used, the exterior property lines so grouped shall be used in determining offsets.

SEXUAL CONDUCT -- Sexual acts, normal or perverted, actual or simulated, involving a person or persons, or a person or persons and an animal, including acts of masturbation, sexual intercourse, fellatio, cunnilingus, analingus or physical contact with a person's nude or partially denuded genitals, pubic area, perineum, anal region or, if such person be female, a breast.

SEXUAL EXPLICIT NUDITY -- A sexually oriented and explicit showing or exhibition, by any means or manner, which presents or exposes to the viewer the following anatomical areas:

(1) Human genitals.
(2) Pubic area.
(3) Perineum.
(4) Buttocks or anal region, with less than a fully opaque covering.
(5) The covered human male genitals in a discernible turgid state.
(6) The post-pubertal.
(7) Full or partially developed human female breast with less than fully opaque covering of a portion thereof below the top of the areola or nipple.

SEXUALLY ORIENTED BUSINESS -- An adult bookstore, adult novelty store, adult video store, adult cabaret, adult theater, escort agency, nude model studio, sexual encounter center, or other commercial or not-for-profit establishment where adult entertainment is presented for money or other forms of consideration.

SHOPPING MALL, SHOPPING CENTER, SHOPPING PLAZA -- A group of stores planned and designed to function as a unit for the site on which it is located with off-street parking and landscaping provided as an integral part of the unit.

SIGN – Any object, structure, device, fixture, or placard, whether two- or three-dimensional, the primary purpose of which is visual communication. See Article XXIV—Signs.

SITE PLAN: A plan of a lot on which is shown topography, location of all buildings, structures, roads, rights-of-ways, boundaries, all essential dimensions and bearings and any other information deemed necessary by the Planning Board.

SOLID WASTE LANDFILL: A site for the disposal of unwanted or discarded material, including garbage with insufficient liquid content to be free flowing.

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SKILLED NURSING FACILITY -- Any dwelling where persons are housed or lodged and furnished with meals and nursing care for hire.

SPECIAL EXCEPTION -- A use which the Zoning Hearing Board is permitted to authorize in specific instances listed in this chapter under the terms, procedures and conditions prescribed herein.

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

STORY -- The portion of a building included between the surface of any floor and the surface of the floor next above it; if there is no floor above it, then the space between any floor and the ceiling immediately above it.

STORY, HALF: That portion of a building between a pitched roof and the uppermost full story, said part having a ceiling height of seven feet or more for an area not exceeding one-half the floor area of said full story, and in which space not more than two-thirds of the floor area is finished off as rooms.

STREET -- Avenues, boulevards, roads, highways, freeways, lanes, alleys, viaducts and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private. Streets are further classified as follows:

(1) Major arterials. Limited access highways that are important in the interregional transportation system, with a major portion of the vehicular movements being through traffic.
(2) Minor arterials. Highways that are important in the regional transportation system and, while carrying mostly regional traffic, serve some local or Township origin and destination.
(3) Collectors. Roadways serving primarily local traffic and providing the connection between the residential, commercial and industrial developments and the minor arterial system.
(4) Local roads. Roadways serving local traffic and connecting to collectors or minor arterials. Local roads in Springettsbury Township include all roads not classified as major arterials, minor arterials, collectors or cul-de-sacs.

The streets in Springettsbury Township classified major arterial, minor arterial, collector and local are as shown on the Springettsbury Township Roadway Classification Map.

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

STREET LINE -- The dividing line between the street and lot, also known as "right-of-way line."

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STRUCTURE -- Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

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

SWIMMING POOL -- Any reasonably permanent pool not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than 1 1/2 feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

TELEPHONE CENTRAL OFFICE -- A building and its equipment erected and used for the purpose of facilitating transmission and exchange of telephone and radio messages between subscribers and other business of a telephone company, provided that in a residential district a telephone central office shall not include public business facilities, storage of material, trucks or repair facilities or housing of repair crew.

THEATER -- A building or part of a building devoted to the showing of moving pictures or theatrical productions on a commercial basis.

THEATER, OUTDOOR DRIVE-IN -- An open lot or part thereof with its appurtenant facilities devoted primarily to the showing of moving pictures or theatrical productions on a commercial basis to patrons seated in automobiles.

THERAPEUTIC MASSAGE OFFICE -- An office for which the principal business is to provide therapeutic massage to patrons. Such massage shall not include any sexual conduct. The persons conducting such massage shall be either:

(1) Graduates of a massage therapy program at a school accredited and licensed by the state in which the school is located and must be certified by a nationally recognized massage therapy organization.
(2) Operating under the direct supervision of a person meeting the requirements listed above under Subsection A and such person shall be on site at all times during business hours.

TRAILER -- A vehicle designed to be towed by an automobile.

TRUCK TERMINAL -- Buildings used for shipping and receiving of materials by truck. This use shall include incidental administrative operations, service, repair, fueling, cleaning and parking of trucks.

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TRUCK TRACTOR -- A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

USE -- The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

USE, PERMITTED -- A specific principal use of a building, structure, lot or land, or part thereof, which the code provides for a particular district as of right. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

USE, PRINCIPAL -- The main or primary purpose of which a building, structure and/or lot is designed, arranged or intended, or for which they may be used, occupied or maintained under this code. There shall be a maximum of one principal use on each lot. The use of any other building, other structure and/or land on the same lot and incidental or supplementary thereto and permitted under this code shall be considered an accessory use.

UTILITY FACILITIES -- Establishments engaged in the generation, transmission and/or distribution of electricity, gas or steam, including water and irrigation systems and sanitary systems used for the collection and disposal of garbage, sewage and other wastes by means of destroying or processing materials.

UTILITY SHED -- A small building designed primarily for the storage of yard and garden equipment, bicycles and miscellaneous household items incidental to a dwelling, and of the type customarily made of prefabricated materials purchased, assembled and erected by the property owner.

VARIANCE -- The permission granted by the Zoning Hearing Board, following a public hearing that has been properly advertised as required by the Municipalities Planning Code, for an adjustment to some regulation which, if strictly adhered to, would result in an unnecessary hardship and where the permission granted would not be contrary to the public interest and would maintain the spirit and original intent of this chapter.

VETERINARY CLINIC -- Building used for medical services related to animals.

WAREHOUSING AND DISTRIBUTION -- A building, or portion thereof, used or intended to be used primarily for the storage of goods and/or materials that are to be sold retail or wholesale from other premises, or wholesale from the same premises; however, nothing in this definition is meant to exclude purely incidental retail sales in warehouses.

WHOLESALE BUSINESS -- 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 required natural light, natural ventilation or both to an interior space.

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YARD -- A space open to the sky and unoccupied by any building or structure or merchandise for display or sale, located on the same lot with a building or structure.

YARD, BUFFER -- A space open to the sky and unoccupied by any building, structure or merchandise for display or sale, located on the same lot with a building or structure, with landscaping as an integral component.

YARD, EXTERIOR -- An open, unoccupied space between the buildings of a dwelling group or its accessory buildings and the projected boundary or street line.

YARD, FRONT -- An open, unoccupied space on the same lot with the building, between the front line of the building and the street, projected to the side lines of the lot. Each yard that abuts a street on a corner lot shall be considered a front yard.

YARD, INTERIOR -- An open, unoccupied space between the buildings of a dwelling group or its accessory buildings, not a front, side or rear yard.

YARD, REAR -- A yard on the same lot with a main building extending the full width of the lot and situated between the rear line of the lot and the required rear building line projected to the side lines of the lot.

YARD, SIDE -- A yard on the same lot with the building, situated between the required setback line and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

ZONING DISTRICT CLASSIFICATION -- Refers to the scheme of land use classification contained in this chapter.

ZONING OFFICER -- The Springettsbury Township Zoning Officer or his duly authorized agent.

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ARTICLE III. Community Development Objectives.

§ 325-3-1. Community goals and objectives.

This chapter is enacted as part of the overall plan for the orderly growth and development of Springettsbury Township. As such, this chapter is based upon the expressed or implied community development goals and objectives as contained in the Springettsbury Township Comprehensive Plan of 2006, as amended.

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ARTICLE IV. Designation of Districts

§ 325-4-1. Districts.

For the purpose of this chapter, the Township of Springettsbury is hereby divided into districts which shall be designated as follows:

A. R-1 High Density Residential District.

B. R-7 Small Lot (>/= 7,000 sq.ft.) Single-Family Residential District.

C. R-10 Medium Lot (>/= 10,000 sq.ft.)Single-Family Residential District.

D. R-20 Large Lot (>/= 20,000 sq.ft.) Single-Family Residential District.

E. R-R Rural Residential District.

F. N-C Neighborhood-Commercial District.

G. M-U Mixed-Use District.

H. C-H Commercial-Highway District.

I. B-I Business and Industrial Park District.

J. G-I General Industrial District

K. O-S Open Space District.

L. F-P Floodplain Overlay.

M. S-S Steep Slope Conservation Overlay.

N. F-D Flexible Development District.

O. F-R Flexible Residential Overlay.

P. T-N Traditional Neighborhood Overlay.

§ 325-4-2. Zoning Map.

The boundaries of said districts shall be shown upon an official zoning map made a part of this chapter and documents and mapping as delineated in Article XVIII: Floodplain District and Article XIX: Steep Slope Conservation District. The maps in Articles XVIII and XIX showing the limits of the F-P Floodplain District and the S-S Steep Slope Conservation District, shall be considered overlay maps over the official zoning map. The

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maps and all notations, references and other data shown thereon are hereby incorporated by reference into this chapter as if they were fully described herein.

§ 325-4-3. District boundaries.

Where uncertainty exists as to boundaries of any district as shown on said Map, the following rules shall apply:

A. District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads and lot or property lines as they exist on plans of record at the time of the adoption of this chapter, unless such district boundary lines are fixed by dimensions as shown on the Zoning Map.

B. Where a district boundary is not fixed by dimensions and where it approximately follows lot lines and where it does not scale more than 10 feet therefrom, such lot lines shall be construed to be such boundaries, unless specifically shown otherwise.

C. In unsubdivided land or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the Map.

§ 325-4-4. Interpretation of boundaries.

In case any uncertainty exists, the Zoning Hearing Board shall interpret the intent of the Map as to location of district boundaries.

§ 325-4-5. Use adjustment on district boundaries.

In unsubdivided land where a district boundary line divides a lot held in single and separate ownership, the following rule shall apply:

A. The use of any district may extend over the portion of the lot in any adjoining district a distance of not more than 50 feet beyond the district boundary, providing that such boundary extension does not extend the lot frontage along a street.

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ARTICLE V. Reserved

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ARTICLE VI. Reserved

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ARTICLE VII. R-1 High Density Residential District

§ 325-7-1. Purpose.

The purpose of the R-1 Residential District is to provide for the orderly expansion of urban-type residential development in areas that can feasibly be supplied with public facilities; to provide for the public health and to prevent the overcrowding of the land through the application of maximum housing densities; to provide standards that will encourage the installation of public facilities, the continuing investment of the Township's traditional neighborhoods, the preservation of public open space and architecturally attractive building facades and landscaping; to provide expanded housing opportunities for seniors; to exclude activities of a commercial or industrial nature and any activities not compatible with residential development; to provide for the public convenience and avoid undue congestion on the roads and to otherwise create conditions conducive to carrying out the purpose of this chapter.

§ 325-7-2. Permitted uses.

A. Permitted Principal Uses.
   (1) Detached single-family dwelling
   (2) Semi-attached single-family dwelling
   (3) Attached single-family dwelling
   (4) Two-family dwelling
   (5) Multi-family dwelling
   (6) House of worship
   (7) Public or private school (Subject to §325-26-4)
   (8) Library
   (9) Public parks and playgrounds
   (10) Mobile home parks (See also: Ch. 289, Subdivision & Land Development)
   (11) Public utility facilities (Subject to §325-26-5)

B. Permitted Accessory Uses. (See Article XXVII: Accessory Uses for additional requirements)
   (1) Private garage or carport
   (2) Storage sheds, tool sheds and greenhouses
   (3) Gazebos
   (4) Decks and patios
   (5) Swimming pool/garden pool
   (6) Energy conversion systems
   (7) No impact home-based business
   (8) Child day care home
   (9) Child day care center – permitted only as an accessory use to a house of worship, public or private school
   (10) Recreational vehicle on-lot parking and storage
   (11) Satellite dishes

C. Uses by Special Exception. (See Article XXIX: Uses Permitted by Special Exception for additional requirements.)

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(1) Boarding houses
(2) Group homes and group quarters
(3) Domiciliary care unit
(4) Skilled nursing facility
(5) Assisted living facility
(6) Accessory dwelling unit for family members
(7) Home occupations
(8) Accessory commercial use

D. Prohibited uses. Any use that is not a permitted use or use by special exception.

§ 325-7-3. Area and bulk requirements.
Chart §325-7-3 refers to the minimum area and bulk requirements for permitted uses for lots served by public water and sanitary sewer. See §325-26-1 for area and bulk requirements for lots without public water and/or sanitary sewer service.

A. Yards. The yards shall be as required in the chart for permitted uses in an R-1 District. Each yard that abuts a street on a corner lot shall be considered a front yard.

B. Lot coverage.
(1) Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways, walkways and all impervious material with the exception of swimming pool basins.
(2) Except for detached, semi-attached and attached single-family dwellings, all uses shall be subject to minimum landscape requirements in addition to lot coverage requirements. A minimum of 25% of the lot area shall be landscaped with grass, trees and shrubbery.

C. Building setbacks: The required setbacks for buildings are stated in Chart 325-7-3. The following are exceptions to the setback requirements:
(1) A front porch, including any roof gutters, eaves or spouting, may extend eight feet into the required front yard setback in all residential zones, provided:
a. The porch shall not interfere with the sight triangle as defined in this article.
b. A minimum of 15 feet shall exist between any porch attached to a nonconforming home and the street right-of-way.
(2) Chimneys which are an integral part of the dwelling may extend 18 inches into any yard area.
(3) Except for porches as described in C(1) above, overhangs, eaves, roof gutters and spouting may extend 18 inches into any required yard area.
(4) Setback averaging. The building setbacks may be reduced using the average of nearby lots according to the following criteria as interpreted by the Zoning Officer:
a. Front and side building setbacks may be reduced to the average of lots located within 200 feet on the same block and same side of the street as the property in question.

b. Rear yard setbacks may be reduced to the average of lots located within 200 feet on the same block as the property in question.
c. Lots considered in determination of the average setback shall not be located across any private or public street or cartway from the property in question.
d. Lots considered in determination of the average setback shall not be located in a different zoning district than the property in question.

(5) Established building lines: The front, side or rear building setback may be reduced for sites with existing nonconforming development in a required setback. The building line of the nonconforming wall serves as the reduced setback line. An addition may increase the building line of a nonconforming set back by up to fifty percent (50%). However side or rear setbacks may not be reduced to less than three (3) feet in depth. See Figure 325-7-C(5). This reduced setback applies to new development that is no higher than the existing nonconforming wall. For example, a second story could not be placed up to the reduced setback line if the existing nonconforming wall is only one story high.

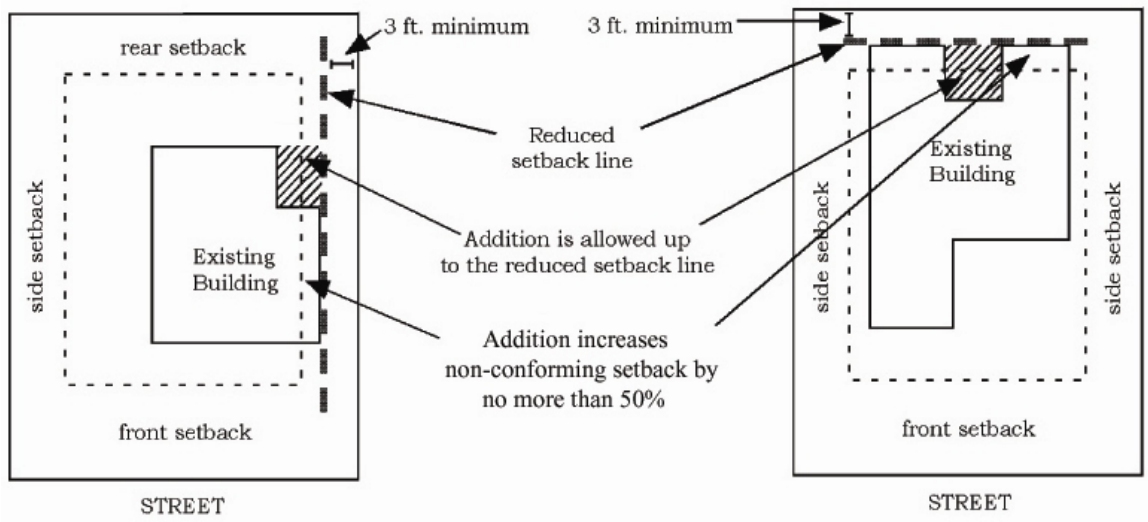

Figure 325-7-C(5)

D. Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
(1) Height may be increased by one foot for each additional foot that the width of each yard exceeds the minimum required.
(2) Projections allowed: Chimneys, flag poles, satellite dishes, lightning rods, vents and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
(3) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

E. Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance

(Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

F. Interior yards. Open space between buildings shall be provided as follows:
   (1) When front to front, rear to rear or front to rear, parallel buildings shall have 25 feet between faces. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.

G. Off-street parking.
   (1) Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

H. Streets.
   (1) Plans for streets, drives, service areas, parking and walks and all such facilities shall be reviewed and approved, and all such facilities shall be designed and installed in the manner prescribed by the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289) and amendments thereto, regardless of whether they are to be presented to the Township for dedication or not.
   (2) Suitable access for fire-fighting equipment, refuse collection and, where necessary, snow removal shall be provided.

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Chart 325-7-3. Area and bulk requirements. **R-1 District Permitted Uses**	**Front Yard Minimum[1]**	**Rear Yard Minimum[1]**	**Side Yard Minimum[1]**	**Maximum Building Height[2]**	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**		
Permitted Principal Uses								
(1) Detached single-family dwelling	20 feet	25 feet	10 feet	35 feet	7,500 SF	40%		
(2) Semi-attached single-family dwelling	15 feet	25 feet	15 feet	35 feet	3,500 SF	40%		
(3) Attached single-family dwelling	15 feet	25 feet	20 feet (end of row)	35 feet	2,500 SF	40%		
(4) Two-family dwelling	20 feet	25 feet	15 feet	35 feet	7,500 SF	50%		
(5) Multi-family dwelling	20 feet	30 feet	15 feet	35 feet	Density factor of 30 per acre	50%		
(6) House of worship	20 feet	75 feet	35 feet	35 feet	1 acre	50%		
(7) Public or private school	20 feet	75 feet	35 feet	35 feet	3 acres	50%		
(8) Library	20 feet	75 feet	35 feet	35 feet	1 acre	50%		
(9) Public parks and playgrounds	30 feet	30 feet	10 feet	35 feet	1 acre	25%		
Uses by Special Exception								
(1) Boarding houses	20 feet	30 feet	15 feet	35 feet	15,000 SF	50%		
(2) Group homes and group quarters	20 feet	30 feet	15 feet	35 feet	7,500 SF	50%		
(3) Skilled nursing facility	20 feet	30 feet	15 feet	35 feet	3 acres	50%		
(4) Assisted living facility	20 feet	30 feet	15 feet	35 feet	3 acres	50%		
(5) Dwelling unit conversion	20 feet	30 feet	15 feet	35 feet	7,500 SF	50%		
(6) Mobile home parks					10 acres			

[1] See § 325-7-3C for exceptions to setback minimums.
[2] See § 325-7-3D for exceptions to height limitations.

Draft

ARTICLE VIII. R-7 Small Lot Single-Family Residential District

§ 325-8-1. Purpose.

The purpose of the R-7 Residential District is to provide reasonable standards to encourage the orderly expansion of and continued investment in small-lot single-family residential development in sections of the Township with moderate sloping land; encourage opportunities for older residents to "age in place;" encourage architecturally attractive building facades and landscaping; prevent the overcrowding of the land; to exclude activities of a commercial or industrial nature and any activities not compatible with residential development; and to otherwise create conditions conducive to carrying out the purposes of this chapter.

§ 325-8-2. Permitted uses.

A. Permitted Principal Uses.
   (1) Detached single-family dwelling
   (2) House of worship
   (3) Public or private school (Subject to §325-26-4)
   (4) Library
   (5) Public parks and playgrounds
   (6) Public utility facilities (Subject to §325-26-5)

B. Permitted Accessory Uses. (See Article XXVII: Accessory Uses for additional requirements)
   (1) Private garage or carport
   (2) Storage sheds, tool sheds and greenhouses
   (3) Gazebos
   (4) Decks and patios
   (5) Swimming pool/garden pool
   (6) Energy conversion systems
   (7) No impact home-based business
   (8) Child day care home
   (9) Child day care center – permitted only as an accessory use to a house of worship, public or private school
   (10) Recreational vehicle on-lot parking and storage
   (11) Satellite dishes

C. Uses by Special Exception. (See Article XXIX: Uses Permitted by Special Exception for additional requirements.)
   (1) Domiciliary care unit
   (2) Group homes and group quarters
   (3) Home occupations
   (4) Accessory dwelling unit for family members

D. Prohibited uses. Any use that is not a permitted use or a use by special exception.

Draft

§ 325-8-3. Area and bulk requirements.
Chart §325-8-3 refers to the minimum area and bulk requirements for permitted uses for lots served by public water and sanitary sewer. See §325-26-1 for area and bulk requirements for lots without public water and/or sanitary sewer service.

A. The yards shall be as required in the chart for permitted uses in an R-7 District. Each yard that abuts a street on a corner lot shall be considered a front yard.

B. Lot coverage. Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways, walkways and all impervious material with the exception of swimming pool basins.

C. Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
   (1) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
   (2) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

D. Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

E. Off-street parking.
   (1) Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

F. Building setbacks: The required setbacks for buildings are stated in Chart 325-8-3. The following are exceptions to the setback requirements:
   (1) A front porch, including any roof gutters, eaves or spouting, may extend eight feet into the required front yard setback in all residential zones, provided:
      a. The porch shall not interfere with the sight triangle as defined in this article.
      b. A minimum of 15 feet shall exist between any porch attached to a nonconforming home and the street right-of-way.
   (2) Chimneys which are an integral part of the dwelling may extend 18 inches into any yard area.
   (3) Except for porches as described in C(1) above, overhangs, eaves, roof gutters and spouting may extend 18 inches into any required yard area.
   (4) Setback averaging. The building setbacks may be reduced using the average of nearby lots according to the following criteria as interpreted by the Zoning Officer:
      Front and side building setbacks may be reduced to the average of lots located within 200 feet on the same block and same side of the street as the property in question.

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Rear yard setbacks may be reduced to the average of lots located within 200 feet on the same block as the property in question.

Lots considered in determination of the average setback shall not be located across any private or public street or cartway from the property in question.

Lots considered in determination of the average setback shall not be located in a different zoning district than the property in question.

(5) Established building lines: The front, side or rear building setback may be reduced for sites with existing nonconforming development in a required setback. The building line of the nonconforming wall serves as the reduced setback line. An addition may increase the building line of a nonconforming set back by up to fifty percent (50%). However side or rear setbacks may not be reduced to less than three (3) feet in depth. See Figure 325-8-3-F(5). This reduced setback applies to new development that is no higher than the existing nonconforming wall. For example, a second story could not be placed up to the reduced setback line if the existing nonconforming wall is only one story high.

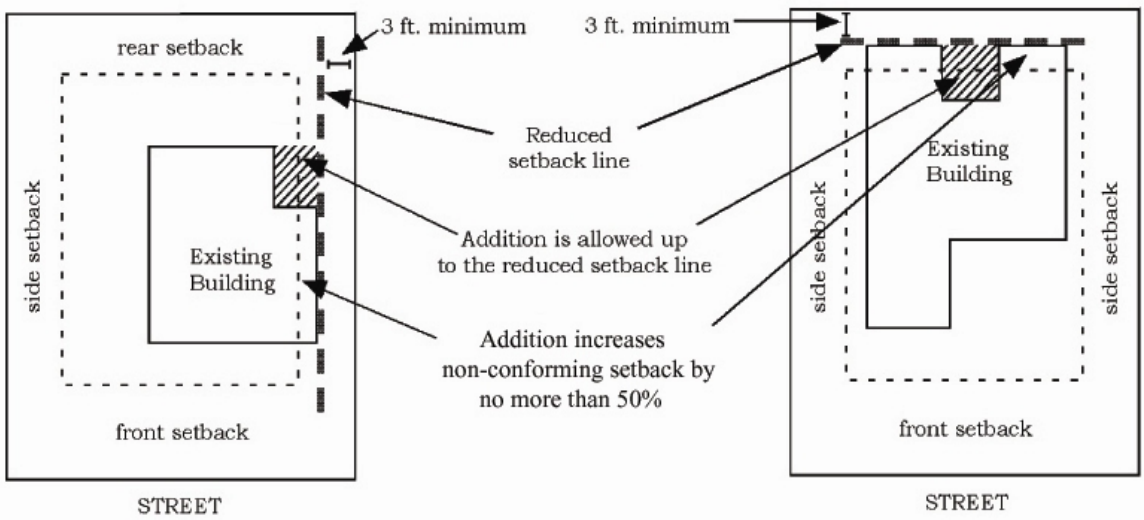

Figure 325-8-3-F(5)

Chart 325-8-3. Area and bulk requirements. **R-7 District Permitted Uses**	**Front Yard Minimum[1]**	**Rear Yard Minimum[1]**	**Side Yard Minimum[1]**	**Maximum Building Height[2]**	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**		
Permitted Principal Uses								
(1) Detached single-family dwelling	20 feet	25 feet	10 feet	35 feet	7,500 SF	40%		
(2) House of worship	20 feet	75 feet	35 feet	35 feet	1 acre	50%		
(3) Public or private school	20 feet	75 feet	35 feet	35 feet	3 acres	50%		
(4) Library	20 feet	75 feet	35 feet	35 feet	1 acres	50%		
(5) Public parks and playgrounds	30 feet	30 feet	10 feet	35 feet	1 acre	20%		
Uses by Special Exception								
(1) Group homes and group quarters	20 feet	25 feet	10 feet	35 feet	7,500 SF	40%		

[1] See § 325-8-3F for exceptions to setback minimums.
[2] See § 325-8-3C for exceptions to height limitations.

Draft

ARTICLE IX. R-10 Medium Lot Single-Family Residential District

§ 325-9-1. Purpose.

The R-10 Residential District is composed of lower-density residential areas of the Township. The purpose of this district is to permit residential development at a relatively low density; to provide standards which will encourage the installation of public facilities, the preservation of permanent public open space and architecturally attractive building facades and landscaping; to exclude activities of a commercial or industrial nature and any activities not compatible with residential development; and to otherwise create conditions conducive to carrying out these and other broad purposes of this chapter.

§ 325-9-2. Permitted uses.

A. Permitted Principal Uses.
   (1) Detached single-family dwelling
   (2) House of worship
   (3) Public or private school (Subject to §325-26-4)
   (4) Library
   (5) Public parks and playgrounds
   (6) Public utility facilities (Subject to §325-26-5)

B. Permitted Accessory Uses. (See Article XXVII: Accessory Uses for additional requirements)
   (1) Private garage or carport
   (2) Storage sheds, tool sheds and greenhouses
   (3) Gazebos
   (4) Decks and patios
   (5) Swimming pool/garden pool
   (6) Energy conversion systems
   (7) No impact home-based business
   (8) Child day care home
   (9) Child day care center – permitted only as an accessory use to a house of worship, public or private school
   (10) Recreational vehicle on-lot parking and storage
   (11) Satellite dishes

C. Uses by Special Exception. (See Article XXIX: Uses Permitted by Special Exception for additional requirements.)
   (1) Public and private country clubs to include swimming pools, golf courses, tennis courts and other related amenities
   (2) Cemetery
   (3) Domiciliary care unit
   (4) Dwelling unit conversion for family members
   (5) Group homes and group quarters
   (6) Home occupations

D. Prohibited uses. Any use that is not a permitted use or a use by special exception.

Draft

§ 325-9-3. Area and bulk requirements.
Chart §325-9-3 refers to the minimum area and bulk requirements for permitted uses for lots served by public water and sanitary sewer. See §325-26-1 for area and bulk requirements for lots without public water and/or sanitary sewer service.

A. The yards shall be as required in the chart for permitted uses in an R-10 District. Each yard that abuts a street on a corner lot shall be considered a front yard.

B. Lot coverage. Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways and all impervious material with the exception of swimming pools.

C. Setbacks. Setbacks shall be as specified in Chart 325-9-3, except that:
(1) A front porch, including any roof gutters, eaves or spouting, may extend ten feet into the required front yard setback in all residential zones, provided:
   a. The porch shall not interfere with the sight triangle as defined in this article.
   b. A minimum of 15 feet shall exist between any porch attached to a nonconforming home and the street right-of-way.
(2) Chimneys which are an integral part of the dwelling may extend 18 inches into any yard area.
(3) Overhangs, eaves, roof gutters and spouting may extend 18 inches into any required yard area.

(4) Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
   (1) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
   (2) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

(5) Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

G. Off-street parking. [Amended 2-13-1992 by Ord. No. 1992-06]
   (6) Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

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Chart 325-9-3. Area and bulk requirements. **R-10 District Permitted Uses**	**Front Yard Minimum**	**Rear Yard Minimum**	**Side Yard Minimum**	**Maximum Building Height**[1]	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**	**Minimum Street Frontage**	
Permitted Principal Uses								
(1) Detached single-family dwelling	35 feet	35 feet	15 feet	35 feet	10,000 SF	35%	80 feet	
(2) House of worship	35 feet	75 feet	25 feet	35 feet	1 acre	40%	100 feet	
(3) Public or private school	35 feet	75 feet	25 feet	35 feet	3 acres	40%	100 feet	
(4) Library	35 feet	75 feet	25 feet	35 feet	1 acre	40%	100 feet	
(5) Public parks and playgrounds	35 feet	75 feet	25 feet	35 feet	1 acre	20%	50 feet	
Uses by Special Exception								
(1) Public and semi-public country clubs and swimming pools	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet	
(2) Cemetery	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet	
(3) Group homes and group quarters (§325-94)	35 feet	35 feet	15 feet	35 feet	20,000 SF	35%	80 feet	

[1] See § 325-9-3D(1) for exceptions to height limitations.

Draft

ARTICLE X. R-20 Large Lot Single-Family Residential District

§ 325-10-1. Purpose.

The R-20 Residential District is composed of low-density residential areas of the Township and open space where similar residential development is likely to occur. The purpose of this district is to permit residential development at a low density; to provide standards which will encourage the installation of public facilities, the preservation of permanent public open space and architecturally attractive building facades and landscaping; to exclude activities of a commercial or industrial nature and any activities not compatible with residential development; and to otherwise create conditions conducive to carrying out these and other broad purposes of this chapter.

§ 325-10-2. Permitted uses.

A. Permitted Principal Uses.
   (1) Detached single-family dwelling
   (2) Detached single-family dwelling under an open space preservation option (Subject to the requirements of §325-10-4)
   (3) House of worship
   (4) Public or private school (Subject to §325-26-4)
   (5) Library
   (6) Public parks and playgrounds
   (7) Public utility facilities (Subject to §325-26-5)

B. Permitted Accessory Uses. (See Article XXVII: Accessory Uses for additional requirements)
   (1) Private garage or carport
   (2) Storage sheds, tool sheds and greenhouses
   (3) Gazebos
   (4) Decks and patios
   (5) Swimming pool/garden pool
   (6) Energy conversion systems
   (7) No impact home-based business
   (8) Child day care home
   (9) Child day care center – permitted only as an accessory use to a house of worship, public or private school
   (10) Recreational vehicle on-lot parking and storage
   (11) Satellite dishes

C. Uses by Special Exception. (See Article XXIX: Uses Permitted by Special Exception for additional requirements.)
   (1) Public and private country clubs to include swimming pools, golf courses, tennis courts and other related amenities
   (2) Cemetery
   (3) Domiciliary care unit
   (4) Dwelling unit conversion for family members
   (5) Group homes and group quarters
   (6) Home occupations

Draft

D. Prohibited uses. Any use that is not a permitted use or a use by special exception.

§ 325-10-3. Area and bulk requirements.
Chart §325-10-3 refers to the minimum area and bulk requirements for permitted uses for lots served by public water and sanitary sewer. See §325-26-1 for area and bulk requirements for lots without public water and/or sanitary sewer service.

D. The yards shall be as required in the chart for permitted uses in an R-20 District. Each yard that abuts a street on a corner lot shall be considered a front yard.

E. Lot coverage. Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways and all impervious material with the exception of swimming pools.

F. Setbacks. Setbacks shall be as specified in Chart 325-10-3, except that:
(6) A front porch, including any roof gutters, eaves or spouting, may extend ten feet into the required front yard setback in all residential zones, provided:
   a. The porch shall not interfere with the sight triangle as defined in this article.
   b. A minimum of 15 feet shall exist between any porch attached to a nonconforming home and the street right-of-way.
(7) Chimneys which are an integral part of the dwelling may extend 18 inches into any yard area.
(8) Overhangs, eaves, roof gutters and spouting may extend 18 inches into any required yard area.

(9) Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
   (3) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
   (4) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

(10) Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

H. Off-street parking.
   (7) Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

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Chart 325-10-3. Area and bulk requirements. **R-20 District Permitted Uses**	**Front Yard Minimum**	**Rear Yard Minimum**	**Side Yard Minimum**	**Maximum Building Height**[1]	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**	**Minimum Street Frontage**	
Permitted Principal Uses								
(6) Detached single-family dwelling	35 feet	35 feet	15 feet	35 feet	20,000 SF	25%	80 feet	
(7) Detached single-family dwelling under an open space preservation option	20 feet	30 feet	10 feet	35 feet	10,000 SF	30%	50 feet	
(8) House of worship	35 feet	75 feet	25 feet	35 feet	1 acre	35%	100 feet	
(9) Public or private school	35 feet	75 feet	25 feet	35 feet	3 acres	35%	100 feet	
(10) Library	35 feet	75 feet	25 feet	35 feet	1 acre	35%	100 feet	
(11) Public parks and playgrounds	35 feet	75 feet	25 feet	35 feet	1 acre	20%	50 feet	
Uses by Special Exception								
(4) Public and semi-public country clubs and swimming pools	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet	
(5) Cemetery	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet	
(6) Group homes and group quarters (§325-94)	35 feet	35 feet	15 feet	35 feet	20,000 SF	25%	80 feet	

[1] See § 325-10-3D(1) for exceptions to height limitations.

Draft

§ 325-10-4. Open Space Preservation Development Option.

A. On sites of six acres or more, the Township shall provide the option of cluster style development in the R-20 District for the purpose of providing open space and protecting natural resources. These provisions are designed to:
   (1) Provide an effective means for identifying, organizing and maintaining open space.
   (2) Provide for active and passive recreation areas to complement existing open space and recreational uses and/or to meet the demand for such areas by future residents.
   (3) Preserve natural environmental resources by:
      a. Encouraging the preservation of floodplains and thus supplementing Floodplain District regulations.
      b. Limiting the development of steep slopes.
      c. Protecting the quality of existing watercourses, ponds and other water bodies.
      d. Avoiding the disruption of woodland and/or individual trees.
      e. Maintaining and/or enhancing the character of the site relative to its aesthetic and recreational qualities and characteristics.

B. Net acreage determination. Determination of the land available on a tract for open space development shall be as follows:
   (1) Gross acreage of the parcel less:
      a. 50% of land located in the one-hundred-year floodplain
      b. 50% of the land area with slopes over 15%
      c. All wetland areas
      d. All public streets and public property.
   (2) Gross acreage less a. though d. above shall be the net acreage used to determine allowable density of development in subsection C below.

C. Density Regulations.
   The maximum number of lots in an open space preservation district shall be as follows:
   (1) For properties greater than four net acres but less than eight net acres of lot area: four (4) additional lots than would otherwise be permitted under conventional R-20 zoning, provided that all the area and bulk regulations of §325-10-3 are met.
   (2) For properties eight net acres or larger of lot area: one (1) additional lot per acre than would otherwise be permitted under conventional R-20 zoning, provided that the area and bulk regulations of §325-10-3 are met.

D. Supplemental Open Space Option Development Regulations. See §325-26-8.

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ARTICLE XI. R-R Rural Residential District

§ 325-11-1. Purpose.

The R-R Residential District is composed of rural residential areas, agricultural land and open space areas where similar residential development is likely to occur. The purpose of this district is to permit residential development of a rural density; preserve agricultural uses and permanent open space; provide standards to encourage architecturally attractive building facades and landscaping; exclude activities of a commercial or industrial nature and any activities not compatible with residential development; and to otherwise create conditions conducive to carrying out these and other broad purposes of this chapter.

§ 325-11-2. Permitted uses.

A. Permitted Principal Uses.
   (1) Detached single-family dwelling
   (2) Detached single-family dwelling under an open space preservation option (Subject to the requirements of §325-11-4)
   (3) Public parks and playgrounds
   (4) Horticultural nursery and greenhouse for wholesale use
   (5) Farming, including one detached single-family dwelling (Livestock, poultry and animals are subject to §325-26-3)
   (6) Public utility facilities (Subject to §325-26-5)

B. Permitted Accessory Uses. (See Article XXVII: Accessory Uses for additional requirements)
   (1) Private garage or carport
   (2) Storage sheds, tool sheds and greenhouses
   (3) Gazebos
   (4) Decks and patios
   (5) Swimming pool/garden pool
   (6) Energy conversion systems
   (7) No impact home-based business
   (8) Child day care home
   (9) Recreational vehicle parking and storage
   (10) Satellite antennas
   (11) Private barns and stables
   (12) Seasonal roadside stand for the sale of agricultural products wholly produced on the premises

C. Uses by Special Exception. (See Article XXIX: Uses Permitted by Special Exception for additional requirements.)
   (1) House of worship
   (2) Public or private school
   (3) Child day care center as an accessory use to a house of worship, public or private school
   (4) Library
   (5) Public and semi-public country clubs, camps and swimming pools
   (6) Kennels
   (7) Concentrated animal feeding operations

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(8) Riding academies and boarding stables
(9) Campgrounds
(10) Cemetery
(11) Bed and breakfast inns
(12) Domiciliary care unit
(13) Dwelling unit conversion for family members
(14) Group homes and group quarters
(15) Home occupations

D. Prohibited uses. Any use that is not a permitted use or use by special exception.

§ 325-11-3. Area and bulk requirements.

Chart §325-11-3 refers to the minimum area and bulk requirements for permitted uses.

A. Yards. Each corner lot shall have a minimum of a 35 foot front yard for each yard that abuts a street.

B. Lot coverage. Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways and all impervious material with the exception of swimming pools.

C. Setbacks. Setbacks shall be as specified in Chart 325-11-3, except that:
(1) A front porch, including any roof gutters, eaves or spouting, may extend ten feet into the required front yard setback in all residential zones, provided:
a. The porch shall not interfere with the sight triangle as defined in this article.
b. A minimum of 15 feet shall exist between any porch attached to a nonconforming home and the street right-of-way.
(2) Chimneys which are an integral part of the dwelling may extend 18 inches into any yard area.
(3) Overhangs, eaves, roof gutters and spouting may extend 18 inches into any required yard area.

D. Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
(1) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
(2) Farm buildings: Farm buildings such as silos and barns are exempt from the height limit as long as they are set back from all lot lines, at least one foot for every foot in height.
(3) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

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E. Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

I. Off-street parking. Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

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Chart 325-11-3. Area and bulk requirements. **R-R District Permitted Uses**	**Front Yard Minimum**	**Rear Yard Minimum**	**Side Yard Minimum**	**Maximum Building Height[1]**	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**
Permitted Principal Uses						
(1) Detached single-family dwelling (for lots without public sewer)	35 feet	35 feet	25 feet	35 feet	2 acres	20%
(2) Detached single-family dwelling (for lots with public sewer)	35 feet	35 feet	25 feet	35 feet	1 acre	20%
(3) Detached single-family dwelling under an open space preservation option	35 feet	35 feet	25 feet	35 feet	30,000 SF	25%
(4) Public parks and playgrounds	35 feet	75 feet	25 feet	35 feet	1 acre	20%
(5) Horticultural nursery and greenhouse for wholesale use	35 feet	75 feet	25 feet	35 feet	5 acres	20%
(6) Farming	35 feet	75 feet	25 feet	35 feet	5 acres	20%
Uses by Special Exception						
(1) House of worship	35 feet	75 feet	25 feet	35 feet	2 acres	20%
(2) Public or private school	35 feet	75 feet	25 feet	35 feet	5 acres	20%
(3) Library	35 feet	75 feet	25 feet	35 feet	2 acres	20%
(4) Public and semi-public country clubs, camps and swimming pools	35 feet	75 feet	25 feet	35 feet	5 acres	20%
(5) Kennels	35 feet	200 feet	200 feet	35 feet	5 acres	20%
(6) Riding academies and boarding stables	35 feet	200 feet	200 feet	35 feet	5 acres	20%
(7) Campgrounds	100 feet	200 feet	200 feet	35 feet	5 acres	20%
(8) Cemetery	35 feet	75 feet	25 feet	35 feet	5 acres	20%
(9) Bed and breakfast inns	35 feet	35 feet	25 feet	35 feet	2 acres	20%
(10) Group homes and group quarters (§325-94)	35 feet	35 feet	25 feet	35 feet	2 acres	20%

[1] See § 325-11-3D(1) for exceptions to height limitations.

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§ 325-11-4. Open Space Preservation Development Option.

A. On sites of 10 net acres or more in the R-R District, the Township shall provide the option of cluster style development for the purpose of providing open space and protecting natural resources. These provisions are designed to:
   (1) Provide an effective means for identifying, organizing and maintaining open space.
   (2) Provide for active and passive recreation areas to complement existing open space and recreational uses and/or to meet the demand for such areas by future residents.
   (3) Preserve natural environmental resources by:
      a. Encouraging the preservation of floodplains and thus supplementing Floodplain District regulations.
      b. Limiting the development of steep slopes.
      c. Protecting the quality of existing watercourses, ponds and other water bodies.
      d. Avoiding the disruption of woodland and/or individual trees.
      e. Maintaining and/or enhancing the character of the site relative to its aesthetic and recreational qualities and characteristics.

B. Net acreage determination. Determination of the land available on a tract for open space development shall be as follows:
   (1) Gross acreage of the parcel less:
      a. All land located within the one-hundred-year floodplain
      b. All land area with slopes over 15%
      c. All wetland areas
      d. All public streets and public property.
   (2) Gross acreage less a. though d. above shall be the net acreage used to determine allowable density of development in subsection C below.

C. Density Regulations. The net dwelling unit density of an open space development shall not exceed the maximum dwelling unit density of the underlying district.

D. Supplemental Open Space Option Development Regulations. See §325-26-8.

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ARTICLE XII. Neighborhood Commercial District

§ 325-12-1. Purpose.

It is the purpose and intent of this article to provide reasonable standards for the harmonious development of apartments, business and professional offices and other uses and accessory uses which are compatible with high-density housing; regulate the density of population; provide for the public convenience and avoid undue congestion in the streets; provide standards to encourage architecturally attractive building facades and landscaping and to otherwise create conditions conducive to carrying out these and the other broad purposes of this chapter.

§ 325-12-2. Procedure requirements.

Development in the Neighborhood Commercial (N-C) District shall be subject to the provisions and requirements for subdivisions and land developments as identified in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289) regardless of the number of lots subdivided.

§ 325-12-3. Permitted uses.

Permitted Principal Uses

- Detached single-family dwelling
- Attached single-family dwelling
- Semi-attached single-family dwelling
- Two-family dwelling
- Multi-family dwelling
- General office
- Professional office
- Medical office and/or laboratory
- Mortuary
- The following retail and service uses occupying not more than 3,000 square feet in floor area for which operating hours are limited to between 6:00am and 10:00pm:
  - i. Personal care services
  - ii. Retail sales
  - iii. Banks
  - iv. Bakery or café, provided that all goods made or processed are sold at retail on premises
  - v. Art gallery or studio
- Private membership club
- House of worship
- Library
- Government offices
- Mixed use with one or more commercial activity listed above and residential apartments upstairs

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Public or private schools
Public parks and playgrounds
Public utility facilities (Subject to §325-20-6)

Permitted Accessory Uses. (See Article XXVII.)
(2) Off street parking and loading areas
(3) Storage sheds, tool sheds and greenhouses
(4) Gazebos
(5) Decks and patios
(6) Swimming pool/garden pool
(7) Energy conversion systems
(8) No impact home-based business
(9) Home occupations
(10) Child day care home
(11) Child day care center
(12) Recreational vehicle parking and storage
(13) Satellite antennas

Uses by Special Exception. (See Article XXIX.)
(1) Boarding houses
(2) Group homes and group quarters
(3) Domiciliary care unit
(4) Skilled nursing facility
(5) Assisted living facility
(6) Dwelling unit conversion for family members

Prohibited uses. Any use that is not a permitted use or use by special exception.

§ 325-12-4. Area and bulk requirements.

Chart §325-12-4 refers to the minimum area and bulk requirements for permitted uses for lots served by public water and sanitary sewer. See §325-26-1 for area and bulk requirements for lots without public water and/or sanitary sewer service.

Yards. The yards shall be those as required in the chart for permitted uses in an N-C District. Each yard that abuts a street on a corner lot shall be considered a front yard.

Interior yards. Open space between buildings shall be provided as follows: When front to front, rear to rear or front to rear, parallel buildings shall have 25 feet between faces. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.

Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance

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(Chapter 289). Such buffer yards may be coterminous with any required yard in this district, but in the case of conflict, the larger yard requirements shall apply.

Lot coverage. Lot coverage refers to all buildings on the lot including all accessory structures, such as utility sheds, patios, swimming pools, tennis courts, parking lots and driveways. Except for detached, semi-attached and attached single-family dwellings, all uses shall be subject to minimum landscape requirements in addition to lot coverage requirements. A minimum of 25% of the lot area shall be landscaped with grass, trees and shrubbery.

Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:

(4) Projections allowed: Chimneys, flag poles, satellite dishes, lightning rods, vents and other similar items with at width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.

Off-street parking. Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

Streets.

Plans for streets, drives, service access, parking, walks and all such facilities shall be designed and installed in the manner prescribed by the Subdivision and Land Development Ordinance (Chapter 289) for dedication and amendments thereto, regardless of whether they are to be presented to the Township for dedication or not.

Suitable access for fire-fighting equipment, refuse collection and, where necessary, snow removal shall be provided.

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Chart 325-12-4. Area and bulk requirements. **N-C District Permitted Uses**	**Front Yard Minimum[1]**	**Front Yard Maximum**	**Rear Yard Minimum**	**Side Yard Minimum**	**Maximum Building Height[2]**	**Minimum Lot Size**	**Maximum Percentage Lot Coverage**
Permitted Principal Uses							
Detached single-family dwelling	20 feet	None	25 feet	10 feet	35 feet	7,500 SF	40%
Attached single-family dwelling	15 feet	None	25 feet	15 feet (end of row)	35 feet	2,500 SF	40%
Semi-attached single-family dwelling	15 feet	None	25 feet	15 feet	35 feet	3,500 SF	40%
Two-family dwelling	15 feet	None	25 feet	15 feet	35 feet	7,500 SF	40%
Multi-family dwelling	20 feet	None	25 feet	15 feet	35 feet	Density factor of 30 per acre	75%
General office	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Professional office	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Medical office and/or laboratory	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Mortuary	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Retail and service uses	10 feet	20 feet	25 feet	15 feet	35 feet	15,000 SF	75%
Private membership club	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
House of worship	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Library	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Government office	10 feet	None	30 feet	15 feet	35 feet	15,000 SF	75%
Mixed	10 feet	20 feet	30 feet	15 feet	35 feet	15,000 SF	75%
Public parks and playgrounds	20 feet	None	30 feet	15 feet	35 feet	1 acre	20%
Uses by Special Exception							

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Boarding houses	20 feet		30 feet	15 feet	35 feet	15,000 SF	50%		
Group homes and group quarters	20 feet		30 feet	15 feet	35 feet	7,500 SF	40%		
Domiciliary care unit	20 feet		30 feet	15 feet	35 feet	7,500 SF	50%		
Skilled nursing facility	20 feet		30 feet	15 feet	35 feet	1 acre	75%		
Assisted living facility	20 feet		30 feet	15 feet	35 feet	1 acre	75%		
Dwelling unit conversion	20 feet		30 feet	15 feet	35 feet	7,500 SF	75%		
Retail and service uses	20 feet		30 feet	15 feet	35 feet	15,000 SF	75%		

[1] Except that front setbacks on an arterial street shall be at least 25 feet.
[2] See § 325-12-4E for exceptions to height limitations.

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ARTICLE XIII. Mixed Use District

§ 325-13-1. Purpose.

The purpose of the Mixed Use (M-U) District is to provide reasonable standards for the orderly expansion of moderate intensity commercial and multi-family residential uses in areas where a nucleus of such uses already exists and where such development can provide a buffer between higher intensity commercial and industrial uses. The standards of this district are designed to minimize traffic congestion on the streets; provide for public conveniences; provide standards to encourage pedestrian activity, architecturally attractive building facades and landscaping; and fulfill the other broad purposes of this chapter.

§ 325-13-2. Procedural requirements.

Development in the M-U Commercial District shall be subject to the provisions and requirements for land developments as delineated in the Subdivision and Land Development Ordinance (Chapter 289) regardless of the number of lots developed.

§ 325-13-3. Permitted uses.

Permitted Principal Uses

(1) Multi-family dwelling
(2) General office
(3) Professional office
(4) Business services
(5) Medical office and/or laboratory
(6) Rental car agency
(7) Neighborhood convenience store (excluding sale of gasoline)
(8) Animal hospital, pet shops and grooming subject to § 325-26-9
(9) Artist studio or gallery
(10) Museum
(11) Appliance and small equipment sales and repair
(12) House of worship.
(13) Library.
(14) Membership clubs.
(15) Mortuary or undertaking establishments.
(16) Health clubs.
(17) Personal care services.
(18) Public or private school.
(19) Child day-care center.
(20) Railway or bus passenger and taxi stations.
(21) Restaurants, cafes and other places serving food, without drive-through facilities.
(22) Retail sales, without drive-through facilities.
(23) Banks and financial institutions, without drive-through facilities.

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(24) Specialty shops such as baking, confectionery, dressmaking, dyeing, laundry, shoe repair, printing and copying services, tailoring and similar shops and services.
(25) Theaters.
(26) Inns.
(27) Recreational or entertainment facility.
(28) Government office
(29) Public parks and playgrounds
(30) Child day care center
(31) Skilled nursing facility
(32) Assisted living facility
(33) Mixed use with one or more permitted commercial activities on the ground floor and residential apartments upstairs

Permitted Accessory Uses (See Article XXVII)
(1) Off street parking and loading areas
(2) Cocktail lounge as an accessory use to restaurants, recreational and entertainment facilities
(3) Storage sheds, tool sheds and greenhouses
(4) Gazebos
(5) Decks and patios
(6) Energy conversion systems
(7) No impact home-based business
(8) Home occupations
(9) Child day care home
(10) Child day care center
(11) Recreational vehicle parking and storage
(12) Satellite antennas

Uses by Special Exception (See Article XXIX)
(1) Hotels and motels
(2) Shopping center, shopping plaza or mall
(3) Bars
(4) Subdivision of shopping center, plazas and malls
(5) Commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings.

Prohibited Uses. Any use that is not a permitted use or use by special exception.

§ 325-13-4. Area and bulk regulations.

Lot area. A lot area not less than 10,000 square feet shall be provided.

Maximum building footprint: 75,000 square feet.

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Lot width: minimum of 80 feet at the at the right-of-way line

Lot coverage. Lot coverage refers to all buildings on the lot including all accessory structures, such as utility sheds, patios, swimming pools, tennis courts, parking lots and driveways and shall not exceed 75%. Not less than 15% of the lot shall be landscaped with a vegetative material. This landscaping shall include shrubs, ornamental trees and shade trees to be placed to enhance the appearance of the building and parking area. The 15% landscaping shall be a minimum requirement and shall not be included as any required buffer yard.

Building setbacks. Building setbacks of the following minimum and maximum depths shall be provided. No merchandise, produce or display items shall be located within any yard area.

Minimum front setback: none, except that on an arterial street, front setbacks shall be at least 25 feet

Maximum front setback: 35 feet

Minimum side building setback: 10 feet; except that no side yard shall be required when two or more commercial uses adjoin side to side, provided that mutual agreement, in writing, by the two or more adjoining property owners is recorded at the Recorder of Deeds Office of York County and provided that there is a vehicular access of at least 20 feet in width through an open and unobstructed passage at grade level at intervals not more than 400 feet apart from a street to all yards of the lot.

Minimum rear setback: 10 feet.

Minimum rear and side setbacks for development adjacent to a residential district: 30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height

Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

Height. No building shall be erected to a height in excess of 45 feet. The following are exceptions to the maximum height:

(5) Height may be increased by one foot for each additional foot that the width of each yard exceeds the minimum required.

(6) Projections allowed: Chimneys, flag poles, satellite dishes, lightning rods, vents and other similar items with at width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.

(7) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

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Lot area, lot width and coverage shall not apply to commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings.

§ 325-13-5. Off-street parking.

Off-street parking and loading space, pedestrian walkways and motor vehicle access shall be provided in accordance with Article XXV of this chapter. No storage, loading or unloading space shall project into the required yard space, nor shall merchandise be displayed in any yard area.

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ARTICLE XIV. C-H Commercial Highway District

§ 325-14-1. Purpose.

The purpose of the Commercial (C-H) District is to provide reasonable standards for the provision of general commercial and highway-oriented commercial uses along the roadside in areas where a nucleus of such uses already exists and where, due to the character of undeveloped land, the designation of highway commercial uses is feasible. The standards of this district are designed to minimize the access roads from major thoroughfares; to minimize traffic congestion; and to provide for architecturally attractive building facades and landscaping.

§ 325-14-2. Procedural requirements.

Development in the C-H District shall be subject to the provisions and requirements for land developments as delineated in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

§ 325-14-3. Permitted uses.

Principal Permitted Uses.

(1) Automobile or trailer sales when the lot is improved with an automobile or trailer display building having not less than 1,000 square feet devoted exclusively to the display of automobiles or trailers.
(2) Automobile/vehicle service and repair areas, sales and installation of parts, accessories and replacement equipment.
(3) Electric substations, telephone central offices and telegraph offices.
(4) Hotels, motels and convention centers, subject to § 325-26-18.
(5) Mobile home sales when the lot is improved with a building containing an office, display room and appurtenant facilities, having an area of not less than 1,000 square feet.
(6) General office
(7) Professional office
(8) Business services
(9) Banks and financial institutions, including drive-through facilities
(10) Medical office and/or laboratory
(11) Hospital
(12) Rental car agency
(13) Neighborhood convenience store
(14) Animal hospital, pet shops and grooming subject to § 325-26-9
(15) Artist studio or gallery
(16) Museum
(17) Appliance and small equipment sales and repair
(18) House of worship.
(19) Library.
(20) Membership clubs.

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(21) Mortuary or undertaking establishments.
(22) Health club
(23) Personal care services
(24) Public or private school
(25) Child day-care centers.
(26) Railway or bus passenger and taxi stations.
(27) Retail sales, including drive through facilities
(28) Shopping center, shopping plaza or mall.
(29) Specialty shops such as baking, confectionery, dressmaking, dyeing, laundry, shoe repair, printing and copying services, tailoring and similar shops and services.
(30) Theaters.
(31) For profit recreational or entertainment facility.
(32) Government office
(33) Private or public parking as a primary use
(34) Public parks and playgrounds
(35) Child day care center
(36) Skilled nursing facility
(37) Assisted living facility
(38) Restaurants and cafes with or without drive-through facilities.

Permitted Accessory Uses. (See Article XXVII.)

Gasoline sales as an accessory use to a convenience store by special exception subject to § 325-29-23.
Off street parking and loading areas
Cocktail lounge as an accessory use to restaurants, recreational or entertainment facilities
Storage, if less than 50% of the gross floor area of the primary structure

Uses by Special Exception. (See Article XXIX.)

Gasoline service stations and car washes, subject to § 325-29-23.
Mini storage facilities by special exception, per § 325-29-18
Sexually-oriented businesses per § 325-29-12.
Bars
Commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings, § 325-29-20.

Prohibited Uses. Any use that is not a permitted use or use by special exception.

§ 325-14-4. Area and bulk regulations.

Lot area. A lot area not less than 20,000 square feet shall be provided.

Lot width: minimum of 100 feet at the setback line and 80 feet at the right-of-way line.

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Coverage. The principal and accessory buildings on any lot shall not cover more than 50% of the area of such lot. Not less than 15% of the lot shall be landscaped with a vegetative material. This landscaping shall include shrubs, ornamental trees and shade trees to be placed to enhance the appearance of the building and parking area. The 15% landscaping shall be a minimum requirement and shall not be included as any required buffer area.

Yards. Yard of the following minimum depth and widths shall be provided; however, in no case shall yard depth be less than 60% of the right-of-way of the street on which they abut. No merchandise, produce or display items shall be placed in any yard area with the exception of cars and vehicles for sale or display, which shall not be permitted to be located within 15 feet of the roadway right-of-way.

Front yard depth: 30 feet.

Side yard width: 10 feet, excepting that no side yard shall be required when two or more commercial uses adjoin side to side, provided that mutual agreement, in writing, by the two or more adjoining property owners is recorded at the Recorder of Deeds Office of York County and provided that there is a vehicular access of at least 20 feet in width through an open and unobstructed passage at grade level at intervals not more than 400 feet apart from a street to all yards of the lot.

Rear yard depth: 30 feet.

Minimum rear and side setbacks for development adjacent to a residential district or use: 50 feet for structures up to 15 feet tall, plus 5 feet for each additional 10 feet or story in height

Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

Height. No building shall be erected to a height in excess of 100 feet.

Lot area, lot width and coverage shall not apply to commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings.

§ 325-14-5. Off-street parking.

Off-street parking and loading spaces, pedestrian walkways and motor vehicle access shall be provided in accordance with Article XXV of this chapter. No storage, loading or unloading space shall project into any required yard space, nor shall merchandise be displayed in any yard area with the exception of cars and vehicles for sale or display, which shall not be located within 15 feet of the roadway right-of-way.

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ARTICLE XV. T-N Traditional Neighborhood Overlay

§ 325-15-1. Purpose and goals.

The Traditional Neighborhood Development (T-N) Overlay Guidelines provide for alternative development options which will advance the following community goals for new development in Springettsbury Township:

A. Encourage new development that reintroduces traditional town and village character to the Township.

B. Allow for compact, visually unified mixed-use developments with a consistent building scale and integrated village greens, open spaces and service-oriented commercial uses.

C. Accommodate households of different sizes, ages and incomes by providing a mix of housing styles, types and sizes.

D. Minimize negative impacts of the automobile with an interconnected and broadly rectilinear pattern of streets and alleys that offers multiple routes for motorists, pedestrians and bicyclists and provides connections to existing and future developments.

E. Promote pedestrian and bicycle travel by providing sidewalks, pedestrian- and bike-friendly streets, greenways, bike paths and trail systems and by locating a mix of uses in close proximity to each other.

F. Protect and enhance natural and cultural features, including historic resources, scenic viewsheds, natural topography, woodlands, wetlands, stream corridors, steep slopes and prime agricultural soils.

G. Improve the efficiencies of public services and reduce the cost of public and private infrastructure.

§ 325-15-2 Applicability.

A. The T-N Overlay is permitted by conditional use, subject to compliance with the T-N guidelines set for in this article, in the following districts:
   (1) High-Density Residential (R-1)
   (2) Small-Lot Single-Family (R-7)
   (3) Neighborhood Commercial (N-C)
   (4) Mixed-Use (M-U)

B. R-10 District Applicability: The T-N Overlay is permitted by conditional use, subject to compliance with the T-N guidelines set forth in this article, if said R-10

district shares a boundary with a Neighborhood Commercial (N-C) or Mixed-Use (M-U) District.

§ 325-15-3. Minimum requirements.

Each T-N shall meet all of the following minimum requirements:

A. A T-N tract shall be at least 20 acres in total area.

B. A T-N tract greater than 40 acres in area shall include a neighborhood center.

C. The T-N shall be connected to both a public water supply system and sanitary sewer system.

D. The T-N shall include open space in accordance with this article.

E. The T-N shall be generally consistent with the Comprehensive Plan for Springettsbury Township.

F. The T-N tract shall be developed according to a master plan that depicts complete build-out of the T-N tract with common authority and responsibility. If more than one person has an interest in all or a portion of the T-N tract, all persons with interests in any portion of the T-N tract shall join as applicants and shall present an agreement, in a form acceptable to the Township Solicitor, guaranteeing that the T-N tract as a whole shall be developed in accordance with any approval granted under this article as a single T-N with common authority and governing documents.

G. The Master Plan shall show proposed streets, alleys, cartway widths, lots, common open spaces, recreation areas, major pedestrian and bicycle pathways, parking areas, major stormwater facilities and proposed types of housing and non-residential uses. The Master Plan is intended to be similar to what is commonly termed a "sketch plan." The Master Plan is not required, for the purposes of these zoning district regulations, to meet the minimum submission requirements for a preliminary or final subdivision/land development plan.
   (1) An applicant may voluntarily submit a preliminary subdivision or land development plan at the same time as a conditional use application, and thereby have the conditional use application be considered during a time period that overlaps with review and approval of the subdivision or land development plan

H. The Master Plan and application for the traditional neighborhood development shall be reviewed by the Planning Commission and require approval by the Board of Supervisors as a conditional use. Once conditional use approval is granted for the Traditional Neighborhood Development, then individual lots may be submitted for approval under the Subdivision and Land Development Ordinance

and allowed uses may occur as permitted by right uses, provided the lots and uses comply with the approved Master Plan.

I. All other requirements of this Chapter and other Township ordinances shall apply within the Traditional Neighborhood Overlay, except for provisions that are specifically modified by this Article XV of this Chapter.

§ 325-15-4. Mixed use neighborhoods.

The T-N shall be designed as a mixed-use neighborhood in which residential, commercial, civic and open space uses are within close proximity to one another. The development shall be designed with a mix of housing types and sizes to allow a diversity of household types. The T-N shall also provide a community focal point in the form of public open space, civic space and/or retail use.

§ 325-15-5. Permitted uses.

In order to promote a pedestrian-oriented development, it is important to locate a mix of land uses in close proximity to each other. The T-N shall consist of a mix of residential, commercial, civic and open space uses as provided below.

A. Residential areas may contain the permitted uses listed below.
   (1) Detached single-family dwelling
   (2) Semi-attached single-family dwelling
   (3) Attached single-family dwelling
   (4) Duplexes
   (5) Multi-family dwelling

B. Neighborhood center areas shall comply with the following general use requirements and may contain the permitted uses listed below.
   (1) General use requirements.
      a. T-Ns that are greater than 40 acres in area shall provide a neighborhood center containing a mix of commercial, residential, civic and/or open space uses. Said neighborhood center shall comprise a minimum of 5% and a maximum of 20% of the total gross land area of the T-N tract or 10 acres, whichever is smaller.
      b. T-Ns that are greater than 100 acres may have two neighborhood centers, located in two different areas of the T-N. Said neighborhood center shall comprise a minimum of 5% and a maximum of 10%of the total gross land area of the T-N tract. It is recommended that the neighborhood center be located within approximately 1/4 mile of all residential uses in the T-N.
      c. No individual commercial or office use shall exceed 6,000 square feet in gross floor area.
      d. Dispensing of fuels shall not be permitted.
      e. Drive through commercial uses shall not be permitted.

f. Commercial, civic or institutional uses shall comprise a minimum of 50% of the total square footage of the neighborhood center.

(2) Commercial uses.
   a. Personal services
   b. Professional, business or administrative offices such as medical, dental, real estate, bank or other financial institution, provided that no drive-through service shall be provided.
   c. Personal fitness center or training or educational businesses, including music, art, dance or other cultural pursuits instruction for individuals and including instrument, art or other directly related sales.
   d. Eating establishment, including restaurants, coffee or teashops, and delicatessens with inside and/or outside table service, but excluding drive-through service.
   e. Individual retail stores, shops or establishments, including neighborhood grocery stores, pharmacies, bakery or confectionery stores, bookstores, newsstands, gift shops, bicycle shops, specialty foodstores, florists, art galleries, studios and shops of artists and artisans.
   f. Child or adult day-care facilities.
   g. Another use which is determined substantially similar by the Board of Supervisors during the conditional use process.

(3) Residential uses.
   a. Single-family attached dwelling
   b. Duplexes
   c. Multifamily dwellings.
   d. Residential units located on upper floors above commercial uses.
   e. Live-work units consisting of a first floor office or work area use of no more than 1,000 square feet and within the same structure as a residential dwelling. Live-work units shall conform to uses and standards established for home occupations.

(4) Civic or institutional uses.
   a. Government office
   b. House of worship
   c. Public or private schools
   d. Common open space uses.
   e. Central green or common.
   f. Neighborhood park.

(5) Permitted Accessory Uses.
   a. Off street parking and loading areas
   b. Storage sheds, tool sheds and greenhouses
   c. Gazebos
   d. Decks and patios
   e. Swimming pool/garden pool
   f. Energy conversion systems
   g. No impact home-based business
   h. Home occupations

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i. Child day care home
j. Satellite antennas

C. Open space areas may contain uses as provided for in § 325-15-15.

§ 325-15-6. Required mix of residential uses.

To accommodate a diversity of age and incomes, the T-N shall contain a mix of each of the permitted residential uses.

A. Detached single-family dwellings shall constitute a minimum of 40% and a maximum of 60% of all dwelling units in the T-N tract.

B. Single-family detached dwellings shall be dispersed throughout the T-N such that:
   (1) A minimum of 20% of the single-family detached dwellings shall be located immediately adjacent to or immediately across a street from and facing semi-detached single-family dwellings, attached single-family dwellings, duplexes, or live-work units.
   (2) No more than 50% of the single-family detached dwellings shall be designed to include an accessory apartment.

§ 325-15-7. Density Requirements for residential development.

The maximum density for dwelling units within a T-N shall be determined as follows.

A. Begin with total land area of the development tract, after deleting existing rights-of-way of existing streets.

B. Delete land area within lots of non-residential principal uses from "A."

C. Delete 50% of the land area with a slope of 15% or more from "B."

D. Delete 50% of the land area within the 100-year floodplain from "C."

E. Multiply the resulting acreage by the "Maximum Density Factor" in Chart 325-15-7 below to determine the maximum number of permitted dwelling units within the development.

Chart 325-15-7 T-N Residential Densities **Zoning District**	**Maximum Density Factor (Units per acre)**
N-C, R-7 or R-10 District	4.0
M-U or R-1 District	9.0

Note: This method of calculating density does not require the deletion of stormwater detention basins, shared parking areas, new streets, new common recreation areas, new

alleys or similar features; therefore, the actual density that could be achieved on a "net" tract of land would be higher than the density factors listed above.

§ 325-15-8. Traditional development patterns.

The T-N shall be designed with an interconnected and broadly rectangular pattern of blocks, streets and alleys defined by buildings, public open space and streetscapes. The T-N shall be compact and designed at a human scale. A compact development can promote a more efficient use of the land and lower the costs of infrastructure and public services. Compact development patterns can also promote social interaction by including a diversity of uses and encouraging pedestrian movement.

§ 325-15-9. Lot and block standards.

A. Street layouts should provide for blocks that are 200 to 400 feet deep by 400 to 600 feet long. Block lengths shall not exceed 600 feet without a dedicated alley or pathway providing through access.

B. Residential building setbacks (except for accessory structures and for residential uses in the neighborhood center):
   (1) Front yard, minimum: five feet.
   (2) Front yard, maximum: 15 feet.
   (3) Side yard, minimum: five feet.
   (4) Rear yard, minimum: 20 feet.

C. Accessory building setbacks:
   (1) Front yard, no accessory structures shall be permitted in the front yard.
   (2) Side yard, minimum: five feet.
   (3) Rear yard, minimum: five feet.

D. Neighborhood center building setbacks (all uses):
   (1) Front yard, minimum: zero feet.
   (2) Front yard, maximum: 10 feet.
   (3) Side yard, minimum: zero feet.
   (4) Rear yard, minimum: 20 feet.

E. Maximum building height: 35 feet.

F. Minimum residential lot area:
   (1) Detached single-family dwelling: 5,000 square feet.
   (2) Semi-detached single-family dwelling: 3,500 square feet/unit.
   (3) Attached single-family dwelling: 2,500
   (4) Duplex: 6,000 square feet/two-family unit.
   (5) Multifamily: 3,000 square feet/unit.

G. Maximum residential lot area:

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(1) Single-family detached: 10,000 square feet.
(2) Single-family semidetached: 5,000 square feet/unit.
(3) Attached single-family dwelling: 3,500 square feet/unit.
(4) Duplex: 10,000 square feet/two-family unit.
(5) Multifamily: 3,500 square feet/unit.

H. Maximum impervious surface ratio: 60%.

§ 325-15-10. Residential area design standards.

A. All dwelling units shall be located within a 1/4 mile of a common, green, square or trail.

B. No more than two contiguous dwelling units shall have the some continuous roof ridgeline.

C. No more than two dwelling units in any one building shall have more than 60% of their front facade on the same vertical plane as any other dwelling unit in the same building. Offsets must be staggered.

D. For townhouse structures, no more than eight dwelling units shall be in any one structure.

E. At least one public entrance of each residential principal structure shall be oriented towards the front lot line or street side lot line. Vehicular openings such as those for garages and carports shall not constitute a public entrance.

F. The front and street side exterior walls of each residential principal structure shall each contain a minimum of 15% of transparent or translucent materials on each story below the roofline. Garage facades shall be included in the transparency/translucency calculation.

G. Pedestrian access from the public sidewalk, street right-of-way or driveway to the front doorway of the residential principal structure shall be provided via an improved surface.

H. In order to make the living area of a residence more visually dominant than its parking facilities, all garages or carports (whether detached, attached to or incorporated within the principal structure) shall be recessed at least 10 feet behind the front facade of the principal structure or required minimum front yard setback, whichever is greater. When an alley is present, garages shall be located in the rear yard and accessed through the alley.

I. An unscreened open air porch may extend into the required front yard setback up to eight feet. Roof projections (eaves) may extend beyond the eight feet but not extend into the required setback more than 10 feet. Wherever such an extension

into the front yard setback has been approved, no other modification of front yard setback standards shall be approved by the Zoning Officer.

J. Where several townhouse buildings are located on one lot, the following separation distances shall be applicable:
   (1) Front to front, rear to rear, or front to rear, parallel buildings shall have at least 30 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 10 feet at one end, if increased by similar or greater distance at the other end.
   (2) A minimum yard space of 30 feet is required between end walls of buildings where both end walls contain windows and 20 feet otherwise. If the buildings are at angles to each other, the distance between the corners of the end walls of buildings where both end walls contain window may be reduced to a minimum of 20 feet.
   (3) Minimum yard space of 30 feet is required between end walls and front or rear faces of buildings.

§ 325-15-11. Neighborhood center design standards.

Each T-N greater than 40 acres shall include a neighborhood center. Each neighborhood center shall comply with the following:

A. As outlined in § 325-15-6, it is recommended that the neighborhood center(s) shall be located within approximately 1/4 mile of all residential uses and may contain a mix of commercial, residential, civic, institutional and open space uses. Commercial, civic or institutional uses shall comprise a minimum of 50% of the total square footage of the neighborhood center. Retail uses should be those that support the day-to-day needs of local residents and should be complemented by compatible business, civic, institutional, residential and open space uses. The size and type of each use within the neighborhood center is restricted in order to ensure the neighborhood center is oriented to the local user.

B. The applicant may initially use all or a portion of the neighborhood center as a sales office. If the applicant uses all or a portion of the neighborhood center as a sales office, the applicant shall insure that not less than 50% of the floor area of that portion shall be converted to neighborhood center uses authorized in § 326-15-6 upon the sale of 30% of the dwelling units in the T-N. The applicant shall further insure that not less than 75% of the floor area of the neighborhood center used as a sales office shall be converted to neighborhood center uses upon the sale of 75% of the dwelling units in the T-N.

C. The maximum land area permitted to be devoted to the total of all neighborhood center uses shall be no more than 10% of the gross land area of the T-N tract.

D. Pedestrian access.

(1) Direct pedestrian access shall be provided from the principal entrance of each principal structure.
(2) Pedestrian access shall be provided from the rear parking facilities to the ground floor uses, either through rear building entrances, pedestrian ways along the perimeter of buildings or by pedestrian throughways which connect the rear parking lots to the sidewalks along the front lot line.
(3) Pedestrian throughways may be exterior and located between buildings or may be incorporated into the interior design of a structure. Pedestrian throughways shall be a minimum of five feet wide.

E. At least one public entrance of all principal structures shall be oriented towards the street. Vehicular openings such as those for garages and carports shall not constitute a public entrance.

F. Primary building entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.

G. The front and street side exterior walls of each principal structure shall each contain a minimum of 15% of transparent or translucent materials on each story below the roofline. Garage facades shall be included in the transparency/ translucency calculation.

H. Parking facilities shall be permitted only to the rear or side of the principal structure. No parking shall be permitted in the front yard.

§ 325-15-12. Network of circulation systems.

The T-N shall be designed with an interconnected network of circulation systems that facilitates vehicular, pedestrian and bicycle use. An interconnected street pattern will create multiple routes in the development and limit the use of isolated culs-de-sac. Bikeway and trail systems will complement the street network. Narrow streets which utilize traffic calming techniques will promote pedestrian use as will a compact mixed-use development pattern.

§ 325-15-13. Circulation standards.

The circulation system shall provide functional and visual links within the T-N and shall be connected to existing and proposed external development. The circulation system shall provide for different modes of transportation, including vehicular, pedestrian and bicycle.

A. Pedestrian circulation.
(1) Where feasible, existing pedestrian routes shall be retained and enhanced.
(2) All streets, except for alleys, shall be bordered by sidewalks on both sides.
(3) Sidewalks shall be provided along existing streets connecting the T-N to existing or future development adjacent to the T-N.

(4) Sidewalks shall be not less than five feet in width.
(5) Trails shall be not less than eight feet in width.
(6) Sidewalks shall be separated from street curbs by a planting strip not less than five feet wide. In the neighborhood center, the sidewalk width may be increased to 10 feet wide and include grated tree wells and decorative paving used in lieu of planting strips.

B. Bicycle circulation.
(1) Where feasible, existing bicycle routes shall be retained and enhanced.
(2) Facilities for bicycle travel may include off-street bicycle paths which may be shared with pedestrians and other non-motorized users.
(3) All off-street bicycle paths will remain in privately owned and maintained und the provisions of § 325-15-16.

C. Vehicular circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic-calming features, such as neck downs, chicanes, traffic circles and medians, may be used to encourage slow traffic speeds.
(1) General guidelines for street design:
a. Streets shall be designed and located so as to minimize alteration of topography, natural water bodies and areas of significant vegetation.
b. Streets shall accommodate safe pedestrian movement and bicycle traffic.
c. Street design shall incorporate traffic-calming techniques.
d. Streets shall be designed with minimized asphalt areas so as to limit impervious area.
(2) Street hierarchy. Each street within a T-N shall be classified according to the following:
a. Boulevard. Provided with a landscaped median, the boulevard is a short distance connector between residential areas and core areas such as the neighborhood center and open space uses. Boulevards may also provide circulation around squares or neighborhood parks.
b. Main street. Main streets provide access to neighborhood centers and multifamily residential uses, but are also part of the T-N's major street network.
c. Local street. Provides access to all residential uses. On-street parking is permitted on both sides of the street.
d. Neighborhood street. Provides access to single-family and semidetached residential uses and connects streets of lower and higher function. On-street parking is permitted on only one side of the street.
e. Alley. Provides secondary access to properties. Utilities may be located within alley rights-of-way.
(3) Street layout.
a. Streets shall terminate at other streets or at public land, except main streets and local streets that may terminate in stub streets when such streets act as connections to future phases of this or adjacent development.

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b. Local streets and neighborhood streets may terminate other than at other streets or public land when there is a connection to the pedestrian and bicycle path network at the terminus.

(4) Center line turning radii. Tight turning radii at street intersections shorten pedestrian crossings and inhibit drivers from turning corners at high speeds.
   a. Proposed boulevards and main streets shall have a minimum center line turning radius of 166 feet.
   b. All other streets in the T-N shall have a minimum center line turning radius of 89 feet.

(5) To allow for emergency vehicles to turn corners, a clear zone shall be established that is free of significant obstructions.

(6) Clear sight triangle.
   a. Within residential areas, the minimum clear sight triangle shall be 45 feet for intersections of access drives and streets and for intersections of streets with streets other than existing or proposed collector streets.
   b. Within the neighborhood center, the minimum clear sight triangle shall be 25 feet for intersections of access drives and streets and for intersections of streets with streets other than existing or proposed collector streets.
   c. The minimum clear sight triangle shall be 100 feet for intersections of streets with existing or proposed collector streets.

§ 325-15-14. Street standards.

Chart 325-15-14 describes the street design standards for the T-N overlay. Figure 325-15-14 illustrates required and recommended design.

Chart 325-15-14 Street Design Standards **Street Type**	**# Travel Lanes**	**Parking**	**Side-walks**	**Mini-mum Lane Width (feet)**	**Mini-mum ROW Width (feet)**	**Curb**	**Maxi-mum Curb Radii (feet)**	**Mini-mum Design Speed (mph)**
Boulevard	2	When necessary	Yes	12*	varies w/ median	Yes	25	25
Main street	2	2 sides	Yes	11	58	Yes	20	25
Local street	2	2 sides	Yes	10	56	Yes	20	25
Neighbor-hood street	2	1 side	Yes	10	48	Yes	20	25
Alley	1	No	No	8	16	No	10	n/a

* Street width does not include width of median.

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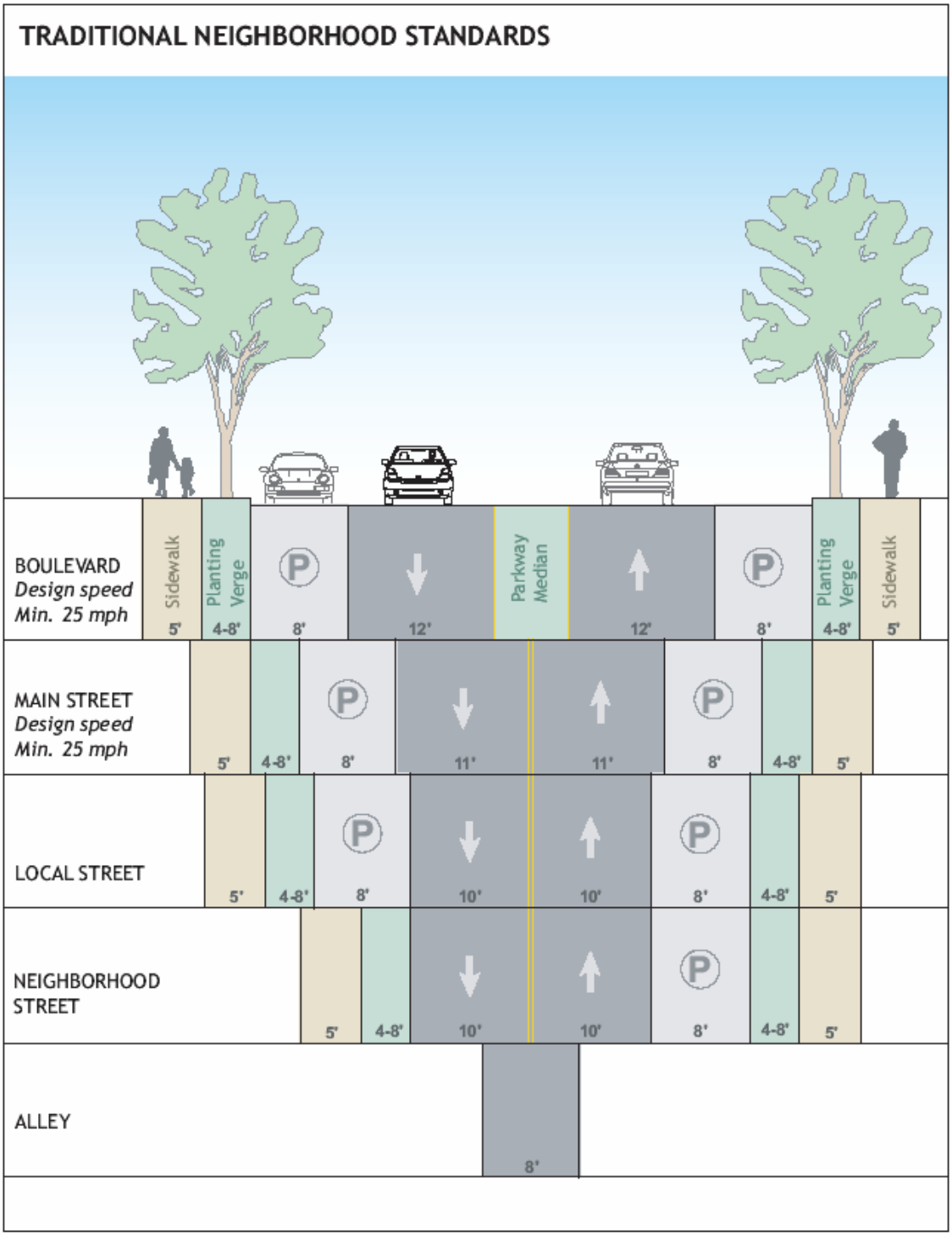

Figure 325-15-14

§ 325-15-15. Open space.

A minimum of 30% of the T-N tract shall be devoted to common open space.

A. Open space shall be designed and arranged to achieve as many of the following objectives as possible:
   (1) Protection of important natural, historic and cultural resources.
   (2) Preservation of scenic views from inside and outside the development, from public roads and neighboring properties.
   (3) Provision of new and/or connection with existing trails, greenways, bikeways, linear parks or open space on adjoining parcels.
   (4) Provision of useable play areas, recreation areas and/or equipment made conveniently accessible to residents throughout the T-N.
   (5) Establishment of public open space, including public greens, squares and commons, as a focal point of the T-N.
   (6) Interconnection of areas of proposed open space within the T-N with existing or planned open space or recreational facilities on lands adjoining the T-N tract.

B. The applicant shall demonstrate the specific measures employed to achieve the objectives in Subsection A through the provision of an open space plan depicting all proposed elements of the common open space. Each open space plan shall include:
   (1) The location and size of proposed commons, greens and/or squares.
   (2) Identification of connections among proposed areas of open space within the T-N tract and connections of proposed areas of open space on the T-N tract with elements of open space on adjoining tracts if such exists or is proposed.
   (3) Location, type and size of proposed recreational equipment.
   (4) Location and size of trails, greenway or other pedestrian linkages, including the proposed surface treatment.
   (5) A landscape plan that includes information as outlined in § 325-15-17.

C. In all T-Ns, regardless of the total amount of open space provided , not less than 50% of the required open space shall meet all of the following criteria:
   (1) The land shall not contain floodplains, wetlands, steep slopes or other natural features which would render the land unbuildable under applicable ordinances and regulations. For the purposes of this section, unbuildable land is land on which a principal structure cannot be constructed.
   (2) The land shall not contain stormwater management facilities.

   The remaining portion of the required open space may contain floodplains, wetlands, steep slopes and similar features.

D. The arrangement and configuration of the open space shall relate to the design of the T-N and shall be usable by and/or accessible to residents of the proposed development. Strips of land along the perimeter of the T-N tract or separating

proposed lots within the T-N shall not be counted as open space to meet the required minimum unless such land is improved with walking trails, fitness stations or other improvements acceptable to the Board of Supervisors or unless such land is, in the opinion of the Board of Supervisors, integrated and integral to the overall open space design.

E. Each T-N containing 150 or more dwelling units shall be provided with at least one public common or green containing not less than 20,000 square feet. Other greens, squares and commons of not less than 1,000 square feet shall be dispersed throughout the T-N. A green, square or common that meets the requirements of Subsection C(1) through (2) above may be included within the required minimum open space.

F. A hard- or soft-surfaced pedestrian and bicycle network system linking development within the T-N shall be provided to connect greens, squares and commons depicted on the open space plan. Access to all such areas shall be provided from public streets. Where necessary, easements shall be provided to accommodate pedestrian access as well as access for maintenance equipment and bicycles.

G. The open space requirements of this section are in addition to the recreation land/fee requirements provided under the Subdivision and Land Development Ordinance (Chapter 289).

§ 325-15-16. Ownership, maintenance and preservation of common open space.

For the purpose of ownership, maintenance and preservation of common open space, the developer shall establish a property owners' association in accordance with one or more of the following provisions:

E. There shall be provisions to ensure that the open space shall continue as such and be properly maintained. Any of the following methods and no other may be used, either individually or together, to preserve, own and maintain open space:
   (1) Homeowners' association.
   (2) Condominium association.
   (3) Transfer of fee-simple title or development rights and easements to a private conservation organization.

F. The following specific requirements are associated with each of the various methods:
   (1) Homeowners' association: the establishment of a nonprofit homeowners' association established. If a homeowners' association is formed, it shall be governed according to the following:
      a. The landowner or developer shall provide the Township with a description of the organization, including its bylaws and methods for maintaining open space, which shall be acceptable to the Township and its Solicitor.

b. The organization is to be organized by the landowner or developer and operating with financial subsidy by the landowner or developer, if necessary, before the sale of any lots within the development.
c. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
d. The members of the organization shall share equitably the costs of maintaining and developing open space in accordance with procedures established by them. If a member fails to pay his pro rata share, then a lien against an individual property may be made in accordance with the provisions for the same in the bylaws of the organization.
e. The organization shall be responsible for maintenance of and insurance and taxes on open space.
f. The organization shall have or hire adequate staff to administer common facilities and maintain the open space to the satisfaction of the Township Board of Supervisors.

(2) Condominium association. The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Unit Property Act of 1963. All open space land shall be held as common element.
a. The landowner or developer shall provide the Township with a description of the organization, including its bylaws and methods for maintaining open space, which shall be acceptable to the Township and its Solicitor.
b. The organization is to be organized by the landowner or developer and operating with financial subsidy by the landowner or developer, if necessary, before the sale of any lots within the development.
c. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
d. The members of the organization shall share equitably the costs of maintaining and developing open space in accordance with procedures established by them. If a member fails to pay his pro rata share, then a lien against an individual property may be made in accordance with the provisions for the same in the bylaws of the organization.
e. The organization shall be responsible for maintenance of and insurance and taxes on open space.
f. The organization shall have or hire adequate staff to administer common facilities and maintain the open space to the satisfaction of the Township Board of Supervisors.

(3) Transfer to a private conservation organization. With permission of the Township, the landowner or developer may transfer either the fee-simple title with appropriate deed restrictions running in favor of the Township or the development rights or easements to a private, nonprofit organization, one of whose purposes is to conserve open space land, provided that:
a. The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence.

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b. The organization is chartered under the laws of the state to administer deed restrictions limiting eventual disposition of such property for the purposes stated in its Articles of Incorporation.
c. The conveyance contains appropriate provisions for reversion or retransfer in the event that the organization becomes unwilling or unable to continue to function.
d. A maintenance agreement acceptable to the Township is entered into by the landowner or developer and the organization.

G. The applicant for any proposed traditional neighborhood development shall arrange with the York County Board of Assessment, when applicable, a method of assessment of the open space which will allocate to each tax parcel in the subdivision a share of the total assessment for such open space. Where this alternative is to be utilized, the method of allocation shall be approved by the Township Board

§325-15-17. Landscaping and screening.

A. Landscape plan. The applicant shall provide a landscape plan, prepared by a registered landscape architect, for all areas of the T-N. The landscape plan shall include the following:
(1) Identification and location of existing vegetation to be retained.
(2) The type and size of proposed vegetation.
(3) Location and specifications of lighting proposed for all portions of the open space.
(4) The location of proposed street landscaping and the type, size and location of proposed street trees.
(5) The type, size and location of landscaping for areas to be screened.
(6) The type, size and location of parking lot landscaping.

B. Street trees. Shade trees shall be provided and installed in accordance with the landscape plan.
(1) A minimum of one deciduous canopy tree per 50 feet of street frontage, or fraction thereof, shall be planted parallel to the street along all streets and access roads, except for alleys.
(2) Street trees shall not be permitted within any required clear sight triangle.

C. Landscaping and screening.
(1) Landscaping and screening shall be required for the following areas when fronting public streets, sidewalks or trails or when abutting residential uses:
a. Dumpsters, trash, disposal or recycling area.
b. Service or loading dock.
c. Public utility facilities.
d. Any other element determined by the Zoning Officer to have a similar visual impact.

(2) Landscaping and screening for elements listed above shall conform to the following:
   a. A landscaped area at least five feet wide along the public street, sidewalk, trail or abutting residential use.
   b. Screening a minimum of six feet high and not less than 50% opaque.

D. Parking lot landscaping. All parking lots fronting public streets or sidewalks and all parking lots abutting residential uses shall provide:
(1) Screening a minimum of three feet high and a maximum of five feet high.
(2) Screening shall consist of either:
   a. A landscaped area not less than 50% opaque;
   b. A decorative fence or masonry wall not more than 50% opaque; or
   c. A combination of landscaping and decorative fence or masonry wall as proscribed above.

E. Existing trees. Existing trees shall be protected to prevent unnecessary destruction.

§ 325-15-18. Streetlighting.

Streetlighting shall be provided along all streets and is intended to increase both pedestrian and vehicular safety as well as enhance the character of the T-N. More frequently placed smaller-scale lights, as opposed to fewer, taller, high-intensity lights, should be used. The scale of lighting fixtures and the illumination provided must be appropriate for both pedestrian and vehicular movements. Streetlights shall be provided in a manner consistent with the architectural guidelines and acceptable to the Township.

§ 325-15-19. Off-Street Parking.

A. Provision. Off-street parking shall meet the regulations set forth in Article XXV herein, except that additional visitor parking shall be provided for each residential unit in which parking is located in the rear yard and accessed by an alley, according to the following ratio and design standards:
(1) At least 0.2 parking spaces shall be provided.
(2) Parking spaces shall be grouped in lots of not more than four spaces each.
(3) At least one visitor parking lot shall be located within 0.25 miles of each residence with rear yard parking.
(4) Whenever possible, visitor parking lots shall be incorporated into commercial open space, recreation, or other community features.
(5) The parking lot shall meet the landscaping and screening requirements of § 325-15-17.D

B. Access. Curb cuts and driveways for parking facilities shall be a maximum of 24 feet wide for two-way drives and 16 feet wide for one-way drives. The curb radii shall be the minimum possible dependent upon width of road, width of driveway and location of parking. The Township Engineer shall authorize the reduction of

driveway width wherever he finds that projected average daily traffic of the roadway will permit such reductions.

§ 325-15-20. Application procedure.

Prior to the issuance of any permits for development within a T-N, the following steps shall be completed according to the procedures outlined in this section:

A. The applicant shall comply with the requirements set forth in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289) in addition to requirements listed below. The applicant may proceed simultaneously with the formal application as described in Subsection C below and subdivision and land development review process.

B. Pre-application review.
   (1) As part of the pre-application review process, the applicant and Township staff shall make a site visit in order to ascertain site conditions and areas of special concern.
   (2) Following the site visit, each applicant under this article shall submit a sketch plan of the T-N to the Planning Commission. The sketch plan shall incorporate the recommendations made by Township staff during the site visit. The sketch plan shall, at a minimum, contain the following:
      a. Name and address of the developer (if applicable) and the landowner of the tract.
      b. Name of the individual and/or the firm that prepared the plan.
      c. A location map with sufficient information to enable the Township to locate the property.
      d. A North arrow.
      e. Approximate tract boundaries.
      f. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the tract.
      g. Delineation of residential and neighborhood center areas.
      h. Distance to the closest public water and sewer facilities.

C. Formal application. An applicant who desires to develop under the T-N option shall submit an application for conditional use approval, together with the following:
   (1) The plotting of all existing adjacent land uses and lot lines within 200 feet of the proposed development, including the location of all public and private streets, drives or alleys, greenways, public or private parks, railroads, historic sites and other significant natural or man-made features.
   (2) A list of site data, including but not limited to the following:
      a. Total acreage of the tract
      b. Zoning district
      c. Proposed gross area of the development

d. Proposed number of dwelling units and the mix of dwelling types
e. Acreage of all street rights-of-way proposed for dedication
f. Acreage and percentage of common open space
g. Acreage to be sold to individual owners
h. Acreage to be retained by landowner
i. Acreage of any commercial, civic or institutional use
j. Proposed number of parking spaces

(3) The proposed location and dimensions of all streets, access drives, parking compounds, sidewalks, bikeways and curbing.
(4) The proposed location of all lot lines with approximate dimensions.
(5) The approximate size of all lots in square feet or acreage.
(6) The proposed location and configuration of all buildings. Single-family detached, single-family semidetached and duplex dwelling units may be schematic in configuration. Identification of building type with number of dwelling units in each multiunit building.
(7) The proposed location, size and use of all common open space areas, structures and recreation facilities.
(8) A proposed phasing plan for the T-N.
(9) A descriptive narrative of the proposed development's impact on the following resources and the specific measures which will be undertaken to protect and incorporate such features in accordance with the purposes outlined in § 325-15-1. The applicant shall take appropriate steps to conserve these resources and shall identify efforts which have been made to mitigate impacts to these resources. Resources depicted on the plan shall include, but shall not be limited to the following:
    a. Existing vegetation and woodlands
    b. Natural habitats
    c. Slopes in excess of 15%
    d. Ponds, lakes, streams and rivers
    e. Wetlands
    f. Ridgelines
    g. All cultural, historical and natural features on and adjacent to the T-N
(10) Open space plan identifying all features required by § 325-15-15. The open space plan shall also include a written statement describing the applicant's proposal for future ownership and maintenance of the open space.
(11) Landscape plan providing a complete proposal for landscaping and planting of the T-N and identifying all features required by § 325-15-17.
(12) Streetlighting plan providing a complete proposal for the location and installation of streetlighting to serve the T-N as outlined by § 325-15-18.
(13) Traffic evaluation study in accordance with the requirements set forth in the Springettsbury Township Subdivision and Land Development Ordinance.
(14) Architectural guidelines for the T-N, which shall include building styles, proportions, massing and detailing.
(15) Statement identifying all modifications of standards under § 325-15-21 and written support for each modification. This statement must identify the

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specific modification requested and provide support that the modification meets all requirements of § 325-15-1A through G.

(16) Required application fee.

No application shall be considered complete without all of the above listed items. The Township shall not accept incomplete applications for conditional use approval to use the T-N option.

D. The Board of Supervisors in approving conditional use applications shall make compliance with the site plan and any revisions thereto required by the Board of Supervisors a part of the approval. The applicant shall develop the T-N tract in the manner set forth on the site plan and any required revisions thereto unless a change to the site plan is authorized in accordance with Subsections E and F below.

E. An applicant may make minor revision to the site plan as is necessary to accommodate fully engineered stormwater management facilities, public sewer facilities, public water facilities, floodplains and changes to street design as may be required by the Pennsylvania Department of Transportation as part of a highway occupancy permit. The Board of Supervisors during the subdivision and land development process shall determine whether the applicant's proposed changes to the approved site plan constitute minor revisions necessary to accommodate fully engineered stormwater management facilities, public sewer facilities, public water facilities, floodplains and changes to street design as may be required by the Pennsylvania Deportment of Transportation as part of a highway occupancy permit.

F. Provided that any change is approved under the Subdivision and Land Development Ordinance, an applicant may make minor revisions to the T-N without additional conditional use approval for the following revisions. Alteration of any of the following items:

(1) Increase in the number of dwelling units or decrease in the number of dwelling units not in excess of 10%.

(2) Change in the percentage or mix of each type of dwelling unit by no more than 10% and still within the parameters of § 326-15-6.

(3) Change in the amount of nonresidential building area or land area to be devoted to nonresidential uses of not more than 10%.

(4) Change in the amount of open space areas by not more than 10% and still within the parameters of § 325-15-15 or change in the location of open space areas by not more than 800 feet.

(5) Change in the minimum lot sizes for the residential dwelling by not more than 10%.

(6) Change in building setbacks by not more than 10%.

G. An applicant who desires to make a change to an approved site plan which the Board of Supervisors determines does not constitute a minor revision authorized

by Subsections E and F above shall apply for and obtain an additional conditional use approval.

(1) Any applicant who proposes a change to an approved site plan which shall not alter any of the items set forth in Subsection G(2) below shall demonstrate during the additional conditional use approval process that the site plan for the proposed T-N as revised by the applicant continues to meet all requirements of this article.

(2) Any applicant who proposes a change to an approved site plan which shall alter any of the following items shall demonstrate during the additional conditional use process that the revised site plan for the proposed T-N continues to meet all requirements of this article and shall also demonstrate that the proposed modification to the approved site plan meets the requirements of Subsection G(3) below:
   a. Increase in the number of dwelling units or decrease in the number of dwelling units in excess of 10%.
   b. Change in the percentage or mix of each type of dwelling unit.
   c. Change in the amount of nonresidential building area or land area to be devoted to nonresidential uses.
   d. Change in the amount or location of open space areas.
   e. Change in the minimum lot sizes for the residential dwellings.
   f. Change in the building setbacks.
   g. Change in the street standards.

(3) An applicant who desires to make a revision to a site plan which affects any of the criteria in Subsection G(2) above shall demonstrate to the satisfaction of the Board of Supervisors during the additional conditional use approval process that such change will:
   a. Generally enhance the development plan or not adversely impact its physical, visual or spatial characteristics.
   b. Generally enhance the streetscape and neighborhood or not adversely impact the streetscape and neighborhood.
   c. Not result in lot configurations or street systems which shall neither be impractical nor detract from the appearance or function of the proposed T-N.
   d. Not result in any danger to the public health, safety or welfare by making emergency vehicle access more difficult or by depriving adjoining properties of adequate light and air.
   e. Allow for equal or better results than the originally approved site plan and represent the minimum modification necessary.

§ 325-15-21. Modification of standards.

The Board of Supervisors may, by conditional use approval, permit the modification of the design standards in order to encourage the use of innovative design. An applicant desiring to obtain such conditional use approval shall, when making application for conditional use approval for a T-N, also make application for conditional use approval under this section. The Board of Supervisors shall consider both conditional use approval

requests simultaneously. Any conditional use to permit a modification of the design standards shall be subject to the following standards:

A. Such modification of design standards better serve the intended purposes and goals of the T-N as expressed in § 325-15-1.

B. Such modifications of design standards would not result in adverse impact to adjoining properties or to future inhabitants within the T-N.

C. Such modifications will not result in an increase in residential densities permitted for the T-N.

D. Such modifications will not result in a decrease in open space below that required in § 325-15-15 for the T-N.

E. The extent of modification provides the minimum amount of relief necessary to ensure compliance with the preceding criteria in this article.

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ARTICLE XVI. Industrial Districts

§ 325-16-1. Purpose.

The industrial districts are intended to provide for a variety of modern manufacturing uses and employment opportunities for Springettsbury Township.

A. Business and Industrial Park (B-I): To provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing, office development, research facilities and related uses.

B. General Industrial (G-I): To provide areas of the Township that are suitable for light industrial uses and also for a wide range of heavier manufacturing and processing activities.

§ 325-16-2. Procedural requirements.

Development in the B-I and G-I Districts shall be subject to provisions and requirements for land developments as delineated in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

§ 325-16-3. List of industrial uses.

The full names, short names and map symbols of the industrial land use districts are listed below.

Full Name	Short Name/Map Symbol
Business and Industrial Park	B-I
General Industrial	G-I

§ 325-16-4. B-I business and industrial park district.

A. Purpose. To provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses shall not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other hazardous or noxious wastes emanating from the property. The district is to provide for an aesthetically attractive working environment with park- or campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity.

B. Permitted Uses.
   (1) General offices
   (2) Professional offices
   (3) Laboratories and offices

(4) Manufacture, assembling and packaging of electronic equipment, instruments and devices
(5) Manufacture, assembling and packaging of optical equipment, instruments and devices
(6) Manufacture, assembling and packaging of sporting goods providing however that primary processing of organic materials such as tanning of leather or rough milling of lumber is specifically prohibited
(7) Manufacture, assembling and packaging of textiles and clothing
(8) Manufacture, assembling and packaging of musical instruments and toys
(9) Manufacture, assembling and packaging of kitchen supplies
(10) Printing and publishing
(11) Banks and financial institutions
(12) Restaurants
(13) Retail sales occupying less than 10,000 square feet
(14) Hotels or motels
(15) Child day care centers
(16) Government building or facility
(17) Private utility substations or pumping stations with no equipment storage

C. Permitted Accessory Uses. (See Article XXVII.)
(1) Cocktail lounges as an accessory use to restaurants
(2) Living or residential quarters as an accessory use including, but not limited to, security guard's quarters where such quarters are customarily provided for security and/or insurability of the premises and other residential uses directly related to the operation of the primary permitted use
(3) Off-street parking and loading
(4) Energy conversion systems
(5) On-site hazardous waste treatment and storage facilities

D. Uses by Special Exception. (See Article XXIX.)
(1) Business and industrial parks
(2) Commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings according to the requirements of, § 325-24-20

E. Prohibited Uses. Any use which is not a permitted use or use by special exception.

F. Property Development Regulations. See § 325-16-6.

§ 325-16-5. G-I general industrial district.

A. Purpose. To provide areas of the Township that are suitable for light industrial uses and also for a wide range of heavier manufacturing and processing activities. These uses are expected to be more unsightly and have more adverse environmental effects than the uses allowed in the Light Industrial District. Open

storage will be allowed in this district, conforming to defined architectural, landscape, and environmental design standards.

B. Permitted Uses.

Offices:

(1) Offices for executive, administrative, and professional uses related to the sale, manufacture or service of industrial products

(2) Laboratories: research and development testing, medical, dental, or photo

Sales and Service:

(3) Agricultural implement sales

(4) Glass installation and sales

(5) Tool and equipment rental

(6) Sales of industrial hand tools, industrial supplies such as safety equipment and welding equipment, that are products primarily sold wholesale to other industrial firms or industrial workers

(7) Lumber and coal yards, building material storage yards, provided that not more than 20% of the developed portion of the site that is reasonably necessary for outside storage of equipment and material is devoted to such use. This are must have a screened buffer yard and landscaping or fencing as defined in § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289).

(8) Retail automobile service stations and non-retail card lock stations

(9) Truck sales, service, and rental.

(10) Marine craft sales, service and rental

(11) Outdoor advertising subject to the provisions of § 325-24, Sign Ordinance

(12) Manufactured dwelling sales and services

(13) New automobile dealerships when the lot is improved with an automobile display building having not less than 2,000 square feet devoted exclusively to the display of new automobiles. Automobile service and repair areas shall be permitted when incidental to an approved new automobile dealership. A minimum of 15% green area must be provided on the site.

(14) Automobile service and repair. A minimum of 15% green area must be provided on the site.

(15) Automobile accessory sales and auto parts retailing and wholesaling

(16) Automobile body and/or paint shops

(17) Building and home improvement materials and supplies, wholesale sales, and warehousing

(18) Restaurants primary designed to serve an industrial district

(19) Retail stores or outlets providing such use is subordinate or supplemental to a warehouse or manufacturing establishment

Manufacturing, Assembly and Warehousing:

(20) Contractor's office or shop, storage yard, provided that no more than 20% of the developed portion of the site that is reasonably necessary for outside storage of equipment and material is devoted to such use. This area must have a buffer yard and landscaping or fencing as defined in § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289).

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(21) Cold storage plants
(22) Wholesale storage and warehouse facilities for storage and sale of lumber, wood, feed, and similar products, but not scrap and salvage yards
(23) Mini-storage facilities Motor freight or truck terminals
(24) The following uses, when conducted wholly within a completely enclosed building, except for off-street parking and loading, utility facilities, wireless communication facility, and outdoor storage of materials and products directly related to the permitted use:
   a. Metal casting (small)
   b. Assembly, packaging, processing and other treatment of dairy products, soft drinks and other such products
   c. Assembly of the following types of products:
      1. Bicycles
      2. Small electric generators
      3. Small electric motors
      4. Marine pleasure craft
      5. Sashes and doors
      6. Vending machines
   d. Electroplating
   e. Laundry, dry cleaning, dyeing or rug cleaning plant (non-retail)
   f. Machine shops, including automotive machine shop, of less than 7,500 gross square feet
   g. Manufacture, assembling and packaging of electronic equipment, instruments and devices
   h. Manufacture and packaging of kitchen supplies
   i. Manufacture, assembling and packaging of optical equipment, instruments and devices
   j. Manufacture, assembling and packaging of sporting goods providing however that primary processing of organic materials such as tanning of leather or rough milling of lumber is specifically prohibited
   k. Manufacture, assembling and packaging of textiles and clothing
   l. Manufacture, assembling and packaging of musical instruments and toys
   m. Printing and publishing
   n. Manufacture of the following types of products:
      1. Cabinets
      2. Furniture
      3. Mattresses
      4. Scientific, medical or dental laboratory measuring, analyzing and controlling equipment, and related tools and supplies
   o. Spinning or knitting of fibers
   p. Processing, assembly, packaging, or other treatment of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries
   q. Processing, assembly, packaging, and other treatment of such products as small hand tools, optical goods, hearing aids, and scientific instruments or equipment

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r. Processing, assembly, packaging, and other treatment of small products manufactured from the following previously prepared or semi-finished materials: bone, hair, fur, leather, feathers, textiles, plastics, glass, wood, paper, cork, wire up to 1/4 inch (0.25") in diameter, rubber, and rubber compounds, precious or semi-precious stones, and similar small products composed of previously prepared or semi-finished materials
s. Assembly and packaging of small electrical and electronic appliances, such as radios, televisions, phonographs, audio, video and computer equipment, and office machines
t. Manufacture of pottery and ceramics, using only previously pulverized clay
u. Molding of small products from plastic
v. Production of agricultural crops
w. Warehousing related to the above uses; and warehousing for merchandise or goods normally sold or owned in commercial or residential districts, but excluding direct retail sales to customers from such warehouse structure, and excluding the storage of hazardous materials
x. Storage of automobiles, boats, buses, trailers, and recreational vehicles
y. Assembly, packaging, processing, and other treatment of beer, alcohol, coffee, and canned goods
z. Assembly of electrical appliances, such as refrigerators, freezers, washing machines, and dryers
aa. Chemical warehouse and distribution
bb. Concrete batch plants
cc. Manufacture of the following types of products:
    1. Batteries
    2. Boilers
    3. Bottles
    4. Brick, tiles, or terra cotta
    5. Cans
    6. Chainsaws
    7. Electric generators
    8. Electric motors
    9. Electric transformers
    10. Engines, larger gasoline or diesel
    11. Heating and cooling equipment
    12. Industrial gases, excluding chlorine
    13. Ladders
    14. Manufactured dwellings
    15. Motor vehicles
    16. Paint
    17. Pet food
    18. Prefabricated building or structural members for buildings
    19. Garden equipment including lawn mowers and rototillers
    20. Signs and display structures

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21. Windows

a. Metal casting (small to large size)
b. Metal fabrication
c. Petroleum product distribution and storage
d. Planing mills
e. Processing, assembly, packaging, and other treatment of small products manufactured from sheet metal, wire larger than 1/4 inch (0.25") in diameter, or tobacco
f. Sale of machinery, farm equipment, and logging equipment, including service and rental
g. Sandblasting
h. Storage and retail sale of rock, gravel, sawdust, coal or topsoil
i. Storage and sale of materials salvaged from demolished buildings
j. Structural-mechanical testing laboratories
k. Welding shops

dd.

Public Services/Utilities:

(25) Trade or industrial schools
(26) Government building or facility, including public utilities
(27) Private utility substations or pumping stations
(28) Telephone exchanges or switching facilities
(29) Public works shops and storage yards
(30) Park and ride lots

C. Permitted Accessory Uses. (See Article XXVII.)
(1) Child daycare centers, subject to the provisions of § 325-27-3
(2) Living or residential quarters as an accessory use including, but not limited to, security guards' quarters where such quarters are customarily provided for security and/or insurability of the premises and other residential uses directly related to the operation of the primary permitted use
(3) Off-street parking and loading
(4) Energy conversion systems
(5) On-site hazardous waste treatment and storage facilities

D. Uses by Special Exception. (See Article XXIX.)
(1) Expansions of existing uses within 100 feet of a residential district boundary
(2) Building heights exceeding fifty (50) feet
(3) Business and industrial parks
(4) Salvage yard or junkyard by special exception, § 325-29-15.
(5) Solid waste processing and/or disposal facilities by special exception, § 325-24-16.
(6) Animal shelters § 325-29-22.
(7) Commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings by special exception, § 325-29-20.

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E. Prohibited Uses. Any use which is not a permitted use or use by special exception.

F. Property Development Regulations. See § 325-16-6.

§ 325-16-6. Development standards.

A. Minimum lot size. The minimum lot size allowed in each district is stated in Chart 325-16-6.

B. Lot width. Minimum of 100 feet at the street right-of-way line and the setback line.

C. Height. The maximum height allowed for all structures is fifty (50) feet or three (3) stories, except buildings taller than fifty (50) feet can be considered by special exception. The following are exceptions to the maximum height:
   (1) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
   (2) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

D. Setbacks. The required setbacks for buildings are stated in Chart 325-16-6. The following are exceptions to the setback requirements:
   (1) Setbacks when abutting residential districts or uses: No use allowed within an industrial district, excepting building setbacks and areas for parking, circulation and landscaping, shall be located closer than one-hundred (100) feet to any residential district boundary or residential use. *When new buildings, expansions or additions to existing employment uses are proposed, such existing or new uses shall be subject to special exception and comply with the following rules:*
      a. New buildings, expansions or additions closer to a residential district or use than existing buildings on the site shall be permitted only for office uses related to on-site operations.
      b. Except for office uses related to on-site operations, the following rules shall apply:
         (i) Where site location and dimensions permit, all portions of any new building, expansion or addition must be located a minimum of one-hundred (100) feet from any residential district or use.
         (ii) Where site location and dimensions do not permit new buildings, expansions or additions to be located a minimum of one-hundred (100) feet from any residential district or use, new buildings, expansions or additions must be located on the opposite side of existing structures from a residential district or use.
         (iii) Where site location and dimensions do not permit new buildings, expansions or additions to be located on the opposite side of existing

structures from residential district or use, no portion of a new building, expansion or addition shall be located closer to residential district or use than existing buildings on the site.

(iv) New development is subject to the landscaping and buffering requirements set for employment uses adjacent to residential districts or uses in Article XV.

E. Lot Coverage. Eighty-five percent (85%) of the site for building and parking, and adequate space must be provided for required buffering and landscaping. The principal and accessory buildings, storage yards, off-street parking lots, loading and unloading docks shall not project into the required yard spaces as set forth below. All open space, other than the parking and loading spaces and access drives, shall be covered with a vegetative material.

F. Off-street parking and loading zones. Adequate off-street parking and loading zones shall be provided on the lot for all employees and visitors in accordance with Article XXV of this chapter.

G. Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

H. Location. The site shall adjoin at least one of the arterial or collector streets shown on the Springettsbury Township Roadway Classification Map or be reasonably near so that the access drive or drives can be satisfactorily arranged to avoid traffic on local residential streets.

I. Lot area, lot width and coverage shall not apply to commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings.

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Chart 325-16.6: Development Standards in Employment Land Use Districts			
Standard	**B-I**		**G-I**
Minimum lot size	40,000 SF		40,000 SF
Maximum building height	50 feet[1]		50feet[1]
Minimum setbacks[2] ▪ Front building setback ▪ Side building setback ▪ Rear building setback ▪ Side or rear setbacks for development adjacent to a residential district or use per §325.D(1)	 30 feet 30 feet 30 feet 100 feet		 30 feet 30 feet 30 feet 100 feet
Maximum lot coverage	85% for building and parking		85% for building and parking

[1] Buildings taller than fifty (50) feet shall be subject to a Special Exception
[2] Each yard that abuts a street on a corner lot shall be considered a front yard.

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ARTICLE XVII. O-S Open Space District

§ 325-17-50. Purpose.

The purpose of the Open Space (O-S) District is to conserve undeveloped land for recreational and conservation purposes and to discourage the scattering of commercial, industrial, residential and other urban-type uses throughout predominantly forested areas, areas with steep slopes and/or rural areas of the Township where public services are neither presently available nor anticipated in the immediate future; to provide for the regulation of housing density in such areas; to encourage the preservation of natural amenities; to protect watershed areas, natural drainage channels and watercourses; and to otherwise create conditions conducive to carrying out the purposes of this chapter.

§ 325-17-51. Permitted uses.

E. Permitted Principal Uses.
   (7) Detached single-family dwelling
   (8) Public parks and playgrounds
   (9) Farming, including one detached single-family dwelling (Livestock, poultry and animals are subject to §325-26-3)
   (10) Public utility facilities (Subject to §325-26-5)

F. Permitted Accessory Uses. (See Article XVII: Accessory Uses for additional requirements)
   (13) Private garage or carport
   (14) Storage sheds, tool sheds and greenhouses
   (15) Gazebos
   (16) Decks and patios
   (17) Swimming pool/garden pool
   (18) Energy conversion systems
   (19) No impact home-based business
   (20) Child day care home
   (21) Recreational vehicle parking and storage
   (22) Satellite antennas
   (23) Private barns and stables
   (24) Seasonal roadside stand for the sale of agricultural products wholly produced on the premises

G. Prohibited uses. Any use that is not a permitted use.

§ 325-17-52. Area and bulk requirements.

A. Lot size: Lot size shall be a minimum of five acres.

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B. Lot width: minimum of 200 feet at the right-of-way line. Lot width requirements on the following chart which are greater than 200 feet refer to both the minimum street frontage at the right-of-way line and the lot width at the building setback line.

C. Yards.
   (1) Front: 40 feet
   (2) Side: 40 feet
   (3) Rear: 40 feet

D. Lot coverage. Maximum lot coverage shall be 5%. Lot coverage refers to all buildings on the lot including accessory structures, which include patios, utility sheds, driveways and all impervious material with the exception of swimming pools.

E. Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:
   (4) Projections allowed: Chimneys, flag poles, satellite receiving dishes and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
   (5) Farm buildings: Farm buildings such as silos and barns are exempt from the height limit as long as they are set back from all lot lines, at least one foot for every foot in height.
   (6) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

F. Off-street parking. Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

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ARTICLE XVIII. F-P Floodplain Overlay

§ 325-18-53. General provisions.

A. Purpose and intent. The purpose and intent of these provisions is to promote the general health, welfare and safety of the community by:
   (1) Encouraging the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
   (2) Minimize danger to public health by protecting water supply and natural drainage.
   (3) Reduce financial burdens imposed on the community, its governmental units and its residents by preventing excessive development in areas subject to flooding.

B. Applicability. These provisions shall apply to all lands within the jurisdiction of Springettsbury Township and shown on the official floodplain map within the boundaries of any floodplain district. The floodplain districts described herein shall be overlays to the existing underlying zoning districts as shown on the Official Zoning Map and, as such, the provisions for the Floodplain Districts shall serve as a supplement to the underlying district provisions. No structure or land shall hereafter be used and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this chapter and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this chapter.
   (1) Zoning overlay. In the event any provisions concerning a floodplain district are declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying zoning district provisions shall remain applicable.

C. Abrogation and greater restrictions. This article supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this article, the more restrictive shall apply.

D. Warning and disclaimer of liability. The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that areas outside the Floodplain Districts will be free from flooding or flood damages. This article shall not create liability on the part of Springettsbury Township or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

§ 325-18-54. Administration.

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A. Zoning permits required. Zoning permits shall be required before any construction or development is undertaken within Springettsbury Township in accordance with § 325-25-2 and § 325-25-3 of this chapter.

B. Issuance of zoning permits. If any proposed construction or development is located entirely or partially within any identified floodplain area, the applicant shall submit to Springettsbury Township the following specific information:
   (1) A plan that accurately locates the construction proposal with respect to the flood-prone area boundaries, stream channel and existing flood-prone developments. Included shall be all plans for proposed subdivision and/or land development to assure that:
      a. All such proposals are consistent with the need to minimize flood damage.
      b. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage.
      c. Adequate drainage is provided so as to reduce exposure to flood hazards.
   (2) Such plan shall also include existing and proposed contours and elevation of the ground, elevation of the lowest floor, including basement, elevation of the one-hundred-year floodplain, size of the structure, location and elevation of streets, water supply facilities, soil types and floodproofing measures.

C. County Conservation District review. A copy of all applications for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by Applicant to the York County Conservation District for review and comment prior to the issuance of a zoning permit. The recommendations of the York County Conservation District shall be considered by Springettsbury Township for possible incorporation into the proposed plan.

D. Review of application by others. Prior to the issuance of any zoning permit, the permit officer shall review the application for permit to determine if all necessary governmental permits, such as those required by state and federal laws have been obtained, including those required by Act 537, the Pennsylvania Sewage Facilities Act, the Pennsylvania Dam Safety and Encroachments Act and the Federal Water Pollution Control Act amendments of 1972, § 404, 33 U.S.C. § 1334. No permit shall be issued until this determination has been made. A copy of all plans and application for proposed construction or development in any identified floodplain area to be considered for approval may, at the permit officer's discretion, be submitted to any other appropriate agencies and/or individuals for review and comment.

E. Start construction. For purposes of this article, construction within a floodplain district shall be considered to have been started with any land preparation, including but not limited to land clearing, grading and filling or upon the excavation for basement, footings, piers or foundations, the erection of temporary forms, the installation of pilings under proposed subsurface footings, the installation of sewer, gas and water pipes or electrical or other service lines from the street. Test borings,

soil probe excavations and percolation testing shall not be considered the start of construction.

F. Changes. After the issuance of a zoning permit, no changes of any kind shall be made to the application, permit or any of the plans, specification or other documents submitted with the application without the written consent or approval of Springettsbury Township. Requests for any such changes shall be in writing and shall be submitted by the applicant to Springettsbury Township for consideration.

G. Display of permit. A copy of the permit shall be displayed on the premises during construction.

H. Enforcement and penalties. Enforcement and penalties related to permits for construction shall be in accordance with all applicable sections of this chapter and the International Building Code of Springettsbury Township.

§ 325-18-55. Identification of floodplain areas.

A. Identification. The identified floodplain area shall be those areas of Springettsbury Township which are subject to the one-hundred-year flood, as identified in the Flood Insurance Study dated June 1977 and the accompanying maps prepared for Springettsbury Township by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof.

B. Description of floodplain areas.
   (1) Floodway area (FW). The areas identified as "floodway" in the flood insurance study. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
   (2) Flood-fringe area (FF). The remaining portions of the one-hundred-year floodplain in those areas in the flood insurance study where a floodway has been delineated. The basis for the outermost boundary of this area shall be the one-hundred-year-flood elevations as shown in the flood profiles contained in the Flood Insurance Study (FIS).
   (3) General floodplain area (FA). Those areas identified as Zone A in the FIS for which no one-hundred-year-flood elevations have been provided.
      a. When available, information from federal, state and other acceptable sources shall be used to determine the one-hundred-year-flood elevation, as well as a floodway area.
      b. When no other information is available, the applicant shall determine the elevation with hydrologic and hydraulic engineering techniques. Hydrological and hydraulic analyses shall be undertaken only by registered professional engineers or others of demonstrated qualifications, who shall certify that the technical methods were used correctly and reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by Springettsbury Township.

C. District boundary changes. The delineation of any of the Floodplain Districts may be revised by the Board of Supervisors where natural or man-made changes have occurred and/or more detailed studies conducted or undertaken by the U.S. Army Corps of Engineers, the Susquehanna River Basin Commission or other qualified agency or individual documents the advisability for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA).

D. Boundary disputes. Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Zoning Officer. Any party aggrieved by this decision may appeal to the Zoning Hearing Board.

E. Zoning Map. The boundaries of the Floodplain Districts are established as shown on the Flood Boundary and Floodway Map, panel 01F, dated December 15, 1977, and panel 02F, dated June 4, 1996, or the most recent revision thereto. The said map is hereby incorporated into and made a part of the Official Zoning Map of Springettsbury Township, adopted October 4, 1990, as amended. A copy of said map shall be kept on file at the offices of Springettsbury Township and be available for inspection at any time.

F. Use permitted in Floodway Area (FW). The following uses and no others shall be permitted in a floodway area (FW). No development shall be permitted in the floodway except where the effect of such development on flood heights is fully offset by accompanying improvements which have been approved by all appropriate local, state and/or federal authorities as required above.
   (1) Uses permitted by right. The following uses and activities are permitted in the floodway, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance, and provided that they do not require structures, fill or storage of materials and equipment:
      a. Agricultural and farm uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming and wild crop harvesting.
      b. Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat-launching and swimming areas, hiking and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges and hunting and fishing areas.
      c. Accessory residential uses such as yard areas, gardens, play areas and pervious parking areas.
      d. Accessory industrial and commercial uses such as yard areas, pervious parking and loading areas, airport landing strips, etc.
   (2) Uses permitted by special exception. The following uses and activities may be permitted by special exception, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance:

a. Structures, except for mobile homes, accessory to the uses and activities in Subsection F(1), Uses permitted by right, above.
b. Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants and other similar related uses.
c. Water-related uses and activities such as marinas, docks, wharves, piers, etc.
d. Extraction of sand, gravel and other materials.
e. Temporary uses such as circuses, carnivals and similar activities.
f. Storage of materials and equipment, provided that they are not buoyant, flammable or explosive and are not subject to major damage by flooding, provided that such material and equipment is firmly anchored to prevent flotation or movement and/or can be readily removed from the area within the time available after flood warning. Nothing in this subsection shall permit the storage of materials that could (in times of flooding) be injurious to human, animal or plant life.
g. Other similar uses and activities, provided they cause no increase in flood heights and/or velocities. All uses, activities and structural developments shall be undertaken in strict compliance with the floodproofing provisions contained in all other applicable codes and ordinances.

G. Flood-Fringe (FF) and General Floodplain Area (FA). The development and/or use of land shall be permitted in flood-fringe and approximated floodplain in accordance with the regulations of the underlying district, provided that all such uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in all other applicable codes and ordinances.

§ 325-18-56. Technical provisions.

A. General.
(1) Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system. Prior to any proposed alteration or relocation of any stream, watercourse, etc., within the Township, a permit shall be obtained from the Pennsylvania Department of Environmental Protection, Bureau of Dams and Waterway Management. Further, notification of the proposal shall be given to all affected adjacent municipalities and to the owners of all property within 200 feet of the proposed use, activity and/or development. Copies of such notifications shall be forwarded to both the Federal Insurance Administration and the Pennsylvania Department of Community and Economic Development.
(2) All uses, activities and development occurring within any floodplain district shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances such as the Springettsbury Township Zoning Permit Ordinance and the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289), in addition to all applicable state and federal regulations.

B. Special requirements for FW and FA areas.
   (1) Within any Floodway Area (FW) the following provisions shall apply:
      a. Any new construction, development, use, activity or encroachment that would cause any increase in the one-hundred-year-flood heights shall be prohibited.
      b. No new construction or developments shall be allowed unless a permit is obtained from the DEP.
      c. Under no circumstances shall any of the development referenced in Subsection E, Development which may endanger human life, be permitted in the floodway (FW).
      d. Within any Floodway Area (FW), manufactured homes shall be prohibited.
   (2) Within any General Floodplain Area (GA), no new construction or development shall be located within the areas measured 50 feet landward from the top-of-bank of any watercourse.

C. Elevation and floodproofing requirements.
   (1) Residential structures. Within any identified floodplain area, any new construction or substantial improvement of a residential district shall have the lowest floor (including basement) elevated at least 1 1/2 feet above the regulatory flood elevation.
   (2) Nonresidential structures.
      a. Within any identified floodplain area, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.
      b. Any nonresidential structure, or part thereof, having a lowest floor which is not elevated to at least 1 1/2 feet above the one-hundred-year-flood elevation shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication "Floodproofing Regulations" published by the U.S. Army Corps of Engineers (June, 1972, as amended March, 1994) or with an equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above-referenced standards.
   (3) Space below the lowest floor.
      a. Fully enclosed space below the lowest level (including basement) is prohibited.
      b. Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces. Designs for meeting this requirement must

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either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings having a net total area of not less than one square inch for every one square foot of enclosed space.
2. The bottom of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

(4) Accessory structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

a. The structure shall not be designed or used for human habitation but shall be limited to the parking of vehicles or to the storage of tools, material and equipment related to the principal use or activity.
b. Floor area shall not exceed 600 square feet.
c. The structure will have a low damage potential.
d. The structure will be located on the site so as to cause the least obstruction to the flow of floodwaters.
e. Power lines, wiring and outlets will be at least 1 1/2 feet above the one-hundred-year-flood elevation.
f. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc., are prohibited.
g. Sanitary facilities are prohibited.
h. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

1. A minimum of two openings having a net total area of not less than one square inch for every one square foot of enclosed space.
2. The bottom of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

D. Design and construction standards. The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

(1) Fill. If fill is used, it shall:

a. Extend laterally at least 15 feet beyond the building line from all points.
b. Consist of soil or small rock materials only, sanitary landfills shall not be permitted.
c. Be compacted to provide the necessary permeability and resistance to erosion, scouring or settling.

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d. Be no steeper than one vertical to two horizontal feet unless substantiated data justifying the steeper slopes are submitted to and approved by Springettsbury Township.
e. Be used to the extent to which it does not adversely affect adjacent properties.

(2) Drainage facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

(3) Water and sanitary sewer facilities and systems.
a. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
c. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

(4) Other utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

(5) Streets. The finished elevation of all new streets shall be not more than one foot below the regulatory flood elevation. Springettsbury Township will require profiles and elevations of proposed new streets to determine compliance with this requirement.

(6) Storage. All materials that are buoyant, flammable, explosive or in times of flooding could be injurious to human, animal or plant life and not listed in Subsection E, Development which may endanger human life, shall be stored at or above the regulatory flood elevation and/or floodproofed to the maximum extent possible.

(7) Placement of buildings and structures. All buildings and structures shall be designed, located and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.

(8) Anchoring.
a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
b. All air ducts, large pipes, storage tanks and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

(9) Floors, walls and ceilings.
a. Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without causing structural damage to the building.

b. Plywood used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
c. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are water-resistant and will withstand inundation.
d. Windows, doors and other components at or below the regulatory flood elevation shall be made of metal or other water-resistant material.

(10) Paints and adhesives.
a. Paints and other finishes used at or below the regulatory flood elevation shall be of marine or water-resistant quality.
b. Adhesives used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
c. All wood components (doors, trim, cabinets, etc.) shall be finished with a marine or water-resistant variety of finish.

(11) Electrical components.
a. Electrical distribution panels shall be at least three feet above the one-hundred-year-flood elevation.
b. Separate electrical circuits shall serve lower levels and shall be dropped from above.

(12) Equipment. Water heaters, furnaces, air conditioning and ventilating units and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.

(13) Fuel supply systems. All gas and oil supply systems shall be designed to prevent the infiltration of floodwater into the system and discharges from the system into floodwater. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.

E. Development which may endanger human life.

(1) The provisions of this subsection shall be applicable, in addition to any other applicable provisions of this article or any other ordinance, code or regulation.

(2) In accordance with the Pennsylvania Floodplain Management Act and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following materials or substances, or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume, or any amount of radioactive substances) of any of the following materials or substances on the premises, shall be subject to the provisions of this subsection in addition to all other applicable provisions:
a. Acetone.
b. Ammonia.
c. Benzene.
d. Calcium carbide.
e. Carbon disulfide.
f. Celluloid.
g. Chlorine.

h. Hydrochloric acid.
i. Hydrocyanic acid.
j. Magnesium.
k. Nitric acid and oxides for nitrogen.
l. Petroleum products (gasoline, fuel oil, etc.).
m. Phosphorus.
n. Potassium.
o. Sodium.
p. Sulphur and sulphur products.
q. Pesticides (including insecticides, fungicides and rodenticides).
r. Radioactive substances, insofar as such substances are not otherwise regulated.

(3) Within any Floodway Area (FW) any structure of the kind described in Subsection E(2) above, shall be prohibited.

(4) Where permitted within any floodplain area, any new or substantially improved structure of the kind described in Subsection E(2) above shall be:
a. Elevated or designed and constructed to remain completely dry up to at least 1 1/2 feet above the one-hundred-year flood.
b. Designed to prevent pollution from the structure or activity during the course of a one-hundred-year flood.

Any such structure or part thereof that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in publication "Floodproofing Regulations" (U.S. Army Corps or Engineers, June, 1972) or with some other equivalent watertight standard.

(5) Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements of this section.

F. Special requirements for manufactured homes.
(1) Within any Floodway Area (FW), manufactured homes shall be prohibited.
(2) Where permitted within any floodplain area, all manufactured homes and any improvements thereto shall be:
a. Placed on a permanent foundation.
b. Elevated so that the lowest floor of the manufactured home is 1 1/2 feet or more above the elevation of the one-hundred-year flood.
c. Anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with American National Standards Institute (ANSI) and National Fire Protection Association Standards (NFPA) as specified in the Standard for the Installation of Mobile Homes, including Mobile Home Park Requirements (NFPA No. 501A-1974) (ANSI A119.3-1975) or the most current revisions thereof, for mobile homes in hurricane zones, or other appropriate standards such as the following:
1. Over-the-top ties shall be provided at each of the four corners of the mobile home with two additional ties per side at intermediate locations for

units 50 feet or more in length and one additional tie per side for units less than 50 feet in length.

2. Frame ties shall be provided at each corner of the mobile home, with five additional ties per side at intermediate locations for units 50 feet or more in length and four additional ties per side for units less than 50 feet in length.
3. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

d. All mobile homes with any additions thereto shall also be elevated in accordance with the following requirements:
   1. The stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the elevation of the regulatory flood elevation.
   2. Adequate surface drainage shall be provided.
   3. Adequate access for a hauler shall be provided.
   4. Where pilings are used for elevation, the lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than 10 feet apart, reinforcement shall be provided for piling that will extend for six feet or more above ground level.

(3) An evacuation plan indicating an alternative vehicular access and escape route shall be filed with the Springettsbury Township officials for mobile home parks and mobile home subdivisions, where appropriate.

§ 325-18-57. Activities requiring a special permit.

A. [why promote this?] General. In accordance with the Pennsylvania Floodplain Management Act and regulations adopted by the Department of Community and Economic Development, as required by the Act, the following obstructions and activities are permitted only by special permit, if located partially or entirely within any floodplain district:
   (1) Hospitals (public or private).
   (2) Nursing homes (public or private).
   (3) Jails.
   (4) New mobile home parks and mobile home subdivisions and substantial improvements to existing mobile home parks.

B. Application requirements. Applicants for special permits shall provide five copies of the following items:
   (1) A written request, including a completed zoning permit application form.
   (2) A small-scale map showing the vicinity in which the proposed site is located,
   (3) A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
      a. North arrow, scale and date.
      b. Topography based upon the National Geodetic Vertical Datum of 1929, showing existing and proposed contours at intervals of two feet.

c. All property and lot lines, including dimensions and the size of the site expressed in acres or square feet.
d. The location of all existing streets, drives, other accessways and parking areas with information concerning widths, pavement types and construction elevations.
e. The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities and any other natural and man-made features affecting or affected by the proposed activity or development.
f. The location of the floodplain boundary line, information and spot elevations concerning the one-hundred-year-flood elevations and information concerning the flow of water, including direction and velocities.
g. The location of all proposed buildings, structures, utilities and any other improvements.
h. Any other information which the Township considers necessary for adequate review of the application.

(4) Plan of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale, showing the following:
a. Sufficiently detailed architectural or engineering drawings, including floor plans, sections and exterior building elevations, as appropriate.
b. For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor.
c. Complete information concerning floor depths, pressures, velocities, impact and uplift forces and other factors associated with the one-hundred-year flood.
d. Detailed information concerning any proposed floodproofing measures.
e. Cross-section drawings for all proposed streets, drives, other accessways and parking areas showing all rights-of-way and pavement widths.
f. Profile drawings for all proposed streets, drives and vehicular accessways, including existing and proposed grades.
g. Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.

(5) The following data and documentation:
a. Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents.
b. Certification from a registered professional engineer, architect or landscape architect that the proposed construction has been adequately designed to protect against damage from the one-hundred-year flood.
c. A statement, certified by a registered professional engineer, architect or landscape architect, or other qualified person, which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a one-hundred-year flood, including a statement concerning the effects such pollution may have on human life.
d. A statement, certified by a registered professional engineer, architect or landscape architect, which contains a complete and accurate description of the

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effects the proposed developments will have on one-hundred-year-flood elevations and flows.

e. A statement, certified by a registered professional engineer, architect or landscape architect, which contains a complete and accurate description of kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one-hundred-year-flood elevation and the effects such materials and debris may have on one-hundred-year-flood elevations and flows.
f. The appropriate component of the Department of Environmental Protection "Planning Module for Land Development."
g. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.
h. Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under § 302 of Act 1978-166.
i. An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a one-hundred-year flood.

C. Application review procedures. Upon receipt of an application for a special permit by Springettsbury Township, the following procedures shall apply in addition to all other applicable permit procedures which are already established:

(1) Within three working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to Springettsbury Township Planning Commission and Springettsbury Township Engineer for review and comment.
(2) If an application is received that is incomplete, Springettsbury Township shall notify the applicant, in writing, stating in what respects the application is deficient.
(3) If Springettsbury Township decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
(4) If Springettsbury Township approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered mail, within five working days after the date of approval.
(5) Before issuing the special permit, Springettsbury Township shall allow the Department of Community and Economic Development 30 days, after receipt of notification by the Department, to review the application and the decision made by Springettsbury Township.
(6) If Springettsbury Township does not receive any communications from the Department of Community and Economic Development during the thirty-day review period, it may issue a special permit to the applicant.
(7) If the Department of Community and Economic Development should decide to disapprove an application, it shall notify Springettsbury Township and the

applicant, in writing, of the reasons for the disapproval, and Springettsbury Township shall not issue the special permit.

D. Special technical requirements.
   (1) In addition to any other applicable requirements, the following provisions shall also apply to the activities requiring a special permit. If there is any conflict between any of the following requirements and any otherwise applicable provision, the more restrictive provision shall apply.
   (2) No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
      a. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located and constructed so that:
         1. The structure will survive inundation by waters of the one-hundred-year flood without any lateral movement or damage to either the structure itself or to any of its equipment or contents below the one-hundred-year-flood elevation.
         2. The lowest floor elevation (including basement) will be at least 1 1/2 feet above the one-hundred-year-flood elevation.
         3. The occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the one-hundred-year flood.
      b. Prevent any significant possibility of pollution, increased flood levels or flows or debris endangering life, land and property. All hydrologic and hydraulic analyses shall be undertaken only by registered professional engineers or other of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by Springettsbury Township and the Department of Community and Economic Development.
      c. Except for a possible modification of the freeboard requirement involved, no variance shall be granted for any of the other requirements of this section

§ 325-18-58. Existing structure in floodplain district.

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

A. Existing structures and/or uses located in any floodway shall not be expanded or enlarged, unless the effect of the proposed expansion or enlargement on flood heights if fully offset by accompanying improvements.

B. Any modification, alteration, repair, reconstruction or improvements of any kind to a structure and/or use located in the Floodplain District to an extent or amount of less

than 50% of its market value shall be elevated and/or floodproofed to the greatest extent possible regardless of its location in the Floodplain District.

C. The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use regardless of its location in the Floodplain District to an extent or amount of 50% or more of its market value shall be undertaken only in full compliance with the provision of this and any other applicable ordinance.

§ 325-18-59. Special exceptions and variances.

A. General. If compliance with any of the requirements of this chapter would result in an exceptional hardship to a prospective builder, developer or landowner, Springettsbury Township may, upon request, grant relief from the strict application of the requirements.

B. Special exception and variance procedures and conditions.
   (1) In passing upon applications for special exceptions and variances, the Zoning Hearing Board shall consider all relevant factors and procedures specified in other sections of this chapter and:
      a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
      b. The danger that materials, which may be swept onto other land or downstream, may cause to others.
      c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
      d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
      e. The importance of the services provided by the proposed facility to the community.
      f. The requirements of the facility for a waterfront location.
      g. The availability of alternative locations not subject to flooding for the proposed use.
      h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
      i. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for the area.
      j. The safety of access to the property in time of flood for ordinary and emergency vehicles.
      k. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.
   (2) Such other factors which are relevant to the purposes of this article.
   (3) No special exception or variance shall be granted in the floodway for any proposed use, development or activity that will cause any increase in flood levels during the one-hundred-year flood.
   (4) Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements of § 325-17,

Development which may endanger human life, or § 325-17, Activities requiring a special permit.

(5) If granted, a variance shall involve only the least modification necessary to provide relief.

(6) In granting any special exception or variance, Springettsbury Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety and welfare and to achieve the objectives of this article.

(7) The Zoning Hearing Board may refer any application and accompanying documentation pertaining to any request for a special exception or variance to any registered professional engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities and the adequacy of the plans for protection and other related matters.

(8) Special exceptions and variance shall only be issued after the Zoning Hearing Board has determined that the granting of such will not result in:
   a. Unacceptable or prohibited increases in flood heights.
   b. Additional threats to public safety.
   c. Extraordinary public expense.
   d. Nuisance creation.
   e. Fraud or victimization of the public.
   f. Conflict with local laws or ordinances.

(9) Whenever a variance is applied for, Springettsbury Township shall notify the applicant, in writing, that:
   a. The granting of the variance may result in increased premium rates for flood insurance.
   b. Such variances may increase the risks to life and property.

(10) A complete record of all special exception and variance requests and related actions shall be maintained by Springettsbury Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.

C. Notwithstanding the above, however, all structures shall be designed and constructed so as to have a capability of resisting the one-hundred-year flood.

§ 325-18-60. Definitions.

Unless specifically defined below, words and phrases used in this article shall be interpreted so as to give this article its most reasonable meaning. Any of the following definitions which may conflict with a definition in § 325-2-1 of this chapter shall apply within this article only.

ACCESSORY USE OR STRUCTURE -- A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

BASEMENT -- Any area of the building having its floor below ground level on all sides.

BUILDING -- A combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.

COMPLETELY DRY SPACE -- A space which will remain totally dry during flooding, the structure is designed and constructed to prevent the passage of water and water vapor.

DEVELOPMENT -- Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading and excavation, mining, dredging, drilling operations, storage of equipment or materials and the subdivision of land.

ESSENTIALLY DRY SPACE -- A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

FLOOD -- A temporary inundation of normally dry land areas.

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

HISTORIC STRUCTURES -- Any structure which is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.

B. Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior.

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
   (1) By an approved state program as determined by the Secretary of Interior.
   (2) Directly by the Secretary of the Interior in states without approved programs.

IDENTIFIED FLOODPLAIN AREA -- The floodplain area specifically identified in this chapter as being inundated by the one-hundred-year flood, including areas identified as Floodway (FW), Flood-Fringe (FF) and General Floodplain (FA).

LAND DEVELOPMENT -- Any of the following activities:

A. The improvement of one or two or more contiguous lots, tracts or parcels of land for a purpose involving:
   (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
   (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.

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

MANUFACTURED HOME -- A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site completed and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used with or without a permanent foundation. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURED HOME PARK -- A parcel of land under single ownership, which has been planned and approved for the placement of two or more manufactured homes for nontransient use.

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

NEW CONSTRUCTION -- Structures for which the start of construction commenced on or after December 7, 1977, and includes any subsequent improvements thereto.

ONE-HUNDRED-YEAR FLOOD -- A flood that, on average, is likely to occur once every 100 years (i.e., that has 1% chance of occurring each year, although the flood may occur in any year).

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

RECREATIONAL VEHICLE -- A vehicle which is built on a single chassis, not more than 400 square feet measured at the largest horizontal projections, designed to be self-propelled or permanently towable by a light-duty truck, is not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

REGULATORY FLOOD ELEVATION -- The one-hundred-year-flood elevation plus a freeboard safety factor of 1 1/2 feet.

SPECIAL PERMIT -- A special approval which is required for hospitals, nursing homes, jails and new manufactured home parks and subdivision and substantial improvements to such existing parks, when such development is located in all or a designated portion of a floodplain.

STRUCTURE -- Anything constructed or erected on the ground or attached to the ground, including but not limited to buildings, sheds, manufactured homes and other similar items.

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

SUBSTANTIAL DAMAGE -- Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT -- Any reconstruction, rehabilitation, addition or other improvement of a structure the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations for state or local health, sanitary or safety code specifications which have been identified by the

local code enforcement official and which are the minimum necessary to assure safe living conditions.

B. Any alteration of a historic structure, provided, that the alteration will not preclude the structure's continued designation as a historic structure.

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ARTICLE XIX. S-S Steep Slope Conservation District

§ 325-19-1. Purpose.

The purpose of this article is to promote the public health, safety and welfare by the protection of steeply sloped areas and by encouraging the retention of open space located and designed so as to constitute a harmonious and appropriate part of the physical development of Springettsbury Township by:

A. Permitting only those uses of steep slope areas that are compatible with the conservation of natural conditions and which maintain stable soil conditions by minimizing disturbances to vegetative ground covers and restricting the regrading of steep slope areas.

B. Limiting soil erosion and the resultant destruction of the land, siltation of streams and damage to the property of individuals.

C. Protecting low-lying areas from flooding by limiting the increase in stormwater runoff caused by grading of sloped areas, changes of ground cover or the erection of structures.

D. Maintaining the ecological integrity and habitat value of steeply sloped areas, i.e., indigenous vegetation and wildlife, which could be adversely affected by otherwise permitted disturbances.

E. Allowing the continuing replenishment of groundwater resources and the maintenance of springs.

§ 325-19-2. Establishment of zoning district.

A. Description of district. The steep slope (S-S) conservation district consists of the areas which are delineated and defined as being 15% or greater slope on the appropriate United States Geological Survey Topographical Maps of the Regional Base Map Series of 1977, (e.g., sloping 15 or more feet vertical over a distance of 100 feet horizontal)

B. Boundary interpretation and appeals procedure. Each application for construction or land disturbance within the Steep Slope Conservation District shall be submitted in accordance with § 325-19-3. Any contiguous area of the Steep Slope Conservation District greater than 2,000 square feet that falls within the subject lot or lots shall be interpolated and shown on the site plan required under the Subdivision and Land Development Ordinance (Chapter 289) through shading of such area or areas. Where interpretation is needed as to the exact location of the boundaries of the district in relation to a given parcel, an initial determination shall be made by the Township Zoning Officer. Any party seeking such a determination may submit a topographic survey of the property and any other pertinent documentation for consideration. The

Zoning Officer shall make a written report of the results of his/her initial determination. The Township Engineer shall also provide an interpretation of the slope on site from the information provided to the Township. A copy of such shall be provided to the Board of Supervisors. Any party aggrieved by any such determination of the Zoning Officer or other decision or determination under this article may appeal to the Zoning Hearing Board. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

C. Overlay concept. The steep slope conservation district described above shall be an overlay to the existing underlying districts as shown on the Official Zoning Map and, as such, the provisions for the steep slope district shall serve as a supplement to the underlying district provisions. Where there happens to be any conflict between the provisions or requirements of the Steep Slope Conservation District and those of any underlying district, the more restrictive provisions apply. In the event that any provision concerning the Steep Slope Conservation District is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying district provisions shall remain applicable.

D. Warning and disclaimer of liability. The granting of a zoning permit or approval of a subdivision or land development plan within or near the Steep Slope Conservation District shall not constitute a representation, guarantee or warranty of any kind by the Township of Springettsbury or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Springettsbury Township, its officials or employees. This article does not imply that areas outside the Steep Slope Conservation District boundaries or land uses permitted within such districts will always be totally free from the adverse effect of erosion.

§ 325-19-3. District provisions.

A. Standards applicable to all uses within the Steep Slope Conservation District.
   (1) All grading shall be minimized.
   (2) Finished slopes of all cuts and fills shall not exceed 33% or unless the applicant's engineer can demonstrate that steeper slopes can be stabilized and maintained adequately.

B. Uses permitted in the Steep Slope Conservation District. The following are the only uses permitted as of right in the Steep Slope Conservation District. Such uses also shall be in compliance with the base zoning district and all other provisions of this article:
   (1) Parks and outdoor recreational uses consistent with the goals of watershed protection and conservation of forested areas.
   (2) Tree farming and forestry activity when such activity is limited to highly selective removal of trees. Maximum precautions shall be taken to avoid destruction of or injury to under-story brush and trees.

(3) Grading for the minimum portion of a driveway necessary to access a single-family dwelling when it can be demonstrated that no other routing which avoids slopes exceeding 25% is feasible.
(4) Yard areas of a building not within the Steep Slope Conservation District, so long as no building not permitted in the Steep Slope Conservation District is within the District.
(5) Single-family detached dwellings.
(6) Agricultural uses when conducted in conformity with conservation practices, including minimum tillage methods, approved by Soil Conservation Services or the York County Conservation District.
(7) Accessory uses (excepting swimming pools) necessary for the operation and maintenance of the above permitted uses.
(8) Sealed public water supply wells, where approved by all regulatory agencies.
(9) Sanitary or storm sewers, where approved by all regulatory agencies.
(10) Access roads that shall be suitable for the passage of emergency vehicles in the event of fire or accident. Such roads shall be constructed only when no viable alternative for emergency access exists. Any such proposal shall be subject to the terms of the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289), shall have secured applicable approval from any other regulatory agencies and shall be reviewed by the Township Fire Chief.

C. Zoning permit and variance issuance. No zoning permit shall be issued and no variance shall be granted by the Zoning Hearing Board without the Zoning Officer's and Township Engineer's review of this material and their recommendation thereon.

Zoning District	Maximum Impervious Surface as % of Total Area in Precautionary Slope
R-1	15
R-7	15
R-10	10
R-20	10
R-R	10
N-C	20
M-U	25
CH	25
I	30
O-S	5

D. Impervious surface. The following limits on impervious surfaces within the total area of precautionary slope on a lot shall be complied with within the applicable base zoning district.

§ 325-19-4. Additional criteria for review of variances.

In evaluating any application for variance, the Zoning Hearing Board shall consider the following factors:

A. The percent of existing slope on the site.

B. The extent and proposed disturbance of the existing vegetative cover on the site.

C. The soil types and underlying geology of the site.

D. The length or extent of the slope both on the site in question and on adjacent lands within 200 feet of the site.

E. Evidence that the proposed development, any impervious ground cover and the resultant disturbance to the land and existing vegetative cover will not cause runoff and/or related environmental problems on or off the site.

§ 325-19-5. Existing structures in Steep Slope Conservation District.

Following the adoption of this chapter, any use or structure which is situated within the boundaries of the Steep Slope Conservation District and which does not conform to the permitted uses specified in § 325-19-3 shall become a nonconforming use or structure regardless of its conformance to the district in which it is located without consideration of this article. The expansion or continuance of such nonconforming use or structure shall be governed by the requirements of § 325-32-8. However, the Zoning Officer shall also ensure that the standards contained in § 325-19-4 are applied to the expansion or continuance of such nonconforming use or structure.

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ARTICLE XX. F-D Flexible Development District

§ 325-20-1. Purpose.

The Flexible Development District (F-D) is hereby established as a district in which regulations are intended to permit and encourage the flexibility in development to encourage reinvestment and redevelopment. In promoting such development, the specific intent of this article is to allow for the use of vacant and under-utilized lands and buildings through the use of flexible development and redevelopment standards, sustainable development practices, including compatible architectural design, environmental performance standards, and by strictly prohibiting any use that would substantially interfere with the development, continuation or expansion of such uses within this district.

§ 325-20-2. Procedural requirements.

A. Except where noted herein, development in the Flexible Development District (F-D) shall be subject to provisions and requirements for land developments as delineated in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

B. The Flexible Development District exists where shown on the Springettsbury Township Zoning Map on the date of adoption of this ordinance, subject to the use regulations of § 325-20-3.C.

C. Flexible Development Overlay. The development regulations of the Flexible District may also be applied as an overlay to tracts of two acres or more located in other base zoning districts, subject to the following regulations:
   (1) Applicable districts:
      a. N-C
      b. M-U
      c. C
      d. B-P
      e. L-I
      f. G-I
   (2) Township Board of Supervisors may elect to apply the Flexible Development Overlay to a parcel or set of contiguous parcels that meet at least one of the following criteria:
      a. Any structure or site vacant for one calendar year
      b. An unoccupied structure that has been tax delinquent for a period of two years
      c. Physical condition that has rendered the site a public nuisance in accordance with Township building codes
      d. Presence of a fire hazard or other safety hazard to persons or property
      e. Physical condition that has rendered the site an attractive nuisance to children, including abandoned:
         1. Wells and shafts

2. Basements
3. Excavations
4. Unsafe structures

f. Any structure that due to dilapidation, sanitation, vermin, lack of facilities or safety has been designated by the Township as unfit for human habitation

g. Any structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use

h. A vacant or unimproved tract in a predominantly built-up area, which by reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris or a haven for rodents or vermin.

i. A property that has environmentally hazardous conditions, solid waste pollution or contamination in a building or land

(3) The Board of Supervisors shall, at its sole discretion, decide whether the proposed tract is suitable for application of the Flexible Development Overlay.

§ 325-20-3. Permitted uses.

Uses and are defined by the base zoning in the F-D overlay district.

A. The following uses are allowed under an F-D overlay in the N-C base zoning district:
Permitted Principal Uses:
Detached single-family dwelling
Attached single-family dwelling
Semi-attached single-family dwelling
Two-family dwelling
Multi-family dwelling
Group homes and group quarters
Domiciliary care unit
Skilled nursing facility
Assisted living facility
Dwelling unit conversion for family members
General office
Professional office
Medical office and/or laboratory
Mortuary
The following retail and service uses occupying not more than 3,000 square feet in floor area for which operating hours are limited to between 6:00am and 10:00pm:
1. Personal care services
2. Retail sales
3. Banks
4. Bakery or café, provided that all goods made or processed are sold at retail on premises
5. Art gallery or studio
Private membership club

House of worship
Library
Government offices
Mixed use with one or more commercial activity listed above and residential apartments upstairs
Public parks and playgrounds
Public utility facilities (Subject to §325-20-5)

Permitted Accessory Uses. (See Article XXVII.)
Off street parking and loading areas
Storage sheds, tool sheds and greenhouses
Gazebos
Decks and patios
Swimming pool/garden pool
Energy conversion systems
No impact home-based business
Home occupations
Child day care home
Child day care center
Recreational vehicle parking and storage
Satellite antennas

B. The following uses are allowed under an F-D overlay in the M-U and C-H base zoning districts:
(1) Principal Permitted Uses.
a. Residential
1. Multi-family dwelling
b. Institutional.
1. Child day care center.
2. House of worship.
3. Public or private school.
4. Skilled nursing facility
5. Assisted living facility
6. Medical care facility, including hospital and clinic.
7. Membership club.
8. Public facility.
9. Library
10. Museum.
11. Railway or bus passenger and taxi stations.
12. Electric substations, telephone central offices and telegraph offices.
13. Government office
14. Public parks and playgrounds
c. Commercial.
1. Automobile or trailer sales when the lot is improved with an automobile or trailer display building having not less than 1,000 square feet devoted exclusively to the display of automobiles or trailers.

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2. Automobile/vehicle service and repair areas, sales and installation of parts, accessories and replacement equipment.
3. Hotels, motels and convention centers.
4. Mobile home sales when the lot is improved with a building containing an office, display room and appurtenant facilities, having an area of not less than 1,000 square feet.
5. General office
6. Professional office
7. Business services
8. Banks and financial institutions, including drive-through facilities
9. Medical office and/or laboratory
10. Hospital
11. Rental car agency
12. Neighborhood convenience store
13. Animal hospital, pet shops and grooming.
14. Artist studio or gallery
15. Appliance and small equipment sales and repair
16. Mortuary or undertaking establishments.
17. Health club
18. Personal care services
19. Retail sales, including drive through facilities
20. Shopping center, shopping plaza or mall.
21. Specialty shops such as baking, confectionery, dressmaking, dyeing, laundry, shoe repair, printing and copying services, tailoring and similar shops and services.
22. Theaters.
23. For profit recreational or entertainment facility.
24. Restaurants and cafes with or without drive-through facilities.
25. Taverns and lounges
26. Gasoline service stations and car washes
27. Mini storage facilities

(2) Permitted Accessory Uses. (See Article XXVII.)
   a. Gasoline sales as an accessory use to a convenience store
   b. Off street parking and loading areas
   c. Cocktail lounge as an accessory use to restaurants, recreational or entertainment facilities
   d. Storage, if less than 50% of the gross floor area of the primary structure

C. Industrial.
   1. Principal Permitted Uses
      a. All non-residential uses listed as Principal Permitted Uses in § 325-20-3B(1)
      b. Storage and retail sale of rock, gravel, sawdust, coal or topsoil
      c. Welding shops
      d. Warehousing.
      e. Wholesale business.
      f. Product processing, assembly and packaging

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g. Laundry, dry cleaning, dyeing or rug cleaning plant
h. Concrete batch plants
i. Metal casting
j. Metal fabrication
k. Planing mills
l. Crematorium.
m. Manufacturing when conducted wholly within a completely enclosed building.
n. Research and testing laboratory.
o. Business park
p. Industrial park.
q. Agricultural implement sales
r. Glass installation and sales
s. Tool and equipment rental
t. Sales of industrial hand tools, industrial supplies such as safety equipment and welding equipment, that are products primarily sold wholesale to other industrial firms or industrial workers
u. Lumber and coal yards, building material storage yards, provided that not more than 20% of the developed portion of the site that is reasonably necessary for outside storage of equipment and material is devoted to such use. This are must have a screened buffer yard and landscaping or fencing as defined in § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289).
v. Retail automobile service stations and non-retail card lock stations
w. Truck sales, service, and rental.
x. Marine craft sales, service and rental
y. Manufactured dwelling sales and services
z. Automobile service and repair. A minimum of 15% green area must be provided on the site.
aa. Automobile accessory sales and auto parts retailing and wholesaling
bb. Automobile body and/or paint shops
cc. Building and home improvement materials and supplies, wholesale sales, and warehousing
dd. Retail stores or outlets providing such use is subordinate or supplemental to a warehouse or manufacturing establishment
ee. Cold storage plants
ff. Principal supply utility.
gg. Railroad terminal, yard.
hh. Trade or industrial school
ii. Public works shops and storage yards
jj. Private or public parking as a primary use

2. Permitted Accessory Uses. (See Article XXVII.)
   a. Child daycare centers, subject to the provisions of § 325-27-3
   b. Living or residential quarters as an accessory use including, but not limited to, security guards' quarters where such quarters are customarily provided for

security and/or insurability of the premises and other residential uses directly related to the operation of the primary permitted use

c. Off-street parking and loading
d. Energy conversion systems
e. On-site hazardous waste treatment and storage facilities

D. Prohibited Uses. Any use that is not a permitted use.

§ 325-20-4. Area and bulk regulations.

A. Lot area: not applicable.

B. Lot width: not applicable.

C. Coverage:
(1) Non-residential uses or base zoning: 80%
(2) Residential uses or base zoning: 50%

D. Setbacks:
(1) Non-residential uses or base zoning:
a. 35 feet from public right-of-way
b. Not applicable from property lines, easements or private rights-of-way.
(2) Residential uses or base zoning:
a. Front: 20 feet
b. Rear: 25 feet
c. Side: 10 feet, except:
1. None for attached single-family.
2. 15 feet for multi-family.
(2) Setbacks for commercial and industrial uses permitted under § 325-20-3(B)(1)c and § 325-20-3(C) above when abutting residential districts or uses: No use allowed within the above referenced sections, excepting building setbacks and areas for parking, circulation and landscaping, shall be located closer than one-hundred (100) feet to any residential district boundary or residential use. *When new buildings, expansions or additions to existing employment uses are proposed, such existing or new uses shall be subject to special exception and comply with the following rules:*
a. New buildings, expansions or additions closer to a residential district or use than existing buildings on the site shall be permitted only for office uses related to on-site operations.
b. Except for office uses related to on-site operations, the following rules shall apply:
(v) Where site location and dimensions permit, all portions of any new building, expansion or addition must be located a minimum of one-hundred (100) feet from any residential district or use.
(vi) Where site location and dimensions do not permit new buildings, expansions or additions to be located a minimum of one-hundred (100)

feet from any residential district or use, new buildings, expansions or additions must be located on the opposite side of existing structures from a residential district or use.

(vii) Where site location and dimensions do not permit new buildings, expansions or additions to be located on the opposite side of existing structures from residential district or use, no portion of a new building, expansion or addition shall be located closer to residential district or use than existing buildings on the site.

E. Building height:
   (1) Non-residential uses or base zoning: 100 feet.
   (2) Residential uses or base zoning: 45 feet.

§ 325-20-5. Design standards.

It is the intent of the following criteria to provide a set of guidelines that will result in unified, harmonious and high quality architecture throughout the Flexible Development District without inhibiting the imaginative work of architectural designers and the individuality of property owners and tenant businesses.

Design methods are encouraged that tend to minimize the large-scale visual impact of buildings and create a complex of buildings compatible with a pedestrian scale of the streetscape. Developers and designers are encouraged to explore the creative possibilities on individual sites while seeking to maintain an architectural consistency with the basic patterns and elements throughout the Flexible Development District.

A. Site Design Criteria
   (1) Entrance drives shall be clearly visible and intuitively located to the first time visitor.
   (2) Conflict between service vehicles, automobiles, and pedestrians should be minimized.
   (3) Main building entries shall be emphasized by accent features including:
      a. Ceremonial entry porte-cochere
      b. Plazas
      c. Decorative planters and landscape plantings
      d. Architectural walls
   (4) Architecture and site development shall be coordinated and unified.
   (5) Each phase of a development project should be able to attain a stand alone visual unity.

B. Building Form and Materials
   (1) Building walls shall be designed to create pedestrian scale exterior spaces by utilizing smaller wall segments, landscaping, wall texture and shadow lines.
   (2) Architectural design or signage that draws excessive attention from surrounding roadways is not acceptable.
   (3) For building exterior wall materials:

a. One primary material should be used. Materials that express permanence, substance, timelessness, and restraint are required.
b. Materials should be sufficiently durable to guarantee low maintenance, stability and a reasonable life span.
c. Materials shall be consistent, or blend with existing materials in adjacent areas of the District.
d. Pre-engineered buildings featuring predominantly metal painted exteriors are strongly discouraged except for industrial development.
e. Exposed drainage pipes on building fronts are not permitted, except if specifically approved by the Planning Commission.
f. Highly reflective surfaces that create hazardous glares for motorist are discouraged.

(4) For building Roofs:
a. When flat roof areas can be viewed from above, roof-mounted equipment should be installed in a neat and compact fashion and be of a color which blends with the visual background.
b. Sloped roofs should be constructed of a traditional roof material. Corrugated metal, fiberglass, and asphalt are not allowed unless specifically approved by the Planning Commission.
c. Building parapets should be of such a height to screen roof-mounted mechanical equipment. If parapets cannot provide adequate screening, an unobtrusive screening device designed to appear integral with the building architecture may be used. Such screening devices shall be constructed of durable materials and finished in a texture and color scheme consistent with the architectural character of the building.

C. Lighting Guidelines.
(1) All lighting which might be visible from an adjacent street must be indirect or utilize a full cut-off shield-type fixture. Pedestrian scale bollard lighting is encouraged and may be directly visible from adjacent streets.
(2) Parking areas, access drives, and internal vehicular circulation areas shall be illuminated by zero cutoff fixtures. The parking-lot illumination level shall achieve a uniformity ratio of 3 to 1 (average to minimum) with a maintained average of 1 foot-candle and a minimum of 0.3 foot-candle.
(3) Service-area lighting must be substantially contained within the service yard's boundaries and enclosure walls.
(4) Indirect (invisible source) wall lighting or "wall-washing" overhead down lighting of site architecture, or interior building illumination which spills outside is encouraged. Architectural lighting should articulate and accent building design, as well as create functional illumination for safety and clarity of pedestrian movement.
(5) Pedestrian area lighting:
a. Lighting of outdoor pedestrian use areas (including courtyards, entryways, etc.) should achieve a uniformity ratio of 3.5 to 1 (average to minimum), with an average illumination of 0.60 foot-candle and a minimum of 0.18 foot-candle.

b. Lighting of pedestrian walkways should clearly identify the walkway and imply the direction of travel.

(6) Inoperable bulbs shall be replaced, and fixtures maintained/repaired within five business days to maintain required lighting levels.

D. Landscaping. The project shall provide landscaping to accomplish the following design objectives:

(1) Landscape strips shall be used to separate travel lanes of adjoining roads from the buildings, off-street parking lots, off-street loading areas, outdoor storage and display facilities and any other uses and/or activities conducted on the site.

(2) Landscape strips shall be used to delineate travel lanes of on-site access drives, driveways and interior drives within off-street parking lots, off-street loading areas and other vehicle storage/movement areas.

(3) Landscape materials shall be used to adequately buffer and screen the activities of each use so as to promote compatibility between different adjoining land uses. Adequate buffering and screening shall be determined by conformance with those other impact-related standards, including but not limited to those presented in this zone. Where nonresidential uses are proposed adjoining residences and/or a residential zone, the nonresidential use shall be required to establish a vegetative screen (e.g., trees, shrubs and berms) that effectively blocks the view between grade and a minimum height of six feet at the property line at the time of planting. View blockage shall achieve no less than 80% opacity at all times of the year.

(4) Landscape materials shall be selected from native species that are healthy and vibrant. All landscape materials shall be maintained and any required landscape materials that do not survive shall be replaced with healthy specimens within six months.

(5) Where a site adjoins any public street, no areas devoted to the outdoor storage of goods or materials, nor any off-street loading areas, shall be located in the area that includes the full widths of the site and is located between that face of the principal building that is closest to the street right-of-way.

(6) All areas devoted to outdoor storage of goods or materials and any off-street loading areas shall be screened from adjoining roads and properties that do not share such common outdoor storage areas or off-street loading areas. Screening shall be provided in accordance with those standards listed in Subsection 3 above.

(7) Required side and rear yard landscape strips shall be provided along all side and rear property lines, except for that portion of the side occupied by a joint off-street parking lot, joint off-street loading area and/or joint outdoor storage areas shared by adjoining uses according to the following regulations:

a. Each planting area shall be a minimum of ten (10) feet in width.

b. A screen of at least six feet in height at time of planting, that results in a noise and sight obscuring buffer that is any one or a combination of the following methods:

1. A solid row of evergreen trees or shrubs.
2. A solid row of evergreen trees and shrubs planted on an earthen berm an average of three feet high along its midline.

3. A combination of trees or shrubs and fencing (metal or wood) or wall (brick, masonry or textured concrete).

c. Trees and shrubs should be spaced to grow together within four years from planting, and groundcover be provided to attain 75% coverage within four years.

d. Breaks in perimeter landscaping for pedestrian access may be required as determined by the Zoning Officer during site plan review.

e. Perimeter landscaping shall be required in an amount which, when combined with other on-site landscaping requirements, does not exceed fifteen percent (15%) of the total site area.

(8) Required ground cover. Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas, access drives, interior drives, driveways and walkways shall be maintained with a vegetative ground cover.

(9) Required interior landscaping of parking lots. In any parking lot containing 20 or more parking spaces (except a parking garage), 5% of the total area of the lot shall be devoted to interior landscaping. Such interior landscaping shall be used:

a. At the end of parking space rows.

b. To break up rows of parking spaces at least every 10 parking spaces.

c. To help visually define travel lanes through or next to the parking lot.

d. Landscaped areas situated outside of the parking lot, such as required landscaped strips, peripheral areas and areas surrounding buildings, shall not constitute interior landscaping. For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands and curbed areas. Ground cover alone is not sufficient to meet this requirement. Trees, shrubs or other approved material shall be provided. At least one shade tree shall be provided for each 300 square feet (or fraction thereof) of required interior landscaping area. These trees shall have a clear trunk at least five feet above finished-grade level. Parked vehicles may not overhang interior landscaped area more than 2 1/2 feet; where necessary, wheel stops or curbing shall be provided to ensure no greater overhang. If a parking lot of fewer than 20 spaces is built without interior landscaping and later additional spaces are added so that the total is 20 or more, the interior landscaping shall be provided for the entire parking lot.

E. Integration. The project shall be designed and arranged to integrate within its surroundings and become part of its overall community according to the following objectives:

(1) The configuration of the development shall provide for a logical and seamless connection with its surroundings. The location of roads, access drives, driveways, sidewalks and/or pedestrian paths and traffic control devices shall all either connect with existing adjoining similar facilities at logical locations or establish logical patterns for new such facilities if no such adjoining facilities exist.

(2) The configuration of the development should promote the use of coordinated development features. Shared use of access drives, driveways, off-street parking

and loading areas, outdoor storage and display features, dumpsters, signs, parks and open spaces, sidewalks and other pedestrian paths and stormwater management facilities is encouraged so long as each use's individual impact is adequately managed. The use of shared facilities shall also be accompanied by the recording of common use and maintenance agreements between the affected properties in language acceptable to the Township Solicitor.

(3) The development shall be required to provide for safe and convenient pedestrian access to each use from adjoining properties and nearby residential areas of the Township.

§ 325-20-6. Off-street parking.

Off-street parking and loading space shall be provided in accordance with Article XXV of this chapter.

§ 325-20-7. Signs.

The design, size and placement of signs shall be in accordance with Article XXIV of this chapter.

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ARTICLE XXI. F-R Flexible Residential Overlay

§ 325-21-1. Purpose.

The Flexible Residential Overlay (F-R) is hereby established as an overlay in which regulations are intended to permit and encourage the flexibility in development to encourage residential reinvestment and redevelopment. In promoting such development, the specific intent of this article is to allow for the use of vacant and under-utilized land and buildings through the use of flexible development and redevelopment standards, sustainable development practices, including compatible architectural design, environmental performance standards.

§ 325-21-2. Procedural requirements.

D. Except where noted herein, development in the Flexible Residential Overlay (F-R) shall be subject to provisions and requirements for land developments as delineated in the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

E. Applicability. The development regulations of the Flexible Residential Overlay may be applied as an overlay to contiguous tracts of one acre or more located in the R-1 and R-7 base residential zoning districts, subject to the regulations of this entire article.

F. Application Procedure: An applicant may apply to the Board of Supervisors have the Flexible Residential Overlay applied to a tract or contiguous tracts of land in the applicant's control if:
   (4) It can show the Board that said tract meets at least two of the criteria a. through f. or below, or
   (5) One of criteria g. or h. listed below.
   (6) For tracts that include multiple parcels, a majority of the units of property, representing a majority of the total land area, must meet the criteria.
      a. Presence of one or more unoccupied structures that have been tax delinquent for a period of two years or more
      b. Physical conditions that has rendered the site a public nuisance in accordance with Township building codes
      c. Presence of a fire hazard or other safety hazard to persons or property
      d. Physical condition that has rendered the site an attractive nuisance to children, including abandoned:
         1. Wells and shafts
         2. Basements
         3. Excavations
         4. Unsafe structures
      e. Any structure that due to dilapidation, sanitation, vermin, lack of facilities or safety has been designated by the Township as unfit for human habitation

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f. The presence of one or more structures from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use
g. A vacant or unimproved tract in a predominantly built-up area, which by reason of neglect or lack of maintenance, has become a place for accumulation of trash and debris or a haven for rodents or vermin.
h. A property that has environmentally hazardous conditions, solid waste pollution or contamination in a building or land

(7) The Board of Supervisors shall, at its sole discretion, decide whether the proposed tract is suitable for application of the Flexible Development Overlay.

§ 325-21-3. Permitted uses.

E. The following uses are allowed under an F-R overlay in the R-1 and R-7 base zoning districts:

Permitted Principal Uses:

Detached single-family dwelling
Attached single-family dwelling
Semi-attached single-family dwelling
Two-family dwelling
Multi-family dwelling
Group homes and group quarters
Domiciliary care unit
Dwelling unit conversion for family members
Up to 10% of the total land area in the F-R Overlay may be used for the following retail and service uses occupying not more than 3,000 square feet in floor area for which operating hours are limited to between 6:00am and 10:00pm:

6. Personal care services
7. Retail sales
8. Banks
9. Bakery or café, provided that all goods made or processed are sold at retail on premises
10. Art gallery or studio

Private membership club
House of worship
Library
Government offices
Public parks and playgrounds
Public utility facilities (Subject to §325-26-5)

Permitted Accessory Uses. (See Article XXVII.)

Accessory commercial uses by special exception subject to §325-29-3
Off street parking and loading areas
Storage sheds, tool sheds and greenhouses
Gazebos
Decks and patios

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Swimming pool/garden pool
Energy conversion systems
No impact home-based business
Home occupations
Child day care home
Child day care center
Recreational vehicle parking and storage
Satellite antennas

F. Prohibited Uses. Any use that is not a permitted use.

§ 325-21-4. Area and bulk requirements.

I. Building setbacks (except for accessory structures):
(1) Front yard, minimum: 20 feet.
(2) Side yard, minimum for detached structures: ten feet.
(3) Side yard, minimum for attached single-family residential: none
(4) Rear yard, minimum: 20 feet.

J. Accessory building setbacks:
(1) Front yard, no accessory structures shall be permitted in the front yard.
(2) Side yard, minimum: five feet.
(3) Rear yard, minimum: five feet.

K. Minimum lot area:
(1) Detached single-family dwelling: 5,000 square feet.
(2) Semi-detached single-family dwelling: 3,000 square feet/unit.
(3) Attached single-family dwelling: 2,500
(4) Duplex: 6,000 square feet/two-family unit.
(5) Multifamily: 2,000 square feet/unit.
(6) Non-residential use: 10,000 square feet

L. Minimum street frontage: 50 feet

M. Maximum lot coverage: 50%
(1) Lot coverage refers to all buildings and structures on the lot including accessory structures, which include patios, utility sheds, driveways, walkways and all impervious material with the exception of swimming pool basins.
(2) Except for detached, semi-attached and attached single-family dwellings, all uses shall be subject to minimum landscape requirements in addition to lot coverage requirements. A minimum of 25% of the lot area shall be landscaped with grass, trees and shrubbery.

N. Height. No building shall be erected to a height in excess of 35 feet. The following are exceptions to the maximum height:

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(8) Height may be increased by one foot for each additional foot that the width of each yard exceeds the minimum required.
(9) Projections allowed: Chimneys, flag poles, satellite dishes, lightning rods, vents and other similar items with a width, depth, or diameter of three (3) feet or less may extend above the height limit, as long as they do not exceed five (5) feet above the top of the highest point of the roof. If they are greater than three (3) feet in width, depth or diameter, they are subject to the height limit.
(10) Radio and television antennas, utility poles, and public safety facilities are exempt from the height limit.

O. Landscaping and buffer yards. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in this district and, in case of conflict, the larger yard requirements shall apply.

P. Interior yards. Open space between buildings shall be provided as follows:
(1) When front to front, rear to rear or front to rear, parallel buildings shall have 25 feet between faces. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.

Q. Off-street parking.
(1) Parking space, off-street, shall meet regulations as set forth in Article XXV herein.

R. Streets.
(1) Plans for streets, drives, service areas, parking and walks and all such facilities shall be reviewed and approved, and all such facilities shall be designed and installed in the manner prescribed by the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289) and amendments thereto, regardless of whether they are to be presented to the Township for dedication or not.
(2) Suitable access for fire-fighting equipment, refuse collection and, where necessary, snow removal shall be provided.

S. Signs. The design, size and placement of signs shall be in accordance with Article XXIV of this chapter.

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ARTICLE XXII. Reserved

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ARTICLE XXIII. Reserved

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ARTICLE XXIV. Signs.

§325-24-1. Purpose and Intent.

The purposes of these signage regulations are: to encourage the effective use of signs as a means of communication within the Township; to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

§325-24.2. Definitions.

The following words shall have the following definitions for purposes of this Article XXIV Signs:

ABANDONED SIGN – Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located.

ADDRESS SIGN - A sign or individual lettering/numbering that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service.

ANIMATED SIGN – Any sign the appearance of which changes electronically more frequently than every five (5) minutes.

ARTISAN SIGN – Any sign giving the name or names of principal contractors, architects, and lending institutions responsible for painting or construction on the site where the sign is placed.

ATTACHED SIGN – Any sign supported by or painted or projected on structures that form a portion of the primary building or structure, including signs located within or attached to the inside face of a window.

AWNING SIGN - Any sign painted on or applied to a structure made of cloth, canvas, metal, plastic, fiberglass or similar material which is affixed to a building and projects from it.

BANNER – Any sign of durable, lightweight fabric or similar material that is mounted to a pole or building at two or more edges. National, state, or municipal flags shall not be considered banners.

BUILDING FRONTAGE -- The side of a building determined by the Zoning Officer to be the front of the building or tenant space for purposes of determining sign size. Each building and tenant space shall have only one building frontage. The Zoning Officer shall determine the front of the building based on factors, including but not limited to the

location of the main entrance doors and disabled access entry, location of the parking areas, location of access drives, location of public streets and the street address.

BUILDING FRONT AREA - The area of a building front area shall be computed by means of the smallest square, triangle, rectangle, circle or combination thereof that will encompass the extreme limits of the structure.

BUILDING MARKER — Any sign indicating the name of a building and data and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUSINESS IDENTIFICATION SIGN -- A sign which directs attention to a business, profession, product, service, activity, or entertainment sold or offered upon the premises where such sign is located.

CANOPY SIGN – An Attached Sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outside service area. A marquee is not a canopy.

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

CIVIC EVENT SIGN (ON PREMISES) – A non-commercial temporary sign, posted to promote and advertise an activity sponsored by the Township, school district, church, public agency, civic or other similar not-for-profit organization on the premises where the event is to be held.

CIVIC EVENT SIGN (OFF PREMISES) – A non-commercial temporary sign posted off premises to promote and advertise an activity sponsored by the Township, school district, church, public agency, civic or other similar not-for-profit organization.

DIRECT ILLUMINATION – Artificial sign lighting projecting from any source within the body of the sign.

DIRECTORY SIGN – A sign which identifies multiple uses in a planned development on a single sign; may be used for shopping centers, shopping streets or business campuses, and similar large complexes which have a variety of tenants and/or uses.

DEVELOPMENT SIGN - A temporary sign indicating that the premises is in the process of subdivision or development.

DIRECTIONAL SIGN – An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar direction or instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign but shall not exceed 50% of the total sign area.

DOUBLE FACED SIGN -- A sign with two identical faces of equal sign area which are back to back.

FLAG -- Any fabric, banner, or bunting containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

FLASHING SIGN – Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

FLAT WALL SIGN – Any sign that displays one sign surface that is:

A. Attached parallel to and no more than 12 inches from a wall;
B. Painted, printed or otherwise depicted upon a wall; or,
C. Erected and confined within the limits of an outside wall of a building or structure that supports it.

FLAT ROOF SIGN – Any sign that is constructed over a portion of the roof of a building and at no point extends more than 12 inches from it. Flat roof signs may not extend above the top of the roofline at any location.

FREESTANDING SIGN - A sign and supporting structure that is secured in the ground and independent of any building, fence or other support.

GOVERNMENT/REGULATORY SIGN - Any sign to control traffic or for identification, including street signs, warning signs, railroad-crossing signs and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof in the discharge of his official duties.

HOLIDAY – A day for celebration of a person or event that is generally recognized as such in the Commonwealth of Pennsylvania and Federal government.

HOLIDAY DECORATION – Any sign the primary purpose of which is to celebrate a holiday.

INCIDENTAL SIGN – A sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to, drive-through window menu boards; signs on automatic teller machines, gas pumps, vending machines; or newspaper delivery boxes. The name or logo of the business or use to which the sign is giving direction may also be included on the sign but shall not exceed 50% of the total sign area.

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IDENTIFICATION SIGN – Any sign indicating the name and address of an occupant of a building.

ILLUMINATED SIGN **-** A non-flashing or non-twinkling sign which has letters, figures, designs or outlines illuminated by an internal or external lighting source as a part of the sign.

INDIRECT ILLUMINATION – Any artificial sign lighting from lights on or directed toward the sign.

INFLATABLE SIGN – Any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure. For purposes of this definition and ordinance, a simple helium balloon is not considered to be an inflatable sign.

INSTRUCTIONAL SIGN - A sign located within the interior of a lot, generally not visible from the street or adjoining properties, which provides information as to the location, interior operation and/or use of buildings or facilities. The name or logo of the business or use to which the sign is giving direction may also be included on the sign but shall not exceed 50% of the total sign area.

INTERIOR SIGN **-** Any sign located fully within and visible only from the interior of any building or stadium that is intended solely for information relating to the operation of such building or stadium.

MARQUEE SIGN **-** Any sign attached to a marquee for the purpose of identifying a movie theater or similar place of entertainment.

MEMORIAL SIGN **–** A memorial plaque or tablet, to include grave markers or other remembrances of persons or events, which is not for commercial or advertising purposes.

MOBILE SIGN – Any sign that is capable of moving from one premises to another, including those painted on vehicles that are parked and/or stored at a location other than where the activity associated with said vehicle is conducted unless said vehicle is being used in the normal day-to-day operations of the use of the premises on which the vehicle is parked or stored.

MONUMENT – Any Freestanding Sign, the bottom of which is no more than twelve (12) inches above the ground or pavement.

NEON SIGN **–** Any sign composed of glass tubing containing a large proportion of neon or other similar gas. A neon sign may be a wall sign, a projecting sign, or a window sign.

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OFF-PREMISES SIGN – A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. Off-Premises signs include signs attached to and/or painted on vehicles that are parked and/or stored at a location other than where the activity associated with said vehicle is conducted unless said vehicle is being used in the normal day-to-day operations of the use of the premises on which the vehicle is parked or stored.

ON-PREMISES SIGN **-** A sign, which advertises or otherwise directs attention to an activity on the same lot where the sign is located.

PENNANT – Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

PERMANENT BANNER MOUNTING AREA – A location designated in an applicant's signage plan for the continuous display of banners. The banner mounting area shall be applied to the total maximum permanent sign area allowed on the premises and banners displayed in the mounting area do not require a temporary sign permit. Any banner displayed in the mounting area shall not exceed the size of the permitted banner mounting area.

PERSONAL EXPRESSION SIGN -- Any sign that expresses an opinion, interest, or position. Such signs do not include political or business identification signs.

POLITICAL SIGN -- A temporary sign relating to the election of a person to a public office or a political party or a matter to be voted upon at an election by the public.

PREMISES - Any lot, parcel, or tract of land.

PROJECTING SIGN – A Wall Sign attached to a wall in such a manner that its outermost edge extends more than 12 inches from said wall.

REAL ESTATE SIGN **-** A temporary sign indicating the sale, rental or lease of the premises on which the sign is placed.

RESIDENTIAL SIGN – Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of this chapter.

ROOF – The exterior surface and its supporting structures on the top of a building.

ROOF SIGN – An Attached Sign that is partially or wholly attached to, erected on, or supported by the roof of a building or structure.

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TEMPORY SIGN -- A sign that is intended to be used temporarily, as may be evidenced by the materials from which it is constructed, such as cloth, canvas, light fabric, cardboard, wallboard, plastic, plywood, fiberboard or other material. Portable signs or any sign that is not permanently embedded in the ground or otherwise permanently affixed to real estate, including variable message signs, are considered temporary signs.

WALL SIGN – An Attached Sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign. For the purpose of this definition, a wall sign shall also include signs projected onto a wall or building structure by an external light source.

WINDOW SIGN – An Attached Sign that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

YARD SALE SIGN – A temporary sign advertising a yard or garage sale.

§325-24-3. Scope.

A. This Article XXIV – Signs shall apply to all signs located with the Township that can be legibly viewed from public property, including the public street rights-of-way, and adjacent private properties.

B. For purposes of this Article, "Signs" shall not include Holiday Decorations, which are subject to the restriction contained in §325-24-4.

C. For purposes of this Article, "Signs" shall not include any flag, badge, or insignia of the United States of America, the Commonwealth of Pennsylvania, York County, Springettsbury Township or any agency of the aforementioned governmental entities.

D. For purposes of this Article, "Signs" shall not include governmental signs for control of traffic or other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service or safety and erected for the health, safety, or welfare of the citizens of the Township, which are erected by or on the order of a public officer in the performance of their public duty.

§325-24-4. Holiday Decorations.

Holiday decorations shall be displayed for no longer than a total of sixty (60) days.

§325-24-5. General Regulations.

The following restrictions and regulations shall be applicable to all signs unless otherwise specified:

A. Materials: All signs, excluding awning and window signs, shall be constructed only from wood, metal, stone or other material as determined by the Township which has

the general appearance of structures composed primarily of wood, metal or stone with painted, engraved or raised messages. Sign materials should compliment the original construction materials and architectural style of the building facade on which they are to be displayed. If plywood is used, medium density overlay shall be used as a minimum grade. Bare plywood is prohibited.

B. Color: In selecting the principal colors for a sign, colors that compliment the color of the building should be used.

C. Illumination: Signs shall be illuminated only in accordance with the following regulations as authorized in an appropriate sign permit:
   (1) Light sources shall be shielded from all adjacent properties and streets and shall not be of such intensity as to cause glare hazardous to pedestrians or motorists.
   (2) With the exception of marquee signs, signs using internal illumination shall be designed so that when illuminated at night, only the letters and logos of the sign are visible. Individual, solid letters with internal lighting tubes which backlight a wall in a halo effect are permitted.
   (3) Permits for illuminated signs will not be issued without an approved electrical permit. All work shall be completed in full compliance with the Electrical Code as set forth in the Pennsylvania Uniform Construction Code, as it may be amended from time to time.

D. Electrical connections: The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables. Applications for electrical permits shall be filed at the time of the sign permit application.

E. Nuisance: No sign shall create a public nuisance by emitting smoke, sound, vapor, beams or rays, particle emission, odors or by creating a safety or traffic hazard as determined by the Township Engineer.

F. Sign removal: Any business that has closed shall remove any signs associated with the business within 60 days after it closes, though the supporting structure may remain as long as it does not become blighted. The owner of the premises shall have the responsibility to ensure such signs are removed within the 60-day period.

G. All signs shall be constructed in accordance with the Springettsbury Township Building Code, shall be maintained in good condition, shall be kept free of defects or hazards, and shall not be allowed to become dilapidated or deteriorated.

H. Signs shall not be erected within or extend into the public right-of-way, which for the purpose of this Ordinance shall be construed to extend to and include the sidewalks on both sides of every street having same at a minimum. The Township has the right to remove and dispose of any sign located in the public right of way

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I. Signs shall not contain material that a reasonable person would consider obscene.

J. No sign shall obstruct any fire escape or door leading thereto or window, nor shall any sign be attached to a fire escape.

K. No sign may be placed or erected in such a fashion as to create a safety or traffic hazard.

L. No sign shall interfere with, compete for attention with, or appear similar to a traffic signal. This shall include any sign, which uses an arrow device or the word "stop." It shall also include signs, which the colors red and green are used either in direct illumination or in high reflection by the use of special preparation such as fluorescent paint or glass.

M. Planters and landscaped areas around signs must be maintained in a manner that prevents visual blight.

N. The bottom most part of a projecting sign shall be at least ten (10) feet above the ground or pavement.

O. Mobile signs, including persons in costumes used to attract public attention, are not permitted within any public right-of-way.

P. Signs that are damaged, in disrepair, or vandalized and not repaired within thirty (30) days notice from the Township shall be removed at the property owners' expense.

Q. No sign shall be located so as to interfere with visibility for motorists at street or driveway intersections.

R. In the case of a shopping center, or a group of stores, or other business uses on a lot held in single or separate ownership, the provisions of §325-24-7 relating to the total area of signs permitted on a premise shall apply with respect to each building, separate store, or similar use. Only attached signs shall be permitted as permanent signage for the individual establishments. However, a total area permitted to be covered by said sign shall not exceed 15% of the area of the building front of the individual establishment.

§325-24-5. Exempt signs.

The following types of non-illuminated signs shall be allowed without a sign permit and shall not be included in the determination of the number or sign area of other signs allowed within a zoning district:

A. Artisan signs, provided that such signs shall be removed by said artisan promptly upon completion of the work. Artisan signs shall be limited to four and may be freestanding or wall. The sign area of each sign shall not exceed:
(1) Four (4) square feet in a residential district; or
(2) Thirty-two (32) square feet in all other districts

B. Directional Signs, provided that such signs are freestanding or wall signs located entirely on the property to which they pertain and do not exceed two (2) square feet in area.

C. Instructional Signs, provided that such signs are freestanding or wall signs located entirely on the property to which they pertain and do not exceed two (2) square feet in area.

D. Government/Regulatory signs.

E. Real estate signs, provided that such signs shall be removed upon sale, rental or lease of the property. Real estate signs may be banner, freestanding, projecting wall or window signs that meet the following criteria:
   (1) For residential districts:
      a. Maximum of 2 signs per premises;
      b. Maximum sign area of 4 square feet per sign;
      c. Maximum height for a freestanding sign: 6 feet
   (2) For non-residential districts:
      a. Maximum sign area of 32 square feet per sign;
      b. Maximum of one sign per street frontage;
      c. Maximum height for a freestanding sign: 10 feet.

F. Political signs meeting the size limitations below are considered exempt, provided that such signs shall be removed within 30 days after the related election. Larger political signs shall be permitted in non-residential districts by permit. Exempt political signs may be banner, freestanding, wall or window signs that meet the following criteria:
   (1) Maximum sign area of 6 square feet per sign
   (2) Maximum height for freestanding sign: 6 feet

G. Personal expression signs meeting the criteria below shall be exempt signs. Larger personal expression signs shall be permitted in non-residential districts by permit. Exempt personal expression signs shall include banner, freestanding, wall or window signs that meet the following criteria:
   (1) Maximum sign area of 6 square feet
   (2) Maximum height for freestanding: 6 feet

H. Memorial signs, provided that such a sign shall be wall mounted and meet the following criteria:
   (1) Maximum of one sign per premises
   (2) Maximum sign area of 2 square feet

I. Yard sale signs, provided that such signs shall be removed within one day of completion of the sale. Yard sale signs may be freestanding, wall or window signs that meet the following criteria:

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(1) Maximum of one sign per premises
(2) Maximum sign area of 2 square feet
(3) Maximum height for freestanding: 6 feet

J. Address signs, provide that such signs shall be wall or freestanding signs that meet the following criteria:
(1) Maximum of one sign per premises
(2) Maximum sign area of 2 square feet
(3) Maximum height for freestanding: 6 feet

K. Interior signs

L. Incidental signs, provided that such signs are freestanding or wall signs located entirely on the property to which they pertain and do not exceed two (2) square feet in area.

M. Civic event signs on premises

N. In the C-H, F-D and G-I districts only, price tags for items traditionally sold out of doors, including but not limited to motor vehicles, trailers, equipment and machinery, swimming pools, spas and patio furniture, provided that such signs do not exceed 2 square feet

§325-24-5. Prohibited Signs.

It shall be unlawful for any person, firm or corporation to erect any sign in the Township unless it is specifically permitted in this Article. Unlawful signs include, but are not limited to:

A. Any sign which by color, shape or location conflicts with or resembles a traffic signal device.

B. Signs attached to rocks, utility poles, parking meters, traffic signposts, traffic signals or control devices, street signs, or historical markers

C. Signs attached to trees, shrubs or any living vegetative matter.

D. Mobile signs

E. Any sign, outside of the G-I District, which advertises or publicizes an activity or business not conducted on the premises, except civic event signs

F. Signs erected without the permission of the property owner or authorized agent.

G. Signs that create a hazard by obstructing the clear view of vehicles and pedestrian traffic

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H. Animated signs, except time and temperature signs.

I. Any sign that obstructs free ingress to or egress from a required door, window, fire escape or other required exit.

J. Abandoned signs.

K. Animated, flashing or oscillating signs, except for the time and temperature portion of a sign.

L. Revolving signs.

M. Tethered balloons larger than 12 inches in diameter or attached by a tether longer than 5 feet, filled either by gas or heated air.

N. Roof signs.

O. Wall signs that cover windows or architectural detail.

P. Pennants longer than 150% of the street frontage of the premises.

Q. Signs with reflective backgrounds.

R. Signs that may cause glare or emit light to other properties or the public right-of-way.

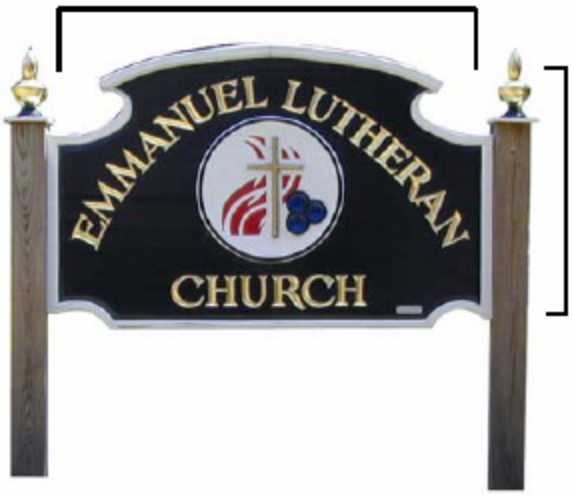
S. Open flames used to attract public attention

T. Pennants.

§325-24-6. Sign Measurement.

A. Computation of Area of Signs, Generally**.** The area of a sign face shall be computed by means of the smallest square, triangle, rectangle, circle or combination thereof, that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background or structure against which it is placed, but not including, any supporting bracing.

Sign Area



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B. Computation of Area of Multifaceted Signs**.** In computing square foot area of a double-faced sign, only one side shall be considered, provided both faces are identical and parallel. Otherwise, all sides shall be considered in calculating the sign area.

Face A Face B

Sign faces are not parallel, so both sides shall be used to calculate total sign area.

Identical, parallel sign faces, so only one side shall be considered to calculate total sign area.

C. Computation of Area of Three-Dimensional Signs**.** In computing square foot area of a three-dimensional sign, the area of every side visible from public property or the public right-of-way shall be calculated in accordance with Subsection "A" "Computation of Area of Signs, Generally" above and then totaled for the computation of the sign area.

D. Computation of Sign Height. The height of a sign shall be computed as the distance from the base of the sign or its supporting structure(s) at finished grade to the top of the highest attached component of the sign. Finished grade shall be construed to be the grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

E. Computation of total permanent sign area. The total sign area shall include all forms of signage visible from the exterior of the premises, including, but not limited to all window signage and all types of attached and freestanding signs.

F. Computation of sign setbacks. Sign setbacks shall be calculated from the outermost edge of the sign and its supporting structure.

§ 325-24-7. Business identification signs.

Business signs shall be granted a permit according to the requirements of §325-24-12 upon compliance with the following provisions:

A. Sign Area Standards: The maximum total sign area of any business sign shall be based on the requirements listed in Chart 325-24-7:

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Chart 325-24-7 Business Sign Area Standards by Zoning District	
Zoning District	**Business Identification Sign Standards**
R-1	▪ Maximum sign area: 16 square feet ▪ No freestanding signs except for monument signs are permitted. ▪ Maximum height for freestanding sign is 6 feet ▪ See § 325-24-8 for temporary sign regulation
R-R	▪ Maximum sign area: 16 square feet ▪ Maximum height for freestanding sign is 6 feet ▪ See § 325-24-8 for temporary sign regulation
N-C	▪ Maximum permanent sign area: 16 square feet ▪ Maximum height for freestanding sign is 6 feet ▪ See § 325-24-8 for temporary sign regulation
M-U, B-I	▪ Maximum permanent sign area: 20% of building frontage or 5% of street frontage, whichever is greater ▪ No freestanding signs except for monument sings are permitted ▪ The premises shall have no more than 2 freestanding signs ▪ The total monument signage on the premises shall not exceed 120 square feet ▪ Monument signs shall be no more than 10 feet wide and no more than 12 feet high. The minimum width of a monument sign shall be no less than 35% of the height. ▪ See § 325-24-8 for temporary sign regulation
C-H, G-I, F-D	▪ Maximum permanent sign area: 35% of building frontage or 10% of street frontage, whichever is greater ▪ The premises shall have no more than 2 freestanding signs ▪ The total freestanding signage on the premises shall not exceed 180 square feet ▪ Freestanding signs shall be no more than 10 feet wide and no more than 18 feet high ▪ See § 325-24-8 for temporary sign regulation
F-R, T-N	▪ Business identification signs for commercial uses in the F-R Overlay and the T-N Overlay shall be regulated as in the N-C District. ▪ See § 325-24-8 for temporary sign regulation

B. Placement Standards

(1) Wall Signs: No attached wall sign shall extend beyond the roofline or the end of the wall to which it is attached or project away from the building wall more than twelve (12) inches.

(2) Projecting or Hanging Signs: No projecting sign shall project more than six (6) feet from the main wall of a building upon which it is mounted. Any projecting or overhanging sign shall provide not less than ten (10) feet of clearance between the bottom of the sign and the existing ground level (these limitations shall not apply to permanently constructed building canopies, theater marquees or pedestrian shelters).

(3) Freestanding Signs are subject to the following standards:

a. Freestanding signs shall be set back from any lot line at least one foot for each foot in sign height.

b. Freestanding signs shall not extend more than twenty (20) feet above ground level, except in the case of shopping centers, which may extend thirty (30) feet above ground level.
c. When located within twenty (20) feet of any lot line, freestanding signs shall either provide a clear space of not less than ten (10) feet between the bottom of such sign and the curb level or extend no more than four (4) feet above ground level.

10 feet minimum from bottom of sign

Four feet maximum from ground level to top of sign.

(4) Political signs and personal expression signs exceeding the size, type and placement criteria for exempt signs as listed in §325-24-5 (F) and (G) shall be allowed by permit. The sign area of such political and personal expression signs shall be counted toward total sign area allowances listed in Chart 325-24-7.

§ 325-24-8. Temporary Signs.

A. Temporary signs shall require a permit according to the requirements of **§**325-24-12 and provisions (B) – (E) below. A placard (sticker) will be issued for each temporary sign permitted. The placard must be affixed to each temporary sign for the entire length of display. Applicant acknowledges that the Township may remove or have removed at owners expense any sign that:
   (1) Has not been issued a permit for either permanent installation or temporary display; or
   (2) Is not displaying a valid placard.

B. Temporary Signs in the C-H, G-I and F-D Districts and F-D Overlay.
   (1) A single cloth, vinyl, or fabric temporary banner shall be permitted up to four (4) times per year, with each use consisting of consecutive days and no more than an aggregate of twenty-eight (28) days in a calendar year. A banner must be firmly

attached to the front façade of the building. No other support structure is permitted. When any banner becomes torn, damaged or disfigured, it must be removed immediately.

(2) Total area of temporary signage, not including a banner as permitted in subsection "1" above, shall not exceed five percent (5%) of the area of the building front up to a maximum of forty-eight (48) square feet. In the case of vacant land, no signage in addition to that provided under "Permanent Signs" shall be permitted.

(3) With the exception of a banner as permitted in subsection "1" above, no one sign may be greater than twenty-four (24) square feet.

(4) With the exception of a banner as permitted in subsection "1" above, no more than four (4) temporary signs are permitted.

C. Temporary Signs in the M-U and B-I Districts.

(1) A single cloth, vinyl, or fabric temporary banner shall be permitted up to four (4) times per year, with each use consisting of consecutive days and no more than an aggregate of twenty-eight (28) days in a calendar year. A banner must be firmly attached to the front façade of the building. No other support structure is permitted. When any banner becomes torn, damaged or disfigured, it must be removed immediately.

(2) Total area of temporary signage not including a banner as permitted in subsection "1" above, shall not exceed five percent (5%) of the area of the building front up to a maximum of forty-eight (48) square feet. In the case of vacant land, no signage in addition to that provided under "Permanent Signs" shall be permitted.

(3) With the exception of a banner as permitted in subsection "1" above, no one sign may be greater than twenty-four (24) square feet.

(4) With the exception of a banner as permitted in subsection "1" above, no more four (4) temporary signs are permitted.

D. Temporary Signs in the N-C and R-1 Districts and the commercial portions of the T-N and F-R Overlay Districts.

(1) A single cloth, vinyl, or fabric temporary banner shall be permitted up to four (4) times per year, with each use consisting of consecutive days and no more than an aggregate of twenty-eight (28) days in a calendar year. A banner must be firmly attached to the front façade of the building. No other support structure is permitted. When any banner becomes torn, damaged or disfigured, it must be removed immediately.

(2) Total area of temporary signage, not including a banner as permitted in subsection "1" above, shall not exceed twenty-four (24) square feet.

(3) With the exception of a banner as permitted in subsection "1" above, no more two (2) temporary signs are permitted.

(4) The maximum height of a temporary sign is six feet (6').

E. Temporary Signs in the R-R District.

(1) A single cloth, vinyl, or fabric temporary banner shall be permitted up to four (4) times per year, with each use consisting of consecutive days and no more than an aggregate of twenty-eight (28) days in a calendar year. A banner must be firmly

attached to the front façade of the building. No other support structure is permitted. When any banner becomes torn, damaged or disfigured, it must be removed immediately.

(2) Total area of temporary signage, not including a banner as permitted in subsection "1" above, shall not exceed eight (8) square feet.
(3) With the exception of a banner as permitted in subsection "1" above, no more two (2) temporary signs are permitted.
(4) The maximum height of a temporary sign is six feet (6').

§325-24-9. Inflatable Signs.

Inflatable signs shall be regulated as temporary signs in §325-24-8 and shall be subject to the following additional standards:

A. Inflatable signs shall only include cold-air inflatable signs, the bottom of which is no more than 6 inches above the ground or pavement.

B. Location: A temporary inflatable sign shall be permitted only in a C-H, G-I or F-D Districts or for special events sponsored or cosponsored by the Township and held on Township property. The sign shall not extend into the required zoning setbacks or into the public right-of-way.

C. Only one temporary inflatable sign permit shall be granted for a single location at one time.

D. A single inflatable sign shall be permitted up to four (4) times per year, with each use consisting of no more than five (5) consecutive days and no more than an aggregate of twenty (20) days in a calendar year. When any inflatable becomes torn, damaged or disfigured, it must be removed immediately.

E. The inflatable sign shall not exceed twenty-four (24) feet in height or twenty-four 24 feet in width.

§325-24-10. Signs for Non Conforming Uses.

Upon receipt of an applicant for a permit to erect, alter or reconstruct a sign upon premises having a nonconforming use as defined by §325-24-8 of this chapter, the Zoning Officer shall refer said application to the Zoning Hearing Board, said board to hear and determine whether such permit application should be granted, such determination to be based upon the following criteria:

A. The sign must have a reasonable commercial need, must be the minimum necessary to meet such commercial need, and shall in no event exceed the requirements as hereinbefore set forth in this article.

B. The sign shall contain no advertising matter not specifically related to the use of the premises.

C. The sign shall not conflict, offend or interfere with the conforming uses in the immediate vicinity.

§325-24-11. Off-Premises Advertising Signs.

Off-premises signs shall be allowed by special exception in the G-I District in accordance with the following standards and regulations and shall be in addition to any on-premises signage allowed in that District:

A. Sign dimensions.
   (1) The maximum area for any one sign shall be seven hundred (700) square feet on limited access highways and three hundred (300) square feet on unlimited access roadways, inclusive of any border or trim, excluding the base or apron, supports and other structural members.
   (2) The maximum width is forty-eight (48) feet.
   (3) A sign structure may contain one or two (2) signs per facing and may be placed double-faced, back-to-back or v-type with the maximum interior angle formed not to exceed forty-five (45) degrees, as long as the sign does not exceed three hundred (300) square feet.

B. Special Requirements.
   (1) No two (2) sign structures shall be spaced less than one thousand feet (1,000') apart. Nor shall any structure be permitted within one thousand (1,000) feet of the edge of the street right-of-way of any intersecting public street or within one thousand (1,000) feet from the beginning or ending of an entrance or exit ramp.
   (2) These spacing provisions shall not apply to sign structures separated by a building or other obstruction in such a manner that only one sign facing located within these spacing distances is visible from the highway at any one time.
   (3) The distance between sign structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along the same side of the traveled way.

C. Lighting of Off-Premises Signs.
   (1) No sign shall be permitted which is not effectively shielded so as to prevent beams or rays of light being directed at any portion of the traveled way of any highway or which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any vehicle or which interferes with nay driver's operation of a motor vehicle.
   (2) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device or signal.
   (3) Signs that contain, include or are illuminated by any flashing, intermittent or moving light or lights are prohibited.

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D. Height Requirement. No off-premises sign shall exceed a height of thirty-five (35) feet.

E. Yard Requirement. All off-premises signs shall be located on a lot of adequate size to establish and maintain a front yard of fifty (50) feet and two (2) side yards and a rear yard of not less than thirty (30) feet each. All such yards shall be planted with vegetative material that shall be properly kept maintained as a green area.

F. All off-premises signs shall require permits issued by the Township prior to their display.

§325-24-12. Administration.

A. Applicants for a sign permit shall provide the following information:
   (1) Site Plan to include
      a. Building location
         1. Dimensions of building
            i. Width, depth, height.
         2. Distance from property lines.
         3. Distance from centerline of street.
         4. Distance from right-of-way lines.
      b. Location of access drives and parking areas.
      c. All freestanding sign locations, proposed and existing
         1. Distance from property lines.
         2. Distance from parking areas.
         3. Distance from centerline of street.
         4. Distance from right-of-way lines.
         5. Distance from building.
      d. Adjacent property uses.
   (2) Building elevation and photographs to include:
      a. All attached sign locations, proposed and existing.
      b. Distances of signs from top, bottom, and sides of building.
   (3) Sign renderings for all signs, proposed and existing, to include
      a. Indicate single or double-sided.
      b. Indicate dimensions of sign.
      c. Indicate lettering of sign.
      d. Indicate height of sign.
      e. Indicate method of support for sign.
      f. Indicate type, angle and foot-candles of any lighting.
   (4) Photometric plan for all illuminate signs
   (5) Fee to be established by resolution of the Board of Supervisors.

B. Within fifteen (15) business days of the receipt of all items contained in Subsection A above, the Township shall either issue a sign permit or a written denial of the requested permit. If the information shows that the requested sign is in accordance with the requirements of this Ordinance, a permit shall be issued.

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§325-24-13. Nonconforming Signs.

All signs which are nonconforming will be required to be brought into conformance with this Article at such a time as any alteration are made to the dimensions, heights, structure or location of the sign. Nonconforming signs approved by variance are also subject to this Section.

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ARTICLE XXV. Off-Street Parking, Loading and Unloading.

§ 325-25-1. Parking facilities required by land use.

A. For uses that are not specifically identified in the categories listed in this section, the Zoning Officer shall determine which listed use is most similar to the proposed use and the parking space requirement for that listed use will apply.

B. Off-street parking and loading space as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition," as used above, shall include any alterations intended to enlarge or increase capacity by adding or creating dwelling units, floor area or seats.

C. In the case of multiple uses simultaneously occurring in the same building or shopping center, the total number of required parking or loading spaces shall be the sum of the required spaces for each of the uses computed separately. For uses occupying the same space, the total number of required parking spaces shall be based on the most restrictive use.

D. Minimum parking requirements shall be as stated in Chart 325-25-1.

Chart 325-25-1 Minimum Parking Space Requirements	
Residential Uses	
All residential dwellings (except accessory dwelling units)	2 spaces per dwelling unit
Accessory dwelling units	1 space per dwelling unit
Bed and breakfast inn	1 space for each guest bedroom and 1 space for the operator.
Boarding house	1 space per guest room
Group foster home	1 space in addition to the space(s) required for the residential unit
Assisted living facility	1 space for each staff member plus 1 space for every 2 residents. Additionally, 1 space shall be provided for each vehicle used in connection with the facility.
Home occupation	If the occupation requires any customers and/or clients to visit the premises, at least 2 spaces in addition to the spaces required for the dwelling unit shall be provided. Spaces provided for the home occupation shall not be “stacked.” A stacked parking space is any space that is located behind another pace and is not directly accessible from a driveway or aisle.

Commercial uses	
Service businesses (e.g. salons, barber shops, dry cleaners, Laundromat)	3.5 spaces per 1,000 gross square feet
Banks, savings and loans, credit unions	3.5 spaces per 1,000 gross square feet
Carpet and furniture showrooms	1.25 spaces per 1,000 square feet of gross showroom floor area. Each store shall have a minimum of 4 spaces.
Group family daycare, family daycare home	1 space for each staff member plus 1 space per 10 children. A facility located in a family residence must also provide required parking for a dwelling unit.
Hotel and Motel	1 space for each room or suite and 1 space per 2 employees. Banquet and meeting rooms shall provide 6 spaces per 1,000 square feet of seating area. Restaurants are figured separately.
Retail/commercial use, including shopping centers	4.5 spaces per 1,000 gross square feet
Open-air businesses, such as plant nurseries, flea markets and similar uses	1 space per 1,000 feet of display area, plus 1 space per employee. If a building exists in conjunction with the outdoor use, then additional parking shall be provided based on the use of the building and the minimum parking required by this article that use
Mini-storage facility	1 space for every 50 storage units, plus 4 spaces for permanent on-site managers with a minimum of 8 spaces for all facilities, regardless of size.
Mixed use	Shared or combined parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See § 325-25-4.
Mortuary and funeral parlor	1 space per 75 square feet of assembly area or 13 stalls per 1,000 square feet of gross area, which is greater.
Offices, general	3.5 spaces per 1,000 square feet gross floor area
Offices: medical or dental	4 spaces per 1,000 gross square feet
Gas station (including a convenience market)	5.5 spaces per 1,000 gross square feet, plus 1 space per pump and 6 for stacking. The paved area serving each pump may be counted towards the minimum parking requirements said paved area meets the

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	minimum parking space dimensional requirements for parallel parking spaces as stated in 325-25-3(Q).
Gas station (without a convenience market)	1 space per pump, plus 6 for stacking The paved area serving each pump may be counted towards the minimum parking requirements said paved area meets the minimum parking space dimensional requirements for parallel parking spaces as stated in 325-25-3(Q).
Quick vehicle servicing	5 spaces per 1,000 gross square feet
Automatic car wash	6 spaces per wash lane
Motor vehicle, boat and trailer sales, rental and showroom	2 spaces per 1,000 gross square feet with a minimum of 4 spaces. Required parking is in addition to vehicle stock storage and display spaces and any spaces required for vehicle repair services, below.
Vehicle repair	2 spaces per 1,000 gross square feet
Restaurant Uses	
Restaurant, bar and other eating and drinking establishments without drive through service	10 spaces per 1,000 gross square feet
Restaurant with drive through service	15 spaces per 1,000 gross square feet plus 1 lane for each drive-up window with stacking space for 6 vehicles before the menu board.
Industrial Uses	
Manufacturing use (including greenhouses and nurseries without retail sales)	1 space per 1,000 square feet of gross floor area
Warehouse	.5 space per 1,000 gross square feet
Institutional Uses	
Elementary and middle schools	1.5 spaces per class room, plus one space for every 75 square feet in assembly rooms and auditoriums, plus ▪ One bus loading space for every 100 students or portion thereof ▪ One automobile passenger loading zone
High school	The greater of: ▪ 1 space per 3 students, or ▪ The total spaces required for the on-site public assembly area with the largest parking requirement; Plus one bus loading space for every 100 students or portion thereof

Post-secondary schools	.75 space for each student and staff, plus the total spaces required for on-site conference or meeting facilities
Commercial or trade schools	1 space for each student and staff, plus the total spaces required for on-site conference or meeting facilities
Hospital, skilled nursing facility, hospice care home, and mental health facility	1 space per 2 beds, plus 1 space for every 2 employees on the largest shift.
Library and museum	3.5 spaces per 1,000 square feet of public floor area
Places of Assembly	
Church	1 space per 4 seats or 1 space per 6 feet of bench or other seating. Six (6) spaces/1,000 square feet of assembly area where seats or pews are not provided, or when circumstances warrant increased parking, such as a church which attracts a large, regional congregation or one which has multiple functions.
Private or public club or lodge	6 spaces per 1,000 gross square feet
Stadiums	1 space per 3 seats
Theater and auditorium	1 space per 3 fixed seats or permitted occupants seats not fixed. If the theater or auditorium is a component of a larger commercial development, the above parking standard may be modified to account for shared or combined parking
Recreational Uses	
Bowling alley	5 spaces per bowling lane
Golf course	6 spaces per hole, plus 1 space per driving range tee.
Health club, skating rink and other commercial recreational uses	5 spaces per 1,000 gross square feet

E. Handicapped. Accessible spaces shall be provided according to the Americans with Disabilities Act.

§ 325-25-2. Adjusted required parking.

An applicant may reduce the number of parking spaces required by § 325-25-1 in accordance with the following:

A. Total required parking spaces shall be shown on the plan in accordance with this article.

B. A reduction in number of spaces may be provided to fit the proposed use as follows:

(1) An agreement on a form furnished by the Township shall be submitted setting forth the proposed initial parking. Owner may add needed parking up to the maximum spaces as shown on the original parking layout at any time without further land development.
(2) Land developer shall include language on the plan to indicate the existence of this agreement.
(3) Stormwater designs for the maximum number of parking spaces permitted shall be required and all required parking spaces shall be shown on the plan prior to plan approval. The area designated for potential future parking shall be designed and landscaped as required by § 325-25-3 of this article so that, if the parking is increased in the future, the required islands will be defined. Concrete curbing shall not be required until such time as the future potential parking is installed.
(4) In order to construct fewer parking spaces than would be required by § 325-25-1, the following tables may be used to determine the amount of the required parking that must be installed initially. The intensity factor, developed from the previous parking requirements, shall be used as a multiplier which will indicate the minimum parking that must be provided and built on the site prior to occupancy of any building. The residual (one minus intensity factor) parking must be shown on the plan as a note that shall be binding on all heirs, owners, successors in title, etc., as a recordable instrument, indicating that upon six-month notice the owner shall complete the full amount of parking as shown in the recorded layout of the land development plan.
(5) If at any time the Township determines that the reduced amount of parking is insufficient to meet the needs of the use, the Township will direct the owner to provide additional parking up to the amount of the proposed initial required parking. Parking for a use shall be insufficient if patrons, employees, suppliers, or others entering the premises are parking on the street, on neighboring properties, or in areas that are not officially sanctioned parking spaces as shown on the approved plan. This does not include parking in approved overflow areas.
(6) For all uses not listed in the following tables, the intensity factor shall be 0.75.

Intensity Table I	
Land Use	**Intensity Factor**
Restaurants, theaters and cafeterias	0.75
Places of public or private assembly, including theaters, auditoriums, churches, schools, stadiums	0.75
Taverns, bars, nightclubs and other similar uses	0.75
Food markets and grocery stores	0.75
Hospital and assisted living and skilled nursing facilities	0.75
Private clubs and lodges	0.75

Intensity Table 2	
Land Use	**Intensity Factor**
Retail stores and other places for trade or business	0.7
Gasoline service stations, including convenience	0.7
Industrial and manufacturing establishments, truck terminals, and	0.7

wholesale warehouses	

Intensity Table 3	
Land Use	**Intensity Factor**
Office buildings	0.65
Open-air type business uses, including auto and boat sales, plant nurseries, flea markets and similar uses	0.65
Hotels and motels	0.65
Mini-warehouses	0.65
Bowling centers	0.65
Miniature golf	0.65

Intensity Table 4	
Land Use	**Intensity Factor**
Dental and medical offices/clinics	0.60
Nursing homes, mortuaries, funeral homes and undertaking establishments	0.60
Golf driving range	0.60
Automobile, vehicle garage	0.60
Coin laundries	0.60
Drive-through facilities	0.60
Drive-in facilities	0.60
Automatic car wash	0.60

§ 325-25-3. Design standards.

A. Off-street parking, loading, and unloading facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way. Except in the case of single-family and two-family dwellings, the general layout shall be such that there will be no need for motorists to back over a public right-of-way.

B. A garage or carport may be located wholly or partly inside the walls of the principal building or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. The garage may be constructed under a yard or court. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.

C. Parking spaces may be located on a lot other than that containing the principal use as a special exception.

D. Parking area reservation. All off-street parking areas shall be reserved and used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind in all districts. The parking of one commercial vehicle up to

one-ton vehicle weight classification is permitted in residential districts, if needed by an individual for his livelihood for a business not conducted on the premises.

E. Existing off-street parking or loading facilities provided at the effective date of this article and actually being used at that time in connection with the operation of an existing use shall not be reduced below the minimum required in this article.

F. Whenever the existing use of a building, structure, or land shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. However, if the said building or structure was erected or the use of land established prior to the effective date of this article, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use.

G. All parking spaces shall be ample in size for the vehicles for which use is intended. The net parking space per vehicle shall be not less than nine feet wide and 18 feet long. Outdoor parking space and the approaches thereto shall be paved with concrete or bituminous surface. Such outdoor parking spaces shall not be used to satisfy any open space requirements of the lot on which it is located.

H. There shall be adequate provisions for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people and/or the general public. Where a parking or loading area does not abut on a public right-of-way or private alley or easement of access, there shall be provided an access drive per lane of traffic not less than 12 feet in width, suitably graded and surfaced. In all cases where the access is to storage areas or loading and unloading spaces required hereunder, an access drive not less than 18 feet in width, suitably graded and surfaced, shall be provided. All traffic aisle ways separating parking spaces shall be a minimum of 24 feet in width. By using angled parking with one-way aisles as identified in Subsection Q below, a reduction in aisle-way width is allowed.

I. The number of access drives and driveways shall not exceed one per lot on any one street frontage less than 80 feet in width at the street right-of-way.

J. In parking area of 1/2 acre or more, a minimum of 5% of the total area of the parking lot shall be devoted to landscaping within the interior of the parking area. The landscaping shall include flowering trees, shade trees and shrubs to enhance the surrounding buildings and parking lot. Landscaping islands defined by concrete curbing shall be attractively spaced throughout the parking lot to aid in defining site access, drives and general traffic movement.

K. Surfacing. Any off-street parking area shall be graded for proper drainage, and shall be surfaced so as to provide a durable and dustless surface, and shall be paved with concrete or bituminous surface, and shall be so arranged as to provide for orderly and safe parking and storage of vehicles. Parking lots in excess of six spaces shall be clearly striped and meet the following criteria:

(1) Bituminous pavement shall have the following cross section:
   (a) One-and-one-half-inch ID-2 wearing course.
   (b) Three-inch ID-2 binder course.
   (c) Six-inch 2A modified stone base course.
(2) Concrete pavement shall have the following cross section:
   (a) Four-inch 3000 PSI concrete minimum
   (b) Six-inch 2A modified stone base course.
(3) Alternative surfacing methods may be utilized in the residual parking areas subject to review and approval of the Township Engineer and the Board of Supervisors. A maintenance agreement for such alternative surfacing methods must be agreed upon between the applicant and the Board of Supervisors.

L. Detailed plans identifying parking lot lighting shall be provided. These plans shall include the location and type of light standards, fixture and illumination specifications. The illumination of the parking or building area shall be restricted to the property of the applicant and shall not cause or create any glare, reflection or illumination upon any roadway or adjoining property. It will be necessary to address the lighting of all driveways and to demonstrate that they will be lighted to identify and provide safe access. Light standards of a low-silhouette type are suggested for the adequate lighting of driveways. Light standards of this type identifying driveways may be erected within five feet of the street right-of-way and shall not exceed 10 feet in height. All other light standards and fixtures shall not exceed 30 feet in height and shall not be located in the public right of way.

M. Parking area screening. Landscaping and buffer yards shall be provided around all off-street parking areas in accordance with the Subdivision and Land Development Ordinance.

N. All parking lots over 30 total parking spaces shall have a landscaping island breaking up every 10 contiguous spaces. This island shall be a minimum of 10 feet by 18 feet and shall be planted with a combination of trees, shrubs and/or ground covers. Each island shall, at a minimum, have at least one shade tree.

O. All parking rows shall have curbed terminal landscaped islands no less than 10 feet by 18 feet. Landscaping requirements same as Subsection R.

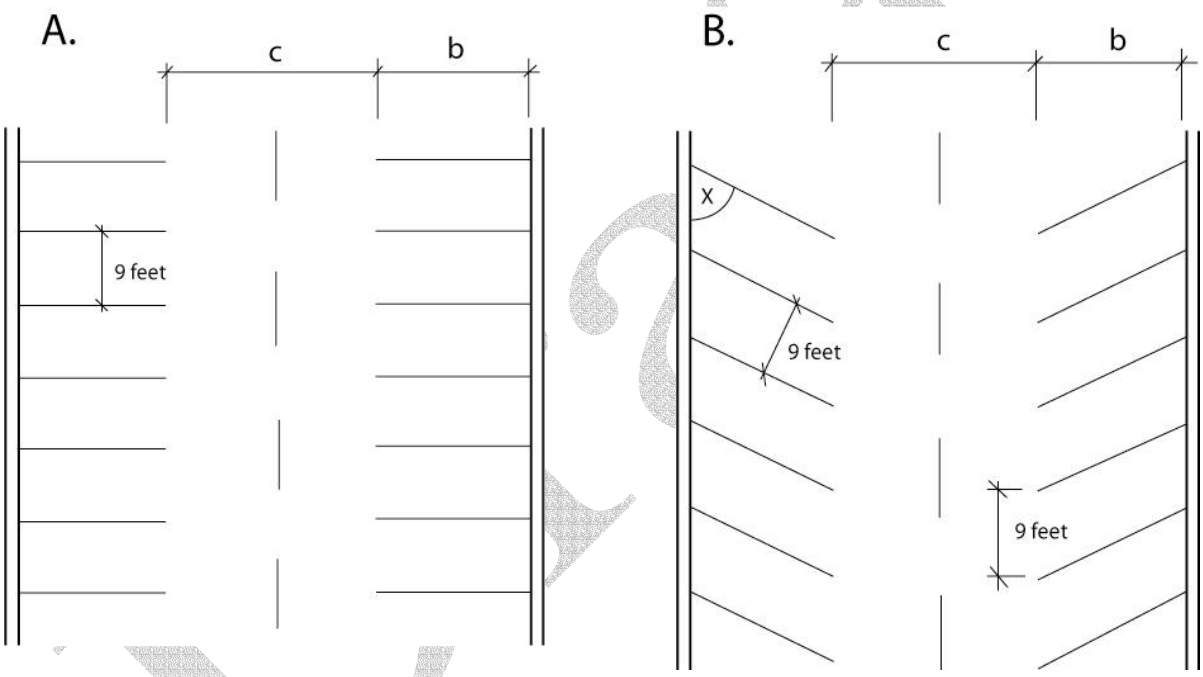
P. All parking lots shall be curbed. For infiltration and water quality purposes, curbing may be eliminated if the developer can show approved and accepted methods of water quality and infiltration techniques being in place. In cases where curbing is eliminated, another method of vehicle control shall be employed (i.e., wheel stops, berms). The Township Engineer should determine the applicability of the infiltration and water quality techniques proposed. Bituminous curbing is not acceptable.

Q. Angled parking will be permitted. The minimum dimensions for angled parking layouts are shown below.

Parking Angle (x degrees)	Stall Width (feet) (a)	Stall Length (b)	Aisle Dimension (c)	Skew Width (d)
30	9	16 feet, 10 inches	11 feet	18 feet
45	9	19 feet	13 feet	12 feet, 9 inches
60	9	17 feet	18 feet	10 feet, 5 inches
90	9	18 feet	24 feet	N/A

All angled parking utilizes one-way traffic circulation.

For parallel parking, the dimensions of the parking stall shall be not less than 10 feet in width and 23 feet in depth.



R. When deemed necessary to permit safe ingress and egress, acceleration and deceleration lanes paralleling the street shall be installed at the expense of the property owners in accordance with ASHTO (American Association of State Highway and Transportation Officials Manual, latest edition).

S. Access to the public highway or street shall be controlled in the interest of public safety. The off-street parking, loading and service areas shall not be within any yard area other than those specified by this article.
   (1) Parking may be located within the front yard of Commercial Highway Districts, provided a buffer yard and landscaping is provided in accordance with the Subdivision and Land Development Ordinance (Chapter 289). This landscaped strip shall be parallel to the street and shall be measured from the inward edge of the sidewalk toward the building.

(2) Parking may be located within side and rear yards of the Mixed Use, Commercial Highway, and Neighborhood Commercial Districts, provided it does not encroach upon any required buffer yard.
(3) Parking, loading and service areas may not be located within any required yard of the Industrial District.
(4) Access drives shall not open upon any public right-of-way where the sight distance in either direction along the public thoroughfare would be less than 500 feet when the posted speed limit exceeds 35 miles per hour; however, when the posted speed limit is 35 miles per hour or less, the sight distance requirement may be reduced to 250 feet.

T. In addition to the off-street parking space required above, any building erected, converted or enlarged for any nonresidential use shall provide adequate off-street areas for loading and unloading of vehicles. The minimum size loading space shall be 50 feet in depth, 12 feet in width, with an overhead clearance of 14 feet. All commercial and industrial establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs. This required space will be provided in addition to established requirements for patron and employee parking.

U. General safety requirement, sight distance. Driveways shall be located in safe relationship to sight distance and barriers to vision and shall not exceed a slope of 10% within 12 feet of the street line. Where drives enter a bank through a cut, unless a retaining wall is used, the shoulders of the cut shall be graded to not more than 1/2 foot vertical to one foot horizontal within 10 feet of the point the drive intersects with the right-of-way.

V. Submission of plans. A scaled drawing of proposed off-street parking and loading areas, access drives and walks shall be submitted as part of the required plot plan.

§ 325-25-4. Shared Parking.

A. Applicants shall be required to show that shared parking facilities area located within 500 feet of all primary entry areas to each use.

B. A shared parking agreement (two users) or District (more than two users), which involves a contractual agreement between users is required. A shared parking agreement allows users an opportunity, if they choose, to redesign parking lots to be more efficient in serving multiple users. This may consist of making new curb cuts between parking lots, restriping lots, or redesigning internal traffic circulation and pedestrian walkways. The shared parking agreement shall:
(1) Have a minimum term of 20 years;
(2) Be approved by the Township Solicitor; and
(3) Be in a form suitable for recording.

C. The minimum amount of shared parking required shall be calculated according to the following formula (See Chart 325-25-4):

(1) Calculate the minimum amount of parking required for each land use as if it were a separate use per § 325-25-1.
(2) To determine peak requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in Chart 325-25-4 for each of the six time periods.
(3) Calculate the column total for each of the six time periods.
(4) The column total with the highest value shall be the minimum parking requirement.
(5) Calculations submitted by the applicant shall be verified by the Township Engineer and Zoning Officer.

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Chart 325-25-4 Shared Parking Calculations						
Uses	**Monday-Friday**			**Saturday and Sunday**		
	8am-6pm	**6pm-Midnight**	**Midnight-8am**	**8am-6pm**	**6pm-Midnight**	**Midnight-8am**
Residential	60%	100%	100%	80%	100%	100%
Office	100%	10%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	60%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Recreation	40%	100%	10%	80%	100%	50%
Institutional	100%	40%	5%	10%	10%	5%
House of Worship	20%	40%	5%	100%	50%	5%

Shared parking calculation example:

Mixed use development with:

- 3,000 square feet of retail
- 5,000 square feet of office
- 10 apartment dwellings

Use of shared parking reduces required spaces from 51 to 41. (See calculations below.)

Parking required for each use separately		
Use	**Parking Required per §325-25-1**	**Spaces Required**
10 apartment dwellings	2/DU	20
5,000 SF office	3.5/1,000 SF	17.5
3,000 SF retail	4.5/1,000 SF	13.5
		51 total

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Parking Required Under Shared Parking Calculation						
Uses	**Monday-Friday**			**Saturday and Sunday**		
	8am-6pm	**6pm-Midnight**	**Midnight -8am**	**8am-6pm**	**6pm-Midnight**	**Midnight -8am**
Residential	0.6 x 20 12	1 x 20 20	1 x 20 20	0.8 x 20 16	1 x 20 20	1 x 20 20
Office	1 x 17.5 17.5	0.1 x 17.5 1.75	0.05 x 17.5 0.875	0.05 x 17.5 0.875	0.05 x 17.5 0.875	0.05 x 17.5 0.875
Commercial	0.9 x 12.5 11.25	0.8 x 13.5 10.8	0.05 x 13.5 0.675	1 x 13.5 13.5	0.6 x 13.5 8.1	0.05 x 13.5 0.675
Total Spaces	**40.75**	32.55	21.55	30.38	28.98	21.55

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ARTICLE XXVI. Supplemental Regulations.

§ 325-26-1. Area and bulk regulations for lots without public water and/or public sewer.

Unless the regulations of the district in which they are located require greater lot areas or lot widths, the following regulations shall apply:

A. Lot not served by public water or sanitary sewer system approved by the Department of Environmental Protection shall be not less than 100 feet wide at the building line or less than 40,000 square feet in area, per dwelling unit.

B. Lots served either by public water or sanitary sewer shall be not less than 100 feet wide at the building line nor less than 15,000 square feet in area, per dwelling unit.

C. Notwithstanding the above, lot areas shall be increased to the size deemed necessary by the Sewage Enforcement Officer after percolation tests and inspections to determine satisfactory compliance with the Township ordinance regulating individual sewage disposal systems (Chapter 254).

§ 325-26-2. Habitable floor area.

The minimum habitable floor area of a dwelling unit or any building or other structure erected or used for living purposes shall be:

A. In the R-1 and N-C Districts: 700 square feet.

B. In the R-7, R-10, R-20 and R-R Districts: 900 square feet.

C. In the event the average floor area of the homes on abutting properties exceed the minimum square feet of floor area required in Subsections A and B above, such homes shall be no less than 80% of the floor area of the homes on abutting properties, excluding the basement area. The floor area shall be determined using York County tax assessment data.

D. In the case of apartment houses and conversion apartments, the minimum habitable floor area shall not be less than 450 square feet per apartment, except those apartments designed for and occupied exclusively by one person, which apartments shall contain not less than 300 square feet of habitable floor area.

§ 325-26-3. Livestock, poultry and animals.

A. In the R-R district, operations involving the use of land or buildings for farming, stock raising, dairy, poultry and keeping of riding horses for personal use shall be subject to the following regulations:
   (1) All areas used for pasturing, grazing or exercise shall be securely fenced.

(2) All animals, poultry and livestock shall, except while pasturing, grazing or exercising, shall be housed in a building erected or maintained for sheltering animals.
(3) The building required by Subsection B(2) hereof shall not be located within 200 feet of any lot line.
(4) No ponds or pools of water, mud pools or wallows shall be permitted on any land, nor shall any natural stream or body of water be allowed to become an animal wallow. This subsection shall not prohibit a farm pond properly fenced to keep out animals.
(5) The accumulation and storage of manure or other odor-producing substances shall not be permitted within 200 feet of any lot line and such accumulations and storage shall not be permitted beyond a reasonable period of time.

B. In the R-20 district, poultry and keeping of riding horses for personal use shall be subject to all of the regulations of subsection A above and the following limitations on number of animals:
(1) No more than two horses shall be allowed.
(2) No more six poultry animals shall be allowed.

§ 325-26-4. Public or private schools.

A public or private school, as it is defined in this Chapter, shall be permitted principal uses in the R-1, R-7 and R-10, R-20, N-C and M-U Zones subject to the following:

A. Area, width and bulk requirements. As specified in each Zoning District, except that schools shall not be permitted on lots without public water and public sewer service.

B. All courses of instruction must, as a general rule, be conducted within the school building. Infrequent instruction in a discipline normally conducted or operated out of doors will be permitted so long as the remaining criteria of this section are complied with.

C. No course of instruction, whether conducted inside or outside the school building, shall produce or result in any noise, unreasonable sound or offensive odor discernable beyond the property line.

D. No instructional material, equipment or supplies shall be stored or, when not in use, be allowed to remain outside the school building.

E. Parking spaces in a number adequate to accommodate the aggregate number of students, faculty members and administrative personnel proposed to occupy the school at its maximum capacity shall be provided on site. In determining the number of parking spaces required, the demographics of the proposed student population shall be considered.

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F. The school building shall comply in all respects to state, federal and local health, safety and building codes.

§ 325-26-5. Public utility facilities.

Public utility facilities shall be permitted in any district without regard to the use and area regulations; provided, however, that buildings or structures erected for these utilities shall be subject to the following regulations:

A. Front, side and rear yards shall be provided in accordance with the regulations of the district in which the facility is located.

B. Height shall be as required by the district regulations.

C. Unhoused equipment:
   (1) Shall be prohibited in any residential district and the N-C district
   (2) Shall be enclosed with a chain link fence six feet in height, topped with barbed wire in the M-U, C-H, B-P, L-I, G-I and F-D.

D. Housed equipment. When the equipment is totally enclosed within a building, no fence or screen planting shall be required and the yard shall be maintained in conformity with the district in which the facility is located.

E. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in the district and, in case of conflict, the larger yard requirements shall apply.

F. The external design of the building shall be in conformity with the buildings in the district.

G. Access for unhoused equipment where vehicular access is across the front yard: The gate shall be constructed of solid materials having not less than 50% solid in ratio to open space. In residential districts, the permitted public utility facilities shall not include the storage of vehicles or equipment used in the maintenance of any utility or the installation of equipment causing hazardous effect.

H. No equipment causing noise, vibration, smoke or odor beyond the property line shall be permitted.

I. Plans of the facility shall be submitted to the Township for review and approval as provided in the Subdivision and Land Development Ordinance (Chapter 289).

§ 325-26-6. Truck; large vehicle parking and storage.

A. In all residential zoning districts and in a Neighborhood Commercial District, no truck-tractors, semitrailers or combinations thereof shall be parked or stored outdoors,

on or off of a public street or highway, except for the purpose of loading or unloading. This loading or unloading must be easily verifiable by code enforcement personnel, and during such times of loading or unloading, such truck-tractors, semitrailers or combinations thereof shall not be permitted to have their engines, generators or refrigeration units of any sort in operation for a period exceeding a total of 30 minutes in any twenty-four-hour period.

B. Exception. Vehicles used for residential moving shall be permitted to park for periods not to exceed 24 hours.

§ 325-26-7. Portable on Demand Storage Units (PODS)

A. There shall be no more than one portable storage unit per site and said unit shall be no larger than eight feet wide, sixteen feet long and eight feet high.

B. No portable storage unit shall remain at a residential district in excess of three consecutive days, and portable storage units shall not be placed at any one site in a residential district in excess of six days in any calendar year.

C. No portable storage unit shall remain at a site in a nonresidential district in excess of thirty consecutive days, and portable storage units shall not be placed at any one site in a nonresidential district in excess of thirty days in any calendar year.

D. The storage unit must be placed out of the public right-of-way on a paved surface.

E. It shall be unlawful for any person to place, or permit the placement of, one or more portable storage unit(s) on property which he or she owns, rents, occupies or controls without first having obtained a permit therefore.

F. Application for a permit shall be made to the zoning officer on a form provided by the Township. A permit fee in an amount to be established by resolution of the Board of Supervisors shall accompany the application. The issuance of a permit shall allow the applicant to place a portable storage unit on the property in conformance with the requirements of the chapter. The permit shall be posted in plain view at the site.

§ 325-26-8. Open space option development requirements

A. Public water and sewer. Both public water and public sewer shall be provided in any open space subdivision or development.

B. Private streets. Regardless of the requirements of the Township's Subdivision and Land Development Ordinance (Chapter 289), private streets shall be a minimum of 20 feet in width and may be constructed without concrete curbs. Stone base and paving shall be in accordance with Township specifications. Grass swales shall be provided along these streets for stormwater control if curbs are not installed.

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C. Off-street parking. Off-street parking shall be provided in accordance with Article XXV of this chapter. Private streets per Subsection B above shall not be used as off-street parking areas.

D. Open space.
   (1) Open space areas shall be developed to complement and enhance the man-made environment. In the selection of the location of such areas, consideration shall be given to the preservation of natural and man-made features such as floodplains, including streams and ponds, slopes greater than 15%, natural permanent vegetation, historic resources and other community assets which will enhance the attractiveness and value of the open space development.
   (2) The common open space shall be so located and designed so that it is easily accessible to all dwelling units. Open space derived from reduced lot sizes shall be located within 400 feet of the reduced lot from which it was derived. Common open space shall be designed as a continuous system of usable areas, which are interspersed among groupings of residential buildings. Such open areas shall be located in one parcel and shall not be broken up unless the development site or its physical constraints dictate otherwise. No individual open space shall be less than one acre.
   (3) Open space shall be shown on the plan by shading to make the open space areas readily visible.
   (4) Safe and easy access to common open space areas shall be provided either by adjoining road frontage, easements or paths. Accessway to the site shall be sufficiently wide so that maintenance equipment shall have reasonable convenient access to such areas. In all instances, such open space areas shall be maintained in a careful and prudent manner.

E. Ownership and maintenance of open space.
   (1) There shall be provisions to ensure that the open space shall continue as such and be properly maintained. Any of the following methods and no other may be used, either individually or together, to preserve, own and maintain open space:
      (4) Homeowners' association.
      (5) Condominium association.
      (6) Transfer of fee-simple title or development rights and easements to a private conservation organization.
   (2) The following specific requirements are associated with each of the various methods:
      (4) Homeowners' association: the establishment of a nonprofit homeowners' association established. If a homeowners' association is formed, it shall be governed according to the following:
         g. The landowner or developer shall provide the Township with a description of the organization, including its bylaws and methods for maintaining open space, which shall be acceptable to the Township and its Solicitor.
         h. The organization is to be organized by the landowner or developer and operating with financial subsidy by the landowner or developer, if necessary, before the sale of any lots within the development.

i. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
j. The members of the organization shall share equitably the costs of maintaining and developing open space in accordance with procedures established by them. If a member fails to pay his pro rata share, then a lien against an individual property may be made in accordance with the provisions for the same in the bylaws of the organization.
k. The organization shall be responsible for maintenance of and insurance and taxes on open space.
l. The organization shall have or hire adequate staff to administer common facilities and maintain the open space to the satisfaction of the Township Board of Supervisors.

(5) Condominium association. The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Unit Property Act of 1963. All open space land shall be held as common element.
a. The landowner or developer shall provide the Township with a description of the organization, including its bylaws and methods for maintaining open space, which shall be acceptable to the Township and its Solicitor.
b. The organization is to be organized by the landowner or developer and operating with financial subsidy by the landowner or developer, if necessary, before the sale of any lots within the development.
c. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
d. The members of the organization shall share equitably the costs of maintaining and developing open space in accordance with procedures established by them. If a member fails to pay his pro rata share, then a lien against an individual property may be made in accordance with the provisions for the same in the bylaws of the organization.
e. The organization shall be responsible for maintenance of and insurance and taxes on open space.
f. The organization shall have or hire adequate staff to administer common facilities and maintain the open space to the satisfaction of the Township Board of Supervisors.

(6) Transfer to a private conservation organization.
i. With permission of the Township, the landowner or developer may transfer either the fee-simple title with appropriate deed restrictions running in favor of the Township or the development rights or easements to a private, nonprofit organization, one of whose purposes is to conserve open space land, provided that:
[a] The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence.
[b] The organization is chartered under the laws of the state to administer deed restrictions limiting eventual disposition of such property for the purposes stated in its Articles of Incorporation.

[c] The conveyance contains appropriate provisions for reversion or retransfer in the event that the organization becomes unwilling or unable to continue to function.

[d] A maintenance agreement acceptable to the Township is entered into by the landowner or developer and the organization.

(3) The applicant for any proposed open space cluster development shall arrange with the York County Board of Assessment, when applicable, a method of assessment of the open space which will allocate to each tax parcel in the subdivision a share of the total assessment for such open space. Where this alternative is to be utilized, the method of allocation shall be approved by the Township Board

§ 325-26-9. Animal hospitals, pet shops and animal grooming.

A. Shall be permitted in MU and CH districts.

B. The primary use shall be the medical attention and professional care of small domestic animals or sale of small domestic animals.

C. Boarding shall only be permitted for animals which must have medical supervision. All kennel facilities shall be within a completely enclosed structure and a minimum of 50 feet from any property line.

D. The accumulation and storage of manure or other odor-producing substances shall not be permitted.

E. Parking, signs and other related items shall be in accordance with this article and the Subdivision and Land Development Ordinance (Chapter 289).

§ 325-26-10. Reserved.

§ 325-26-11. Reserved.

§ 325-26-12. Dumpster sites/waste collection areas.

A. Outdoor trash/rubbish collection areas shall be located with emphasis upon shielding the site from public view and attempting to landscape the area near the site to minimize any detrimental effect upon neighboring properties.

B. No collection site shall be permitted in any front yard area.

C. The collection site shall be a minimum of 10 feet from any side or rear property line.

D. Each site shall be screened with a six-foot masonry, wood stockade fence or basket weave fence. Other types of fencing may be permitted as approved by the

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Planning Commission and Board of Supervisors. Landscaping with shrubbery and trees is also encouraged and may be required.

E. The maximum area of each site shall not exceed 400 square feet.

F. Daily inspections by the property owners or tenants shall be conducted to collect any loose debris near the container and ensure animals or rodents do not inhabit the area.

§ 325-26-13. Fences and walls.

A. Fences and walls (including retaining walls) may be erected, altered and maintained within the yards, provided any such fence or wall shall not exceed four feet in height. A fence not exceeding four feet in height may be installed on top of a retaining wall, provided that all such fences shall contain openings distributed on each square foot of the vertical surface of not less than 50% of the area of the fence.

B. No walk, fence, sign or other structure shall be erected or altered and no hedge, trees, shrubs or other growth shall be maintained or permitted which may cause danger to traffic or a street or public road by obscuring the view. No fencing over two feet in height shall be permitted in any sight triangle as required under the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

C. No fence, wall or other structure shall be erected or maintained within the right-of-way or any street, drainage or sewer right-of-way or any other public easement.

D. A fence may be erected higher than four feet but shall not exceed six feet in the following instances:
   (1) A fence six feet in height is permitted to enclose a swimming pool or patio, provided such fence is located within a rear or side yard.
   (2) A fence six feet in height is permitted along the rear and/or side property line of residential parcels.
   (3) A fence six feet in height may be erected, altered and maintained within the yards in the R-20 and R-R Zoning Districts to enclose operations involving the use of land or buildings for farming, stock raising, dairy, poultry and keeping of riding horses for personal use.

   (1) A fence may be erected higher than four feet but shall not exceed eight feet in B-I and G-I industrial zones if set back at least 10 feet from the property line.

§ 325-26-14. Reserved.

§ 325-26-15. Prohibited uses.

A. The following uses are prohibited in all districts throughout the Township:
   (1) The disposal of municipal or residual solid waste, except at a facility permitted in accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, P.L. 101, as amended, supplemented or revised and in compliance with 25 Pa. Code, Chapters 271 and 273.
   (2) The stripping of topsoil for sale, exclusive of the process of grading a lot preparatory to the construction of a building for which a zoning permit has been issued or when incidental to the expansion or operation of a lawfully permitted use.

§ 325-26-16. Reserved

§ 325-26-17. Temporary use and structure.

A. Erection and use of a temporary structure or outdoor sales areas not designated as such on an approved land development plan shall be in connection with a special sales promotion or event held by the occupant of the property only. Sales by parties, companies, or agents of organizations unrelated to the normal activity on the site are strictly prohibited. Sales of unrelated merchandise, such as foodstuffs and/or craft or rummage items are not permitted.

B. A permit shall be required and prominently displayed throughout the event. Applicants for such permit must affirm that products to be displayed or sold are those associated with normal business promotion on the site and that no sales will be permitted by any other person or agencies.

C. No more than four events may be held during one calendar year by any one applicant and at any one location, providing that the cumulative events do not total more than 45 separate days.

D. Any structure covering an area in excess of 120 square feet shall be subject to inspection and compliance with all Township building and fire codes, as may be amended from time to time.

E. No temporary or outdoor sales shall take place on sidewalks or in parking areas, except to the extent the Township zoning officer determines that there will still be sufficient parking available for all uses located on that site, including the temporary/outdoor sales.

F. Signs erected on the property in conjunction with the event shall be only as permitted in Article XXIV.

G. Parking for the event shall be provided in conformance with Article XXV.

H. No storage in truck bodies or trailers shall be permitted on the site during the event.

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I. Any open air sales or "street corner vending" not meeting the requirements of this section are strictly prohibited in all zoning districts of the Township.

§ 325-26-18. Hotels and motels.

Hotels and motels are a permitted use in the C-H and B-I Districts subject to the following regulations:

A. A site to be used for a hotel or motel establishment shall include an office and lobby and may include such accessory uses as:
   (1) Restaurants.
   (2) Coffee shops.
   (3) Gift shops.
   (4) Meeting rooms.
   (5) Cafeteria dining halls provided for food and drink.
   (6) Amusement and recreation facilities such as a swimming pool, children's playground, tennis or other game sports and game or recreation rooms.

B. The minimum lot area shall be one acre; the minimum lot width shall be 150 feet; 800 square feet of lot area is required for each guest room.

C. All principal and accessory buildings and structures shall cover a total of not more than 35% of the site. A freestanding restaurant, coffee shop, cafeteria or dining hall shall not cover more than 10% of the site.

D. The maximum length of any building shall not exceed 200 feet. The total interior floor area of each guest room, inclusive of bathroom and closet space, shall be not less than 250 square feet.

E. The maximum height of any building shall be as provided for in § 325-14-4.E, Commercial Highway Zoning District, Area and Bulk Regulations.

F. Distance between buildings shall not be less than 25 feet.

G. Access shall only be by a major or minor arterial street and points of vehicular ingress and egress shall be limited to a total of one on any street. Off-street parking shall be provided as follows:
   (1) At least one automobile parking space, carport or garage shall be provided on the site for each guest room and shall be located within 150 feet from the guest room it serves.
   (2) For restaurants, coffee shops or cafeterias, at least one automobile parking space shall be provided for every 100 square feet of floor area devoted to patron use and one additional space shall be provided for each employee.
   (3) All building areas shall be at least 50 feet from street lines and all parking areas shall be at least 25 feet from all street lines. All parking areas serving a

restaurant, cafeteria or coffee shop or dining hall shall be at least 30 feet from all guest rooms.

H. Landscaping shall be provided according to § 289-26 of the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

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ARTICLE XXVII. Accessory Uses.

§ 325-27-1. Accessory uses defined.

Uses and structures normal, incidental and subordinate to the uses allowed as permitted uses in any zone are allowed as accessory uses and structures subject to the provision of this article.

§ 325-27-2. Accessory use development requirements.

All accessory structures must comply with the following provisions:

A. Ownership. Accessory uses shall be operated and maintained under the same ownership and on the same building lot as the primary use.

B. Location. An accessory building or structure must be located to the rear of the principal building or structure. The rear setback shall be 10 feet. All required side setbacks shall be maintained.

C. Bulk. Accessory uses shall be subordinate in area, bulk, extent, and purpose to the primary use. The height of an accessory building or structure shall be less than or equal to that of the primary structure. The total square footage of all accessory buildings on a building lot shall not exceed fifty (50) percent of the main floor area of the primary building or twenty-five (25) percent of the rear or side yard area.

D. Barns and agricultural buildings in the R-R district are exempt from the size limitation requirements of § 325-27-2.C

E. Timing. Accessory uses shall not be permitted on a lot prior to the erection of the primary building.

F. Easements. Accessory uses shall not encroach upon, as the primary building shall not encroach upon, any platted easement.

G. Height. For all residential uses, accessory buildings and structures shall be limited to 14 feet in height.

§ 325-27-3. Child day care centers and child day-care homes.

A. A child day-care center shall be permitted in R-1, R-7, R-10, R-20 and N-C Zones only where such use is accessory to a house of worship, public or private school.

B. A child day-care center shall be permitted by special exception in the R-R Zone only where such use is accessory to a house of worship, public or private school.

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C. Child day-care centers shall be permitted in the M-U, C-H and B-P districts where such use is the primary use or accessory to a house of worship, public or private school or the principal use of any permitted use in the respective zones.

D. Child day-care centers shall be permitted in the G-I districts only where such use is an accessory to a house of worship, public or private school or the principal use of any permitted use in the respective zones.

E. A child day-care home may be conducted in any zoning district in a detached, semi-detached or attached single-family dwelling as defined in Article II.

F. All child day-care facilities must apply for and be granted a use and occupancy permit prior to commencing operation. Proof of certification and/or registration by the State of Pennsylvania, where required, must be submitted at the time of application. Any subsequent changes and/or recertification shall also be provided to the Township

G. At least one off-street parking space for each person employed, plus one off-street space for each four children to be served by the facility, in addition to the off-street parking requirements for single-family detached homes, shall be provided.

H. Whenever a child day-care center is located in a L-I or G-I, in a building which is also used and occupied for industrial purposes, the Fire Department of the Township shall conduct semiannual inspections, at a fee to be set by a fee schedule established by the Township, to determine whether the industrial occupants of such building are storing or processing combustible or flammable materials in such quantities as to be considered hazardous to the health, safety or welfare of the occupants of the child day-care center. Should such materials in such quantities be found to exist, the Fire Department shall require the industrial occupant or occupants upon whose premises the condition exists to correct or abate the same within 30 days. If, at the end of said thirty-day period, upon a further inspection, the condition shall not have been corrected or abated, then the Fire Department shall require the child day-care center to cease and terminate its operations at such locations within 30 days of the date of notice.

§ 325-27-4. No-impact home-based business.

The business or commercial activity must satisfy the following requirements:

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

B. The business shall employ no employees other than family members residing in the dwelling.

C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

D. There shall be no outside appearance of a business use, including but not limited to parking, signs or lights.

E. 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.

F. 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.

G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

§ 325-27-5. Recreation vehicle on-lot parking and storage.

A. Recreation vehicles, trailers and boats (including boat trailers) may be parked or stored in any zoning district subject to the following regulations:
   (1) Parking or storage is permitted at any time inside an enclosed structure, which structure conforms to the zoning requirements of the particular district.
   (2) Parking or storage is permitted outside only in the side yard, the rear yard or partially in both, provided:
      a. Inside parking or storage is not possible.
      b. The unit is not located nearer than three feet to the side or rear lot line.
      c. The unit can be parked or stored in a safe and secure manner so as not to be a hazard to either persons or property.
      d. The unit can be parked or stored on a paved surface.
      e. The unit is screened from view.
   (3) Parking or storage is prohibited in any right of way.

B. While parked or stored, a recreation vehicle, trailer or boat shall not be:
   (1) Used or occupied for dwelling purposes. Cooking shall not be permitted at any time.
   (2) Permanently or temporarily connected to sewer lines or permanently connected to water or electrical line. A unit may be temporarily connected to water and electric lines while being loaded, unloaded or serviced.
   (3) Notwithstanding the provisions of Subsection B hereof, a unit may be parked anywhere on the lot during active loading, unloading or servicing of the unit for a period of time not in excess of 36 hours.

§ 325-27-6. Satellite antennas.

Satellite antennas shall be considered as a permissible accessory use in all zoning districts subject to the following:

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A. The diameter of the satellite antenna shall not exceed seven feet in all residential zones and, when ground mounted, the total height of the satellite antenna shall not exceed 10 feet.

B. Satellite antennas up to 16 feet in diameter may be installed in commercial and industrial zoning districts and, when ground mounted, the total height of the satellite antennas shall not exceed 20 feet.

C. A ground mounted satellite antenna shall be located only in the rear yard and no portion of the antenna shall extend closer than 10 feet to any property line.

D. Roof-mounted satellite antennas shall be permitted, provided the diameter of the antenna does not exceed three feet and the total height of the satellite antenna does not exceed five feet above the roof peak.

E. No more than one satellite antenna larger than 18 inches in diameter shall be permitted on any residential lot or building.

F. Before erection of any such satellite antenna, a permit application and fee as set by the Board of Supervisors shall be submitted to the Township and a permit issued in accordance with the building regulations of the Township.

G. Microwave antennas shall be properly anchored and installed to resist wind and snow loads. Supports, anchors and foundations shall take into account overturning moments and forces created by wind loading.

H. No satellite antenna may be erected in any district or any location within a district which is prohibited by regulations of the Federal Communications Commission or other regulatory agency having jurisdiction.

§ 325-27-7. Swimming pools and garden pools

A. Location and setback. The pool shall be located within the rear of the dwelling and shall observe the side yard setback for the appropriate district. The setback from the rear property line shall be a minimum of 10 feet for all districts. The setback shall include the deck, pad or apron around the pool.

B. Fencing/gate requirements. Every outdoor swimming pool or garden pool, except as noted in subsection C below, shall be completely surrounded by a fence or wall not less than six feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension. If a picket fence is erected or maintained, the horizontal or vertical dimension of space between pickets shall not exceed four inches. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely

closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

C. Aboveground pool requirements. All aboveground pools with a wall height of 36 inches or greater shall have access by a removable ladder. If a deck or steps are constructed, then a fence four feet in height shall enclose the pool.

§ 325-27-8. Storage sheds, tool sheds and greenhouses.

Storage sheds, tool sheds and greenhouses may be erected in accordance with the following provisions:

A. Sheds and greenhouses shall not be erected except to the rear of a dwelling.

B. Sheds and greenhouses shall be erected not less than:
(1) Three feet from any rear or side lot line in the R-1, R-7, R-10 and R-20 Zones.
(2) Ten feet from any rear or side lot line in the R-R Zone.

C. Sheds and greenhouses shall not have a floor area exceeding 140 square feet nor a height in excess of eight feet.

D. Not more than one shed or greenhouse shall be permitted per lot in the R-1, R-7, R-10 and R-20 zoning districts.

§ 325-27-9. Gazebos

Gazebos may be erected in accordance with the following provisions:

A. A gazebo shall not be erected except in the lot area behind a line drawn horizontally with the rear of the major part of the dwelling to each side lot setback line drawn to meet ordinance side yard requirements for that zone.

B. A gazebo shall not be erected in any portion of the side yard and not less than 10 feet from the rear lot line.

C. The height of any gazebo erected in a residential zone shall not exceed 12 feet in height.

§ 325-27-10. Residential decks and patios.

A. A residential deck, whether attached to the dwelling or not, can be erected within the building area of any residential zoned lot, but cannot be constructed to encroach into any required setback of that lot.

B. Decks surrounding aboveground pools shall be constructed in accordance with §325-27-7 herein.

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ARTICLE XXVIII. Performance Standards

§ 325-28-1. Purpose.

The performance standards contained herein are intended to protect both the community at large and proposed uses from abuse and negative impacts, while encouraging appropriate development to occur.

§ 325-28-2. General application.

Uses permitted in any commercial, employment and flexible district, and uses accessory thereto, are subject to the following performance standards and procedures. If the Zoning Officer or the Zoning Hearing Board has reasonable grounds for believing that any other use will violate these performance standards, such use, existing or proposed, shall also be subject to these performance standards.

§ 325-28-3. Definitions.

The definitions in § 325-28-5 of this chapter shall apply. In addition, the following words and phrases when used in this article shall for the purposes of this article have the meanings respectively ascribed to them in this section, except in those situations where the context clearly indicates a different meaning:

A-WEIGHTED SOUND PRESSURE LEVEL -- The sound pressure level as measured on a sound level meter using the A-weighted network or scale as specified in ANSI S1.4-1983 (R1997) or its successor publication. The level read shall be postscripted dB(A) or dBA.

DECIBEL -- A unit which describes the sound pressure level or intensity of sound. The sound pressure level in decibels is 20 times the logarithm to the base 10 of the ratio of the pressure of the sound in microbars to a reference pressure of 0.0002 microbar, abbreviated dB.

DEVICE -- Any mechanism which is intended to or which actually produces a noise when operated or handled.

DISPLACEMENT -- The single amplitude displacement of the vibration in inches.

EMERGENCY WORK -- Work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

ENVIRONMENTAL PROFESSIONAL -- A person possessing sufficient education, training, related project experience and certifications necessary to evaluate a proposed

use in accordance with the environmental performance standards set forth in this article and having the ability to develop opinions and conclusions regarding the environmental impacts of the proposed use. An individual's status as an environmental professional may be limited to the type of assessment to be performed or to specific segments of the assessment for which the professional is responsible. In conjunction with the sealing of the environmental impact statement (EIS), the registered professional engineer who is in responsible charge of preparing the EIS shall provide certification that the environmental professionals involved in preparing the EIS under his/her charge are qualified in their specific fields.

ENVIRONMENTAL IMPACT STATEMENT -- A statement of environmental impact which addresses methods of compliance for each and every environmental performance standard listed in the Flexible Development District Ordinance.

EQUIVALENT SOUND LEVEL (LEQ) -- The constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound pressure level.

MAXIMUM ALLOWABLE GROUND VELOCITY -- The velocity of a particle above which it has been determined that detrimental effects to nearby structures may occur.

MOTOR VEHICLE -- Any vehicle which is self-propelled, except one which is propelled solely by human power or by electric power obtained from overhead trolley wires, but not operated upon rails.

NOISE DISTURBANCE -- Any unnecessary sound which annoys, disturbs or perturbs reasonable persons with normal sensitivities or any unnecessary sound which reasonably may be perceived to injure or endanger the comfort, repose, health, peace or safety of any person.

OCTAVE BAND ANALYZER -- An instrument to measure the octave band composition of a sound by means of a bandpass filter. It shall meet the specifications of the American National Standards Institute publications, S14-1983 (R1997), S1.6-1984 (R1997) and S1.11-1986 (R1998), or their successor publications.

PARTICLE VELOCITY -- The distance a particle travels in inches per second and is computed using the following formula with the elements defined in this section:
A. PV = 6.28 F x D.

PARTICLE VELOCITY MEASUREMENT -- The velocity measured in three mutually perpendicular directions. The maximum allowable peak particle velocity shall apply to each of the three measurements.

POWERED MODEL VEHICLES -- Any mechanically powered vehicle, either airborne, waterborne or land borne, which is not designed to carry persons or property, including but not limited to model airplanes, boats, cars and rockets.

PROPERTY BOUNDARY -- Any point along the property line from ground level to any point above the ground along a vertical plane.

SEISMIC INSTRUMENTATION -- An instrument used to amplify and record small movements of the ground.

SOUND -- A temporal and spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rare fraction of that medium and which propagates at finite speed to distant points.

SOUND LEVEL METER -- An instrument to measure sound pressure levels which shall meet or exceed performance standards for a "Type Two" meter as specified by the American National Standards Institute S1-4-1983 (R1997) or its successor publications.

SOUND PRESSURE -- The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

STATIONARY NOISE SOURCE -- Any equipment or facility, fixed or movable, capable of emitting sound beyond the property boundary of the property on which it is used.

VIBRATION -- An oscillatory motion of solid bodies of deterministic of random nature described by displacement, velocity or acceleration with respect to a given reference point.

VIBRATION FREQUENCY -- The time rate of repetition of a periodic phenomenon in cycles per second and calculated as the reciprocal of the period.

§ 325-28-4. Noise.

A. Specific noise prohibitions. The following acts are violations of this article:
   (1) Using or operating a loudspeaker or other sound amplification device in a fixed or movable position exterior to any building or mounted upon any motor vehicle for the purpose of commercial advertising, giving instructions, information, directions, talks, addresses, lectures or providing entertainment to any persons or assemblage of persons on any private or public property, between the hours of 9:00 p.m. and 7:00 a.m. the following day within 100 yards of a residence.
   (2) Operating or causing to be operated any equipment used in the course of construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances thereto in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day, except that no such activity shall commence prior to 9:00 a.m. on Sundays and federal holidays.
   (3) Repairing, rebuilding or modifying any motor vehicle or other mechanical device in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day.

(4) Operating or permitting the operation of powered model vehicles in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day within 100 yards of a residence.
(5) Loading or unloading trucks in the outdoors within 100 yards of a residence between the hours 9:00 p.m. and 7:00 a.m. the following day.

B. Place of outdoor public entertainment or assembly. It shall be unlawful, after the Zoning Officer has given appropriate notice requesting abatement, for any person to operate or permit to be operated any loudspeaker or other device for the production of sound in any outdoor place of public entertainment, including but not limited to pavilions or amphitheaters or other places of public assembly which produce sound pressure levels of 90 db(A) or greater at any point that is normally occupied by a person, as read with the slow response on a sound level meter.

C. Quiet zone.
(1) Whenever the protection of the public health, safety and welfare so require, after a duly advertised public hearing, the Board of Supervisors may designate any geographical area within the Flexible Development District as a "quiet zone." Such designation shall include a description of the subject area, the reasons for its designation as a quiet zone and shall prescribe the level of noise which shall be permitted in such quiet zone.
(2) It shall be unlawful for any person to create any noise in excess of that prescribed within any area designated as a "quiet zone" in conformance with the provisions of this subsection, provided conspicuous signs are displayed in adjacent or contiguous streets indicating that said area is a quiet zone.

D. Maximum permissible sound pressure levels.
(1) It shall be unlawful for any person to operate or permit to be operated any stationary noise source in such a manner as to create a sound pressure level which exceeds the limits set forth in Chart 325-28-4 following, titled "Maximum Sound Pressure Levels," when measured at the property boundary of the noise source or at any point within any other property affected by the noise. When a noise source can be identified and its noise measured in more than one zoning district classification, the limits of the most restrictive classification shall apply.

Chart 325-28-4: Maximum Sound Pressure Levels			
Use	**Maximum dBA**	**Octave Band Limit**	
		Center Frequency Hertz-HZ	**dB**
Residential	55	31.5	70
		64	69
		125	64
		250	59
		500	53
		1,000	47
		2,000	42

		4,000 8,000	38 35
Commercial and Employment	72	31.5 63 125 250 500 1,000 2,000 4,000 8,000	85 84 79 74 68 62 57 53 50

(2) Notwithstanding the provisions of the foregoing subsection, sound created by the operation of power equipment, such as power lawn mowers and chain saws, between the hours of 7:00 a.m. and 9:00 p.m. the same day shall be permitted so long as they do not constitute a noise disturbance.

E. Measurement procedures. Noise shall be measured with a sound level meter or octave band analyzer in accordance with ANNSI S1.4-1983 (R1997), S1.6-1984 (R1997) and S1.11-1986 (R1998), or their successor publications.

F. Nuisance noise. It shall be unlawful for any person to make, continue to make, or cause to be made or continued a noise disturbance within the Township.

G. Emergencies. An exemption from the provisions of this chapter is granted for noise caused in the performance of emergency work by authorized emergency services, such as fire, police and ambulance.

H. Deviations from maximum permitted levels.
1. Between the hours of 9:00 p.m. and 7:00 a.m. the maximum permitted sound levels established by this article shall be reduced by five dB(A).
2. The maximum permitted sound levels established by this article may be exceeded temporarily:
   a. By no more than five dB(A) for a duration not to exceed 12 minutes in any one-hour period.
   b. By no more than 10 dB(A) for a duration not to exceed three minutes in any one-hour period.
   c. By no more than 15 dB(A) for a duration not to exceed 30 seconds in any one-hour period.
3. The maximum permitted sound levels established in Subsection B(4) shall be reduced by five dB(A) for the following:
   a. Sounds of periodic character such as pumps, fans, generators or compressors.
   b. Sounds of impulsive character such as weapons fire, punch press or drop hammer.
   c. Sounds of pure tone component such as whistle, alarm, horn or siren.

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d. A steady audible tone such as a hum, whine or screech emitted by transformers or other high power equipment.

§ 325-28-5. Prohibited vibrations.

A. Maximum allowable peak velocities.
(1) No use shall cause the maximum ground vibration to exceed the values listed in the table below. The maximum ground vibration adjacent to the location of any dwelling house, public building, school, church or commercial or institutional building shall be established in accordance with the maximum peak particle velocity limits of Chart 325-28-5 below.

Chart 325-28-5: Maximum (Allowable) Peak Velocity at the Property Line	
Frequency Hertz (Hz) Cycles/Second	**Maximum Allowable Peak Particle Velocity (Vmax) for Ground Vibration in Inches/Second**
60	0.2
Greater than 60	0.4

(2) Ground vibration shall be measured as the particle velocity. Particle velocity shall be recorded in three mutually perpendicular directions. The maximum allowable peak particle velocity shall apply to each of the three measurements.
(3) Notwithstanding the provisions of the foregoing subsection, vibration created by blasting or other means such as construction equipment, ram hoes, shall be restricted to between the hours of 7:00 a.m. and 5:00 p.m.

§ 325-28-6. Heat.

No heat from any use shall be sensed at any property line to the extent of raising the ambient temperature of air or materials more than one Fahrenheit degree.

§ 325-28-7. Fire and explosion hazards.

A. All operations, activities and uses shall be in compliance with the requirements contained in the following:
(1) The Fire Prevention Code (Chapter 128) as adopted by the Township.
(2) The Fire Prevention Code (NFPA 1).
(3) Standards and recommended practices of the National Fire Protection Association (NFPA).
(4) The Pennsylvania Fire and Panic Regulations (Title 34, Pa. code, Chapters 49-59) promulgated by the Pennsylvania Department of Labor and Industry.
(5) The Commonwealth of Pennsylvania Worker and Community Right-to-Know Act, Act of October 5, 1984, (P.L. 734, No. 159) as amended. 35 P.S. § 7301 et seq., and where applicable due to the materials being handled, stored or processed, U.S. Environmental Protection Agency Regulations, 40 CFR Part 68, Risk Management Programs for Chemical Accidental Release Prevention.

§ 325-28-8. Siting and arrangement of hazardous material use, storage and operations.

A. Operation, activities and uses which involve the use of hazardous materials shall be constructed, operated and designed in accordance with the requirements of standards listed in Subsection E(1)(e). In addition, hazardous materials' operation, activities and uses shall not be approved until a hazardous materials management plan (HMMP) or other approved plan is provided. The HMMP shall include:
   (1) A site plan.
   (2) Floor plan.
   (3) Information on hazardous materials handling and chemical compatibility.
   (4) Monitoring methods.
   (5) Security precautions.
   (6) Hazard identification.
   (7) Inspection procedures.
   (8) Employee training.
   (9) Available emergency equipment.

B. Inventory statement. Application for operations, activities and uses involving the use of hazardous materials shall include a hazardous materials inventory statement (HMIS), such ARA Title II, Tier II Report or other statement, including the following information where available:
   (1) Manufacturer's name.
   (2) The chemical name.
   (3) Hazardous ingredients.
   (4) United Nations (UN), North America (NA) or the Chemical Abstract Service (CAS) identification number.
   (5) The maximum quantity stored or used on site at any one time.

C. Hazardous materials. Those chemicals or substances which are physical or health hazards, whether the materials are in a usable or waste condition. A physical hazard is a combustible liquid, compressed gas, cryogenic, explosive, flammable gas, flammable liquid, flammable solid, organic peroxide, oxidizer, pyrophoric or unstable (reactive) or water-reactive material. Health hazards are chemicals for which there is statistically significant evidence that acute or chronic health effects are capable of occurring in exposed persons. Health hazards include chemicals which are toxic or highly toxic, irritants, corrosives, sensitizers or radioactive.

D. Residual and hazardous waste. Standards for the handling and disposal of residual or hazardous wastes have been established by the Commonwealth of Pennsylvania and U.S. Environmental Protection Agency. In order to minimize overlapping regulations, the Township adopts these standards as its own. The standards for residual and hazardous wastes are as stated in the Commonwealth of Pennsylvania Code, Title 25, Chapters 260 through 285, and the Code of Federal Regulations, Title 40, subchapter I.

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§ 325-28-9. Erosion and sediment control.

All earthmoving activities regardless of the extent of disturbance shall be conducted in such a way as to minimize erosion and resulting sedimentation. Any person, landowner, business or corporation involved in earthmoving activities shall develop, implement and maintain erosion and sediment control measures. At a minimum, the person, landowner, business or corporation shall meet the standards of the York County Conservation District and Chapter 102 of Title 25, Pa. Code, Rules and Regulations of the Pennsylvania Department of Environmental Protection, as amended. A complete explanation is available in DEP's publication "Erosion and Sediment Pollution Control Program Manual," which is available through the local conservation district office.

§ 325-28-10. Stormwater management.

A. Any person engaged in the subdivision, alteration, development or improvement of land, which may affect stormwater runoff characteristics of the project area or within the watershed, shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. Such stormwater management measures shall be in accordance with the Springettsbury Township Stormwater Management Ordinance (Chapter 281, Article I), dated October 14, 1993, as amended, from time to time, which is regulated by the Act of October 4, 1978, P.L. 864, No. 167, known as the "Stormwater Management Act," and pursuant to the express and implied powers granted to the Board of Supervisors under the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, reenacted and amended November 9, 1995, P.L. 350, No. 60, as amended.

B. Best management practices. Any person engaged in utilizing stormwater management and erosion and sediment control measures shall comply with the Pennsylvania Handbook of Best Management Practices (BMPs) for Developing Areas, prepared by CH2MHILL, dated 1998, whereby BMPs will preserve water quality, wildlife habitat, encourage the efficient use of space and provide aesthetically pleasing site designs.

§ 325-28-11. Air quality.

Standards for air quality have been established by the Commonwealth of Pennsylvania and U.S. Environmental Protection Agency. In order to minimize overlapping regulations, the Township adopts these standards as its own. Therefore, all operations, activities and uses shall be in compliance with the standards contained in the following: Commonwealth of Pennsylvania Air Pollution Control Act, Title 25, Pa. Code, Chapters 121 through 143 and the Code of Federal Regulations, Title 40, Subchapter C.

§ 325-28-12. Wetlands.

A. Regulations. Wetlands encroachments are regulated by the United State Army Corps of Engineers (USACE) and United States Environmental Protection Agency (EPA) under § 404 of the Federal Clean Water Act (CWA). Furthermore, the USACE also

makes jurisdictional determinations under §§ 9 and 10 of the Rivers and Harbors Act of 1899. The Pennsylvania Department of Environmental Protection (DEP) regulate wetland encroachment under Chapter 105, Dam Safety and Encroachments Act.

B. Wetland functions. Wetland functions include, but are not limited to, the following:
   a. Biological. Serving natural biological functions, including food chain products, general habitat and nesting, spawning, rearing and resting sites for aquatic or land species.
   b. Wildlife/aquatic refuge. Providing areas for study of the environment or as sanctuaries or refuges.
   c. Drainage. Maintaining natural drainage characteristics, sedimentation patterns, salinity distribution, flushing characteristics, natural water filtration processes, current patterns or other environmental characteristics.
   d. Protective barrier. Shielding other areas from wave action, erosion or storm damage.
   e. Water storage. Serving as a storage area for storm- and floodwaters.
   f. Discharge. Providing a groundwater discharge area that maintains minimum base flows.
   g. Recharge. Serving as a prime natural recharge area where surface water and groundwater are directly interconnected.
   h. Pollution filtration. Preventing or reducing nonpoint source pollution, including sediment stabilization, toxicant retention, nutrient removal/transformation.
   i. Recreation/social significance. Providing recreation and value to society.

C. Wetland identification/determination. All areas meeting the criteria for wetlands as currently defined by the USACE or Pennsylvania DEP shall be mapped. Areas of hydric soils with a slope of 1% or less and areas appearing on the National Wetland Inventory Maps prepared by the United States Fish and Wildlife Service shall be field checked by qualified personnel to determine the existence, location and extent of wetlands.

D. Land development plan. All areas meeting the criteria for wetlands are required to be identified and delineated on any land development plan whether or not any impact is proposed. Plan should indicate the qualified personnel who performed the delineation.

§ 325-28-13. Light and glare.

a. Parking areas shall be lighted to an average of three footcandles, with not less than 1 1/2 footcandles and not more than seven footcandles at any point. Entrances and exits to parking areas shall be lighted to a minimum two footcandles at any point in the entrance or exit way. Footcandle levels shall be measured three feet above the surface of the area being lighted.

b. All lighting shall be arranged to reflect light away from adjoining properties and public rights-of-way. In general, lighting fixtures shall be shielded to prevent glare on adjoining properties and public rights-of-way. Light spill over onto adjoining

properties shall not exceed two footcandles at any point 10 feet or more beyond the property line of the premises on which the lighting fixtures are located.

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ARTICLE XXIX. Permitted Uses Authorized By Special Exception.

§ 325-29-1. Special exception defined.

A ruling or formal permission to use a property in a particular way, the granting of which is a function of the Zoning Hearing Board in accordance with the provisions of Article 25: Administration, whereby the Zoning Hearing Board hears and decides requests for uses, stipulated as uses by special exception in this ordinance in accordance with explicit standards and criteria. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this ordinance, as it may deem necessary to implement in the purposes of this ordinance.

The following sections list minimum standards for specified uses permitted by special exception.

§ 325-29-2. Special exception area and bulk requirements.

Area and bulk requirements for uses by special exception.	**Front Yard Mini-mum**	**Rear Yard Mini-mum**	**Side Yard Mini-mum**	**Maxi-mum Buildin g Height[1]**	**Mini-mum Lot Size**	**Maxi-mum Percent Lot Covera ge**	**Mini-mum Street Frontag e**
R-1 Districts							
Boarding houses	20 feet	30 feet	15 feet	35 feet	15,000 SF	50%	
Group homes and group quarters	20 feet	30 feet	15 feet	35 feet	7,500 SF	50%	
Skilled nursing facility	20 feet	30 feet	15 feet	35 feet	3 acres	50%	
Assisted living facility	20 feet	30 feet	15 feet	35 feet	3 acres	50%	
Accessory dwelling unit	20 feet	30 feet	15 feet	35 feet	7,500 SF	50%	
R-7 Districts							
Group homes and group quarters	20 feet	25 feet	10 feet	35 feet	7,500 SF	40%	
R-10 and R-20 Districts							
Public and semi-public country clubs and swimming pools	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet
Cemetery	20 feet	30 feet	15 feet	35 feet	5 acres	20%	100 feet
Group homes and group quarters	35 feet	35 feet	15 feet	35 feet	20,000 SF	25%	80 feet
R-R Districts							
House of worship	35 feet	75 feet	25 feet	35 feet	2 acres	20%	175 feet
Public or private school	35 feet	75 feet	25 feet	35 feet	5 acres	20%	175 feet
Library	35 feet	75 feet	25 feet	35 feet	2 acres	20%	175 feet

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Public and semi-public country clubs, camps and swimming pools	35 feet	75 feet	25 feet	35 feet	5 acres	20%	175 feet
Kennels	35 feet	200 feet	200 feet	35 feet	5 acres	20%	175 feet
Riding academies and boarding stables	35 feet	200 feet	200 feet	35 feet	5 acres	20%	175 feet
Campgrounds	100 feet	200 feet	200 feet	35 feet	5 acres	20%	175 feet
Cemetery	35 feet	75 feet	25 feet	35 feet	5 acres	20%	175 feet
Bed and breakfast inns	35 feet	35 feet	25 feet	35 feet	2 acres	20%	125 feet
Group homes and group quarters	35 feet	35 feet	25 feet	35 feet	2 acres	20%	125 feet
N-C Districts							
Boarding houses	20 feet	30 feet	15 feet	35 feet	15,000 SF	50%	
Group homes and group quarters	20 feet	30 feet	15 feet	35 feet	7,500 SF	40%	
Domiciliary care unit	20 feet	30 feet	15 feet	35 feet	7,500 SF	50%	
Skilled nursing facility	20 feet	30 feet	15 feet	35 feet	1 acre	75%	
Assisted living facility	20 feet	30 feet	15 feet	35 feet	1 acre	75%	
Accessory dwelling unit	20 feet	30 feet	15 feet	35 feet	7,500 SF	75%	
Retail and service uses	20 feet	30 feet	15 feet	35 feet	15,000 SF	75%	

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§ 325-29-3. Accessory commercial use.

In the R-1 District apartment or multifamily dwelling developments containing not less than 200 units, the following defined commercial accessory uses are permitted, provided that such uses shall not include the outdoor storage of materials, equipment or merchandise and total area devoted to such commercial use shall not exceed 4% of the total gross floor area:

A. Eating facilities.

B. Delicatessens.

C. Pharmacies.

D. Newsstand, stationery or book store.

E. Gift shop.

F. Automatic laundry, dry cleaning shop or pickup.

G. Barber or beauty shops.

§ 325-29-4. Bed-and-breakfast inn.

Criteria for the establishment of a bed-and-breakfast country inn as a special exception use subject to recommendation of the Zoning Hearing Board:

A. The inn shall be located in:
   (1) An R-R Zoning District.
   (2) Minimum lot size of two-acres

B. Short-term overnight lodging to be provided, monthly rentals are inappropriate and the maximum guest stay shall be limited to seven days.

C. Maximum of four guest rooms.

D. Breakfast served only to overnight lodgers and shall be the only meal provided.

E. Parking to be provided. A minimum of one off-street parking space per guest room, plus two spaces for the owner, located in the side or rear yard, minimum of 20 feet from the property line.

F. The inn must comply with local regulations regarding all application permits, including but not limited to, fire, health and building codes.

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G. A business license must be obtained prior to opening.

H. The remainder of the dwelling in which a bed-and-breakfast facility is located shall be used solely by the family in permanent residence. Bed-and-breakfast operations shall be conducted so as to be clearly incidental and accessory to the primary use of the site as a single-family dwelling.

§ 325-29-5. Campground.

In an R-R and O-s Districts and subject to the requirements of the district, except as herein modified and provided:

A. Minimum lot area: five acres.

B. Setbacks. All campsites, permanent and temporary structures and equipment shall be located at least 200 feet from any side or rear property line and at least 100 feet from any street line.

C. Each campsite shall be at least 3,000 square feet in size and shall either provide parking space for one automobile which will not interfere with the convenient and safe movement of traffic, or equivalent parking shall be provided in a common parking area.

D. Each campsite shall abut a dust-free access drive. The pavement width of one-way access drives shall be at least 12 feet and the pavement width of two-way access drives shall be at least 24 feet. On-drive parallel parking shall not be permitted.

E. Outdoor play areas shall be sufficiently screened and insulated so as to protect neighboring properties from inappropriate noise and other disturbances.

F. Consideration shall be given to possible traffic volume. If the nature of the campground is such that it will generate a high volume of vehicular traffic, exceeding 200 vehicles per day, then access shall be by way of an arterial or collector street as classified on the Springettsbury Township Roadway Classification Maps, as amended from time to time.

G. Each campground must comply with all applicable requirements of state laws and regulations.

H. The plans for each campground shall be approved in accordance with the Subdivision and Land Development Ordinance (Chapter 289).

§ 325-29-6. Accessory dwelling for additional family members.

A. A single-family dwelling unit may be converted by allowing a second kitchen for the incorporation of one additional dwelling unit for a family member in any residence

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district. For the purposes of this section, the term "incorporation" shall mean either completely within an existing principal building or added to an existing principal building, provided that both dwelling units shall be attached by a common wall, floor or ceiling and not simply by an attached breezeway or porch and shall be contained within one building. For purposes of this article, family members shall include and be restricted to the following:
(1) Grandparent.
(2) Parent.
(3) Children.
(4) Grandchildren.

B. The dwelling in question shall be owner-occupied during the duration of the special exception which shall be renewed on an annual basis.

C. The additional dwelling unit shall be occupied by a family member, no rent shall be charged and under no circumstances shall more than two individuals occupy this unit.

D. The additional dwelling unit shall not exceed 450 square feet of floor area, unless parts of an existing dwelling are otherwise arranged or designed to be transformed into a larger one-bedroom unit. The maximum floor area of the additional dwelling unit shall not be more than 30% of the total floor area of the principal dwelling, excluding basement area.

E. Prior to the issuance of a zoning permit, a certificate in the form of an affidavit to verify that the owner is in residence and that one of the occupants of a particular dwelling unit is a family member shall be presented to the Zoning Hearing Board. Thereafter, the applicant shall submit such notarized affidavit to the Zoning Officer by January 31 of each year as a requirement for the continuance of the special exception.

F. At such time as the owner is no longer in residence or the approved family member is no longer an occupant of the unit, the owner shall immediately notify the Township, and the unit shall be returned to use as a part of the normal single-family home.

§ 325-29-7. Domiciliary care unit.

A. Applicant must secure certification with the York Area Agency on Aging or any other official social agency.

B. The dwelling must be inspected by the Township Fire Chief, and the Chief shall submit a written report to the Zoning Officer with recommendation for fire safety equipment and any necessary recommendation to ensure adequate fire protection. A fee as established by the Board of Supervisors shall be collected for each inspection.

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C. The maximum number of unrelated persons who are 18 years of age and above who are disabled physically, mentally, emotionally or who are aged shall not exceed two per dwelling unit.

D. The use/occupancy permit shall be renewed annually, following an inspection by the Fire Chief and Zoning Officer and collection of a fee as established by the Board of Supervisors.

§ 325-29-8. Group quarters and group homes.

The use and occupancy of any land, building or structure as group quarters or a group home shall be subject to the following:

A. Group quarters shall be permitted only as an accessory use to and shall be located upon the same lot occupied by the principal use of the governmental, educational, charitable or philanthropic institution with which such quarters are associated; provided, however, that group quarters may be located on a lot adjoining the lot occupied by such principal use so long as the two lots have a common boundary on a single course of not less than 100 continuous running feet.

B. Any group quarters or group home shall have a minimum of 350 square feet of habitable floor area provided for each occupant.

C. A common kitchen and dining facility shall be provided and no cooking or dining facilities shall be provided in individual rooms or suites. This provision is not intended to require any kitchen and dining facilities if the affiliated institution provides them elsewhere.

D. All group quarters and group homes shall be connected to public water and public sanitary sewage facilities.

E. All group quarters and group homes shall comply with the Federal Life Safety Code, the rules and regulations of the Pennsylvania Department of Labor and Industry and all other applicable building, safety and fire codes of the federal, state or local government.

F. Group homes shall be registered and licensed by either the federal government or the Commonwealth of Pennsylvania and shall be in compliance with all applicable rules and regulations of the licensing body.

G. The use and occupancy relationship within a group home by its residents shall be the functional equivalent of a biologically related family.

H. Off-street parking shall be provided for all group quarters based upon one parking space for each occupant and staff member. Off-street parking for group homes shall be the same as required for single-family dwellings.

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§ 325-29-9. Home occupations.

A home occupation shall be permitted by special exception in any residential district subject to the following:

A. The incidental sale of products actually grown on the premises shall be permitted in season but shall not involve signs off the premises nor sales of products grown or produced at any other location.

B. The sale of goods produced, fabricated or prepared as a result of the home occupation shall not be permitted on any residential premises as a part of the home occupation activity. Any sale of goods shall be conducted in an appropriate commercial setting or delivered to customers off site.

C. Delivery of materials to and from the premises shall not involve the use of vehicles over two-ton capacity except for parcel post or united parcel-type service trucks. Activities involving more than two separate deliveries five or more days per week to or from the premises shall not be permitted in any residential area.

D. Persons engaged in a permitted home occupation shall be limited to members of the household residing on the premises.

E. No electrical or mechanical equipment that would change the fire rating of the structure or create visible or audible interference in radio or television receivers or cause fluctuations in line voltage outside the dwelling unit shall be employed.

F. No quantity of firearms, gunpowder, fireworks, rockets, projectiles or similar explosives shall be allowed.

G. Barber or beauty shops and any activity meeting the definition of business service in this article shall not be allowed.

H. Automobile and vehicle painting and repair, furniture refinishing or any activity utilizing paint, thinners or chemicals of a flammable and/or combustible nature shall not be allowed. This shall not prohibit handpainting of arts and crafts-type items.

I. A home occupation is not transferable to subsequent occupants of a residence and it cannot be transferred to a new residence. A home occupation shall cease to be valid at anytime an active business license is not maintained.

J. A home occupation shall be carried on wholly within the principal building and shall occupy no more than 20% of the total floor area. No home occupation nor any storage of goods, materials or products connected with a home occupation shall be allowed in an accessory building or a garage, attached or detached. Activities requiring such storage shall not be considered to be a home occupation.

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K. There shall be no demand for parking beyond that which is normal to the neighborhood and no visual or excessive traffic to and from the premises. In no case shall the home occupation cause more than two additional vehicles to be parked on or near the premises.

§ 325-29-10. Kennels.

A. Shall be permitted in the R-R Districts with a minimum lot size of five acres.

B. Adequate off-street parking shall be required.

C. One sign shall be permitted two square feet in area located a minimum of 20 feet from the street right-of-way.

D. All areas used for exercise shall be securely fenced.

E. All animals shall be within a completely enclosed building which shall be a minimum of 200 feet from any property line.

F. Animals shall be permitted to exercise daily between the hours of 8:00 a.m. and 8:00 p.m. All outdoor exercise areas shall be 200 feet from any property line.

§ 325-29-11. Riding academies and boarding stables.

A. Shall be permitted in the R-R Districts with a minimum lot size of five acres

B. Adequate off-street parking shall be provided.

C. All animals, except while exercising or pasturing, shall be confined in a building erected or maintained for that purpose.

D. The building required by Subsection D hereof shall not be erected or maintained within 200 feet of any lot line.

E. All areas used for exercising and pasturing shall be securely fenced.

F. The accumulation and storage of manure or other odor-producing substances shall not be permitted.

§ 325-29-12. Sexually-Oriented Businesses.

A. Purpose and findings; interpretation.
   (1) Pursuant to the authority granted in the Municipalities Planning Code to promote the health, safety, morals and general welfare of the inhabitants of Springettsbury Township by providing adequate lighting and parking, preventing the

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overcrowding of land, conserving the value of buildings and encouraging the most appropriate use of land, the purpose of this section is to regulate the location and places of adult facilities, including adult bookstores, adult cabarets and adult theaters, thereby controlling and minimizing the adverse effects of those sexually oriented businesses and thereby protecting the health, safety and welfare of its citizens, protecting the citizens' property values and the character of surrounding neighborhoods and deterring the spread of blight. Springettsbury Township does not intend this section to suppress any speech activities protected by the First Amendment but to enact a content-neutral ordinance which addresses the secondary effects of sexually oriented businesses. It is not the intent of the Township in enacting this legislation to deny any person rights of speech protected by the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania, or both, nor is it the intent of the Township to impose any additional limitations or restrictions on the contents of any communicative materials, including sexually oriented films, videotapes, books or other materials. Further, by enacting this legislation the Township does not intend to deny or restrict the rights of any adult to obtain or view, or both, any sexually oriented materials or conduct protected by the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania, or both, nor does it intend to restrict or deny any constitutionally protected rights that distributors or exhibitors of sexually oriented materials have to sell, distribute or exhibit these materials.

(2) The Springettsbury Board of Supervisors finds as follows:

a. Law enforcement personnel have determined, and statistics and studies performed in a substantial number of communities in this commonwealth and in the United States indicate, that sexually oriented businesses have adverse secondary effects, which secondary effects should be regulated to protect the public health, safety and welfare. These secondary effects include, but are not limited to, the spread of communicable diseases, performance of sexual acts in public places, presence of discarded sexually oriented materials on public and private property, sexual harassment, obscenity, prostitution and other illegal sexual activities, crime, decreased property values and neighborhood deterioration.

b. Based on evidence concerning the adverse secondary effects of adult uses on the community in findings incorporated in the cases of City of Renton v. Playtime Theatres, Inc., 475 U.S. 41 (1986), Young v. Amer. Mini Theatres, 426 U.S. 41 (1976) and Barnes v. Glen Theatre, Inc., 501 U.S. 560 (1991) and on other information available to the Township, the Township finds as follows:

1. Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are presently uncontrolled by the operators of the establishments.
2. Certain employees of adult cabarets engage in higher incidence of certain types of illicit sexual behavior than employees of other establishments.
3. Sexual acts, including masturbation and oral and anal sex, occur at sexually oriented businesses, especially those which provide private or

semiprivate booths or cubicles for viewing films, videos or live sex shows. Furthermore, adult bookstores tend to attract customers who engage in unprotected, high-risk sexual activities.

4. Persons frequent certain adult theaters and other sexually oriented businesses for the purpose of engaging in sexual activities within the premises of such sexually oriented businesses.
5. At least 50 communicable diseases may be spread by activities occurring in sexually oriented businesses, including but not limited to syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections and shigella infections.
6. The Surgeon General of the United States in his report of October 22, 1986, has advised the American public that AIDS and HIV infection may be transmitted through sexual contact, intravenous drug abuse, exposure to infected blood and blood components and from an infected mother to her newborn child.
7. According to the best scientific evidence, AIDS and HIV infection, as well as syphilis and gonorrhea, are principally transmitted by sexual acts.
8. Numerous studies have indicated that sexually oriented businesses have a substantial negative impact on property values and cause neighborhood blight.
9. The findings noted in Subsection A(2)(b)[1] through [8] raise substantial governmental concerns.

c. Sexually oriented businesses have adverse secondary effects, which secondary effects should be regulated through zoning to protect the public health, safety and welfare.

d. The general welfare, health and safety of the citizens of the Township will be promoted by the enactment of this section.

(3) In interpreting and applying the provisions of this section, they shall be held to be the minimum requirements for the promotion of the public health, safety, comforts, convenience and general welfare of Springettsbury Township citizens. Where the provisions of any statute, other ordinance or regulations impose greater restrictions than this section, the provisions of such statute, other ordinance or regulation shall be controlling. Where the provisions of this section impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this section shall be controlling to the extent allowed by law. However, in no case shall the provisions of this section be interpreted in such a manner as to violate the United States Constitution or the Constitution of the Commonwealth of Pennsylvania.

B. [combine B thru D / delete C and D?; insert in G-I District?] Adult bookstores. In a commercial highway district and subject to the requirements of the zone herein modified:

(1) All lot lines of any lot upon which an adult bookstore is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located another sexually oriented business.

(2) All lot lines of any lot upon which an adult bookstore is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located a public or private school, park or playground, child day-care center, child day-care home, house of worship or residence and any boundary line of any residential zoning district, including R1, R7, R10, R20, and RR.
(3) The 1,000 feet referenced in Subsection B(1) and (2) shall be measured in a straight line between the nearest lot line of the adult bookstore to the nearest point on the lot line of the district or facility referenced in Subsection B(1) and (2).
(4) No materials, merchandise, film or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a building or structure.
(5) Any building or structure used and occupied as a sexually oriented business shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film, service or entertainment are exhibited or displayed and no sale materials, merchandise, film or offered items of service or entertainment shall be visible from outside the structure.
(6) No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service or entertainment offered therein.
(7) Each and every entrance to the structure shall be posted with a notice of at least four square feet that the use is an adult bookstore, that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry. [Clarify that this sign does not count towards the businesses allocated sign allotment]
(8) [delete subsection?] Parking shall be established at the minimum ratio of one parking space for each 200 square feet of floor area devoted to sales and display, with a minimum of six spaces provided.
(9) The sexually oriented business building and parking areas shall be sufficiently lit so as to deter illegal and illicit conduct, which lighting shall be a minimum of two footcandles at every point on the site, as measured at the surface of the ground. All such light shall be shielded to direct light onto the sexually oriented business and its parking areas and away from adjacent properties and streets. Either this provision, or the requirement under the Subdivision and Land Development Ordinance shall apply, whichever is stricter.
(10) All applicable Township licensing requirements must be met.

C. Adult cabarets. In a commercial highway district and subject to the requirements of the zone as herein modified:
(1) All lot lines of any lot upon which an adult cabaret is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located another adult cabaret or an adult theater or adult bookstore.
(2) All lot lines of any lot upon which an adult cabaret is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located a public or private school, park or playground, child day-care center, child day-care home, house of worship or residence and any boundary line of any residential zoning district, including High Density, Medium Density, Low Density and Rural.

(3) The 1,000 feet referenced in Subsection C(1) and (2) shall be measured in a straight line between the nearest lot line of the adult cabaret to the nearest point on the lot line of the district or facility referenced in Subsection C(1) and (2).
(4) No materials, merchandise, film or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a building or structure.
(5) Any building or structure used and occupied as an adult cabaret shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film, service or entertainment are exhibited or displayed and no sale materials, merchandise, film or offered items of service or entertainment shall be visible from outside the structure.
(6) No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service or entertainment offered therein.
(7) Each and every entrance to the structure shall be posted with a notice of at least four square feet that the use is an adult cabaret, that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry.
(8) Parking shall be established at the minimum ratio of one parking space for every two seats or one parking space for every 100 square feet of gross floor area and one space for every two employees, whichever is greater.
(9) The adult cabaret building and parking areas shall be sufficiently lit so as to deter illegal and illicit conduct, which lighting shall be a minimum of two footcandles at every point on the site, as measured at the surface of the ground. All such light shall be shielded to direct light onto the cabaret and its parking areas and away from adjacent properties and streets. All applicable Township licensing requirements must be met.

D. Adult theaters. In a Commercial Highway District and subject to the requirements of the zone as herein modified:
(1) All lot lines of any lot upon which an adult theater is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located another adult theater or an adult cabaret or adult bookstore.
(2) All lot lines of any lot upon which an adult theater is to be located shall be more than 1,000 feet from any lot line of any lot upon which is located a public or private school, parks or playgrounds, child day-care center, child day-care home, house of worship or residence and any boundary line of any residential zoning district, including High Density, Medium Density, Low Density and Rural.
(3) The 1,000 feet referenced in Subsection D(1) and (2) shall be measured in a straight line between the nearest lot line of the adult theater to the nearest point on the lot line of the district or facility referenced in Subsection D(1) and (2).
(4) No materials, merchandise, film or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a building or structure.
(5) Any building or structure used and occupied as an adult theater shall be windowless or have an opaque covering over all windows or doors of any area in

which materials, merchandise, film, service or entertainment are exhibited or displayed and no sale materials, merchandise, film or offered items of service or entertainment shall be visible from outside the structure.

(6) No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service or entertainment offered therein.

(7) Each and every entrance to the structure shall be posted with a notice of at least four square feet that the use is an adult theater, that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry.

(8) Parking shall be established at a minimum ratio of one parking space for every three seats or, if included in a shopping center with at least 200 other parking spaces, one parking space for every six seats.

(9) The adult theater building and parking areas shall be sufficiently lit so as to deter illegal and illicit conduct, which lighting shall be a minimum of two footcandles at every point on the site, as measured at the surface of the ground. All such light shall be shielded to direct light onto the theater and its parking areas and away from adjacent properties and streets.

(10) All applicable Township licensing requirements must be met.

§ 325-29-13. Business and industrial park standards.

A. Purpose. To promote the orderly development of land within the industrial land use districts of the Township, consisting of land organized and laid out in accordance with an overall plan for a community of industries, including the servicing of those industries. Architecturally attractive building facades and landscaping are a key component of an industrial park.

B. Permitted uses. All uses which are permitted in the underlying zoning (B-I, L-I or G-I in Article XIII) for the industrial land use districts of the Township.

C. Area and bulk regulations.

(1) Lot area. Individual parcels of not less than three acres shall be provided.

(2) Lot width. The industrial park shall have a minimum of 200 feet of public street frontage. There shall be no minimum public street frontage for individual parcels within the park, although an adequate right-of-way of access shall be provided for each parcel.

(3) Coverage. The principal and accessory buildings, storage yards, off-street parking lots, loading and unloading docks shall not project into the required yard spaces as set forth below. All open space other than parking and loading spaces and access drives shall be covered with a vegetative material.

(4) Yards. Yards of the following minimum depths and widths shall be provided; however, in no case shall the front, side or rear yard depths be less than 60% of the legal right-of-way of the street or streets on which the lot abuts:

a. Front yard depth: 50 feet.

b. Side yard depth: 15 feet.

c. Rear yard depth: 30 feet.

d. Buffer yard. Landscaping and buffer yards shall be provided in accordance with § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). Such buffer yards may be coterminous with any required yard in the district, and in case of conflict the larger yard requirements shall apply.

(5) Height. No building shall be erected to a height in excess of 50 feet; provided, however, that this height may be increased one foot for each additional foot that the width of each yard exceeds the minimum required.

(6) Internal street system. All internal streets providing access to parcels within the park shall be a minimum of 20 feet in width, constructed to Township specifications. These streets shall remain private and not offered for adoption by the Township. Each parcel shall have a minimum of fifty-foot frontage upon such a street. There shall be no limit upon the length of a private cul-de-sac street.

(7) Site access. The industrial park shall have a minimum of one street access to a minor arterial or collector street. A second access may be required by the Township Planning Commission and Board of Supervisors. The determination for a second access shall depend upon the number of parcels within an industrial park, potential traffic volume, proposed internal street system and existing traffic volume and condition of the public street used for access.

(8) Utilities. All parcels shall be served by public water and sanitary sewer. All utilities shall be installed underground.

§ 325-29-14. Natural production uses.

The Zoning Hearing Board may authorize as a special exception in Industrial Districts the excavation and sale of sand, gravel, clay, shale or other natural mineral deposits, or the quarrying of any kind of rock formation, subject to the performance standards of this article and the following conditions:

A. In the case of any open excavation, there shall be a fence or wall completely enclosing the portion of the property in which the excavation is located, said fence or wall shall be not less than eight feet in height and shall be so constructed as to have openings no larger than six inches.

B. No top of the slope or quarry wall shall be nearer than 100 feet to any property line or street line.

C. No rock crusher, cement plant or other crushing, grinding, polishing or cutting machinery or other physical or chemical process for treating such products shall be permitted.

D. A plan for reclamation of the site shall be submitted for review by the Planning Commission. Such plan shall take into consideration the following:

(1) Drainage, prevailing winds, soil erosion and other problems created by excavation, stripping, quarrying, stock piles and waste piles, while in production.

(2) A grading and reuse plan for the site after completion of production as shall permit the carrying out of the purpose of this article.

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E. Landscaping and buffer yards meeting the requirements of the Subdivision and Land Development Ordinance (Chapter 289) as a minimum shall be provided around the property.

§ 325-29-15. Salvage yard, junkyard.

A. Shall be permitted as a special exception use in an Industrial District.

B. Minimum of thirty-acre parcel.

C. An eight-foot opaque fence shall enclose the storage yard and any equipment or structure.

D. The contents of the junkyard shall not be placed or deposited to a height greater than eight-foot fence.

E. An annual inspection by the Zoning Officer and collection of a fee as established by the Board of Supervisors shall be conducted for each site.

F. Landscaping and buffer yards meeting the requirements of the Subdivision and Land Development Ordinance (Chapter 289) as a minimum shall be provided around the property.

§ 325-29-16. Solid waste processing and/or disposal facilities.

Facilities for the disposal of Township or residual solid waste as permitted by special exception in an Industrial District shall, in addition to all of the requirements of this article, be subject to the following:

A. Such municipal or residual solid waste disposal facility, whether a landfill, incinerator, resource recovery or any other system, shall be owned and operated only by a political subdivision of the Commonwealth of Pennsylvania.

B. Such facility shall provide for the disposal only of municipal or residual solid waste as defined in the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988, and 25 Pa. Code, Chapters 271, 273, 275, 277, 279, 281, 283 and 285, as amended, supplemented or revised.

C. If a landfill, no solid waste shall be deposited, either temporarily or permanently, within 300 feet of the property line of any adjoining property or within 300 feet of the right-of-way line of any public highway. If an incinerator, resource recovery or other such facility, no such storage or disposal structure shall be located within 300 feet of such property line or any public highway.

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D. If a landfill, no solid waste shall be deposited, either temporarily or permanently, within 1,000 feet of any dwelling, church, school or any other building used for human occupancy at any time or from time to time, or within 1,000 feet of any residentially zoned property. If an incinerator, resource recovery or other such facility, no storage or disposal structure shall be located within 1,000 feet of such structures or within 1,000 feet of any residentially zoned property. [Amended 3-28-1991 by Ord. No. 1991-06]

E. If a landfill, no solid waste shall be deposited, either temporarily or permanently, within 1,000 feet of any river, stream, creek or tributary thereof or within 1,000 feet of any wetland meeting the definitions of Pennsylvania DEP, the U.S. Army Corps of Engineers, the U.S. Soil Conservation Service or the U.S. Fish and Wildlife Service.

F. Direct access to the sites shall be available from a highway having a functional classification of major arterial or greater capacity as set forth in the Springettsbury Township Roadway Classification Maps, as amended from time to time.

G. If a landfill, during such time as any excavation shall be open and used for the disposal of solid waste, the site of the excavation shall be enclosed with a chain link fence or other structure adequate to contain windblown litter and to secure the site against intrusion by unauthorized personnel.

H. If an incinerator, resource recovery or other such facility, all storage of solid waste awaiting disposal shall be within a fully enclosed building and no outside storage shall be permitted at any time.

I. The development plan for the site shall address and comply with all requirements of the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289) to the extent that the same shall not conflict or be inconsistent with or have been preempted by the Solid Waste Management Act and the regulations of the Department of Environmental Protection adopted pursuant thereto.

J. No use and occupancy permit shall be issued for a solid waste disposal facility until the operator shall have submitted to the Zoning Officer proof that the facility complies with the regulations of the Department of Environmental Protection and has been permitted, in writing, by said agency

K. Landscaping and buffer yards meeting the requirements of the Subdivision and Land Development Ordinance (Chapter 289) as a minimum shall be provided around the property.

§ 325-29-17. Subdivision of shopping centers, plazas and malls.

Condominium-type development and subdivision shall be permitted for shopping centers, malls and shopping plazas by special exception in the M-U district per subdivision and land development procedure (Chapter 289), subject to the following:

A. Development and/or conversion approval shall follow the procedures and requirements of this article and also the Subdivision and Land Development Ordinance (Chapter 289). The approved documents and plans shall be recorded with the York County Recorder of Deeds.

B. All public streets shall be constructed to Township specifications. Adequate access for each parcel, including a minimum right-of-way of 25 feet in width which may be jointly used, shall be provided. Driveway widths and locations identified by concrete curbing and entrance signs and lights, as recommended by the Township Engineer, shall be provided.

C. A copy of the maintenance agreement for all jointly owned facilities shall be submitted to the Township for review. This agreement shall clearly state the maintenance responsibilities of the parties for all jointly owned property. Specific mention shall be given to the Township-required improvements, including parking lots, driveways, curbs, sidewalks, stormwater facilities, lawns and landscaped areas.

D. No minimum area shall be required for each parcel, except the total area of all parcels combined shall not be less than three acres. The combined public street frontage for all parcels shall not be less than 100 feet in width.

E. No additional business signs shall be permitted as a result of this subdivision and the group of stores shall remain as one unit per allowable signs of shopping center.

§ 325-29-18. Mini storage facilities.

A. Mini storage shall be a special exception use in the C-H District.

B. Lot size shall not exceed 2 1/2 acres.

C. Landscaping and buffer yards shall be provided per § 289-26 of the Subdivision and Land Development Ordinance (Chapter 289). In addition, a buffer yard of five feet as defined in § 289-26 shall be required on all sides abutting another parcel within the same zone.

D. An outside storage area shall be provided on the interior of the parcel, arranged so that the storage units back onto this area effectively screening it from view. This is the only outside area where storage of any equipment, including but not limited to automobiles, vans, recreational vehicles, boats and trucks or any other materials can be stored. Access to this storage area shall be designed to avoid direct sight into the area from abutting properties and from adjacent streets.

E. All machinery, tanks or other apparatus relying upon combustible fuels shall be stored only in the external storage area. This area shall be the only outside area where vehicles, trailers and boats can be stored.

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F. Fencing provided shall be in accordance with this chapter.

G. No advertising signs will be permitted on the property other than identifying signs for the mini storage facility itself in accordance with this chapter.

H. One small office for the exclusive use of the mini storage facility operations and management shall be permitted.

I. All lighting shall be shielded to direct light onto the storage units and away from adjacent property and streets.

J. Parking shall be provided by parking/driving lanes adjacent to the buildings of sufficient width to provide adequate room for simultaneous loading and passage. As stated in Subsection E above, required parking spaces may not be rented as, or used for, vehicle storage. Any vehicles parked in the parking/driving lanes in excess of 24 hours will be in violation of this article.

K. The following uses are strictly prohibited:
   (1) Office activities, except as allowed in Subsection H above.
   (2) Establishment of a transfer business.
   (3) Vehicle or trailer rental services.
   (4) Repair, construction, reconstruction or fabrication of any item, including but not limited to any boat, engine, motor vehicle or furniture.
   (5) Auctions, wholesale or retail sales (including garage sales).
   (6) Bulk storage of gasoline, diesel fuel, paint, paint remover and all other flammable, combustible, explosive or hazardous materials and chemicals. Nothing in this section is meant to prohibit the storage of motor vehicles or equipment thatcontain a normal supply of such fuels for their operation.
   (7) The operation of power tools, spray-painting equipment or any other use that is noxious because of odors, dust fumes, vibrations or emissions, except as necessary to maintain the premises.
   (8) Telephone service to individual units, although phone service to the facility office and pay phones within the facility are permitted.
   (9) Accessory buildings and/or uses not incidental to operation of the facility.

§ 325-29-20. Commercial AM/FM radio, television, microwave, transmission and relay towers and accessory equipment buildings.

A. A commercial antenna or tower shall be permitted in an industrial, commercial or highway commercial zoning district as a special exception subject to the following:
   (1) Tower location. Towers shall be located on the site as to provide a minimum distance equal to 110% of the height of the tower from all property lines or shall be certified by a registered engineer who shall submit calculations substantiating the position of the 110% break point.

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(2) Anchor location. All tower supports and peripheral anchors shall be located entirely within the boundaries of the property and in no case less than five feet from the property line.
(3) Setbacks, accessory buildings. All accessory buildings and structures shall conform to the setback requirements for the district in which the use is located.
(4) Screening. Fencing and/or screening shall be provided as required by the Subdivision and Land Development Ordinance (Chapter 289).
(5) Access. Climbing access to the tower shall be secured from use by unauthorized persons.
(6) Lighting. All exterior lighting shall be directed away from all adjacent properties.

B. Nonconforming towers existing in zoning districts other than Industrial, Mixed Use and Commercial Highway shall not be permitted to be expanded in height or in area. Existing nonconforming towers can be expanded in capacity so long as this expansion can be accomplished within existing tower dimensions and structure requirements.

§ 325-29-21. Public or private schools.

A public or private school, as it is defined in this Chapter, shall be permitted by special exception in the R-R Zone subject to the following:

G. Area, width and bulk requirements.
(1) Minimum yard setbacks.
a. Front: 50 feet.
b. Rear: 50 feet.
c. Side: 50 feet.
(2) Maximum building height: 35 feet.
(3) Maximum percentage of lot coverage: 25%.
(4) Minimum lot size with public water and public sewer: five acres.
(5) Minimum street frontage with public water and public sewer: 200 feet.
(6) Minimum lot size with public water and public sewer: not permitted.
(7) Minimum lot size without public water and public sewer: not permitted.

H. Transportation access: Any school must be located on a street designated as an arterial or collector in the Springettsbury Township street classification network.

I. All courses of instruction must, as a general rule, be conducted within the school building. Infrequent instruction in a discipline normally conducted or operated out of doors will be permitted so long as the remaining criteria of this section are complied with.

J. No course of instruction, whether conducted inside or outside the school building, shall produce or result in any noise, unreasonable sound or offensive odor discernable beyond the property line.

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K. No instructional material, equipment or supplies shall be stored or, when not in use, be allowed to remain outside the school building.

L. Parking as specified in Article 25 of this Chapter.

M. The school building shall comply in all respects to state, federal and local health, safety and building codes.

§ 325-29-22. Animal shelters.

A. Animal shelters are permitted under a special use permit in the L-I and G-I districts.
B. Animal shelters shall meet the following minimum requirements:
   (1) Must meet all applicable licensing requirements of the state.
   (2) The minimum site area shall be adequate to provide the required parking, yards, and at least one off-street emergency loading space.
   (3) No off-street parking or loading areas will be allowed in any required yard area, except off-street parking may be allowed in the front yard area.
   (4) If located within 250 feet of a residential zone, animal noises and odors shall not be detectable on adjoining property.
   (5) Any applicant desiring a crematorium must so state in the application

§ 325-29-23. Automobile, garage, body shop or gasoline service station.

Automobile service stations shall be allowed by special exception in the Commercial Highway District subject to the following safeguards and regulations:

A. All accessways and service areas shall be paved with a surfacing material as approved by the Township.

B. Motor vehicles shall not be permitted to be parked or to stand on sidewalk areas.

C. Gasoline pumps and all service equipment:

   (1) Shall be set back a minimum of 30 feet from any lot line and so located that vehicles stopped for service will not extend over the property line.
   (2) Canopies over gasoline pumps may extend 10 feet beyond the center line of the gasoline pumps.
   (3) The paved area serving each gasoline pump may be counted towards the minimum parking requirements of Article XXV if said paved area adjacent to each pump meets the minimum parking space dimensional requirements for parallel parking spaces as stated in Article XXV.

D. Outdoor display. All merchandise, excepting vending machines and oil racks, shall be displayed within a building.

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E. Plans shall be submitted and approved as provided in the Subdivision and Land Development Ordinance (Chapter 289).

F. If towing service is provided for wrecked vehicles and partially dismantled vehicles are temporarily stored at the site, a six-foot opaque fence completely enclosing these vehicles shall be erected. This compound shall be to the rear of the principal buildings and must observe all yard setback requirements. The compound shall be landscaped with shrubbery and trees to enhance its appearance and provide additional barrier. All inoperable (inoperative) vehicles damaged by collision, fire or in need of body work shall be stored within this compound and not located elsewhere on the property. The maximum limit for storage of any inoperable (inoperative) vehicle shall not exceed 30 days.

§ 325-29-24. Hotels and motels.

Hotels and motels are a use by special exception in the M-U District, subject to the following development regulations.

I. A site to be used for a hotel or motel establishment shall include an office and lobby and may include such accessory uses as:
   (1) Restaurants.
   (2) Coffee shops.
   (3) Gift shops.
   (4) Meeting rooms.
   (5) Cafeteria dining halls provided for food and drink.
   (6) Amusement and recreation facilities such as a swimming pool, children's playground, tennis or other game sports and game or recreation rooms.

J. The minimum lot area shall be one acre; and the minimum lot width shall be 150 feet.

K. Maximum building footprint: 75,000 square feet.

L. The maximum height of any building shall be 100 feet.

M. Distance between buildings shall not be less than 25 feet.

N. All principal and accessory buildings and structures shall cover a total of not more than:
   (1) 35% of the site if all parking is provided in a surface parking lot
   (2) 50% if parking is provided in a garage or structure
   (3) A freestanding restaurant, coffee shop, cafeteria or dining hall shall not cover more than 10% of the site.

O. The total interior floor area of each guest room, inclusive of bathroom and closet space, shall be not less than 250 square feet.

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P. Building setbacks. Building setbacks of the following minimum and maximum depths shall be provided. No merchandise, produce or display items shall be located within any yard area.
Minimum front setback: 25 feet
Maximum front setback: 50 feet
Minimum side building setback: 10 feet
Minimum rear setback: 30 feet
Minimum rear and side setbacks for development adjacent to a residential district: 30 feet for structures up to 15 feet tall, plus 10 feet for each additional 10 feet or story in height

Q. Access shall only be by a major or minor arterial street and points of vehicular ingress and egress shall be limited to a total of one on any street. Off-street parking shall be provided as follows:
(4) At least one automobile parking space, carport or garage shall be provided on the site for each guest room and shall be located within 150 feet from the guest room it serves.
(5) For restaurants, coffee shops or cafeterias, at least one automobile parking space shall be provided for every 100 square feet of floor area devoted to patron use and one additional space shall be provided for each employee.
(6) All parking areas shall be at least 25 feet from all street lines. All parking areas serving a restaurant, cafeteria or coffee shop or dining hall shall be at least 30 feet from all guest rooms.

R. Landscaping shall be provided according to § 289-26 of the Springettsbury Township Subdivision and Land Development Ordinance (Chapter 289).

§ 325-29-24. Boarding Houses.

Boarding houses are allowed by special exception in the R-1, N-C and M-U districts, subject to the following regulations:

A. A rooming house shall meet the minimum lot size and other area and bulk requirements for single-family detached dwellings of the base zoning district.

B. The minimum off-street parking requirements shall be determined on the basis of two spaces, plus one space for each room available for rent.

C. If meals are to be served, the applicant shall demonstrate compliance with all applicable food handling requirements of the York County Health Department.

D. The applicant shall demonstrate that all necessary approvals and permits from the Pennsylvania Department of Labor and Industry have been obtained or waived. The Zoning Hearing Board may, in the alternative, authorize approval of the

special exception contingent upon the requisite approvals from the Department of Labor and Industry being obtained.

§ 325-29-25. Skilled Nursing Facility.

Skilled nursing facilities are allowed by special exception in the R-1 and N-C districts, under the following regulations:

A. Minimum lot size: three (3) acres

B. Such uses shall be permitted only on a lot which fronts on an arterial street unless such use is part of a T-N or F-D development which has access to an arterial street.

C. The facility shall comply with all licensing requirements of the State of Pennsylvania.

D. Rooms or suites may be designed for housekeeping purposes; however, a central kitchen, central dining facilities, and central recreational facilities shall be provided.

E. Service areas and facilities shall not be located closer than 100 feet from a residential use

F. Twenty-four (24) hour staff shall be required.

G. All living facilities must be connected to the central facilities through internal passageways (i.e. hallways, corridors, etc.)

§ 325-29-26. Cemetery.

Cemeteries are allowed by special exception in the R-10, R-20 and R-R districts, under the following regulations:

A. Minimum lot area shall be ten (10) acres.

B. Crematoriums shall not be allowed

C. Grave sites shall be set back at least fifty (50) feet from all property lines.

D. No structure other than grave markers shall be located within 350 feet any property line

§ 325-29-27. Private and Public Country Clubs.

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Private and public country clubs shall be allowed by special exception in the R-10, R-20 and R-R districts, subject to the following regulations:

A. Said facilities shall be for daytime use only.

B. All structures, greens, and fairways shall be set back at least 100 feet from any property line.

C. No outside loudspeaker systems shall be utilized.

§ 325-29-25. Assisted Living Facility.

Skilled nursing facilities are allowed by special exception in the R-1 and N-C districts, under the following regulations:

H. Minimum lot size: three (3) acres

I. Such uses shall be permitted only on a lot which fronts on an arterial street unless such use is part of a T-N or F-D development which has access to an arterial street.

J. The facility shall comply with all licensing requirements of the State of Pennsylvania.

K. Service areas and facilities shall not be located closer than 100 feet from a residential use

L. All living facilities must be connected to the central facilities through internal passageways (i.e. hallways, corridors, etc.)

§ 325-29-26. Taverns and Lounges.

A. The structure housing the tavern or lounge shall be located at least 300 feet from the nearest property line of land occupied by any single-family home, school or church. Any existing premises used as a tavern or lounge shall not be deemed a violation of these regulations as a result of the subsequent erection of a single-family home, school or church.

B. The facility shall comply with all licensing requirements and regulations of the Commonwealth of Pennsylvania

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ARTICLE XXX. Reserved

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ARTICLE XXXI. Reserved

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ARTICLE XXXII. Administration and Enforcement.

§ 325-32-1. Zoning Officer.

A. Zoning Officer. The provisions of this chapter shall be enforced by an agent to be appointed by the Township Manager, who shall be known as the Zoning Officer.

B. Deputy. The Township Manager may designate an employee or employees of the Township as Deputy Zoning Officer(s) who may exercise all the powers of this chapter.

C. Compensation. The compensation for the Zoning Officer and the Deputy Zoning Officer(s) shall be determined by the Township Manager in accordance with the policies of the Board of Supervisors.

D. Duties and responsibilities. The Zoning Officer shall have all the duties and powers conferred by this chapter in addition to those reasonably implied for that purpose. He or she shall not issue a permit or certificate in connection with any contemplated erection, construction, alteration, repair, extension, replacement and/or use of any building, structure, sign and/or land unless it first conforms with the requirements of this chapter, all other ordinances of the Township and with the laws of the Commonwealth of Pennsylvania. He or she shall:
   (1) Receive applications, process the same and issue permits for the erection, construction, alteration, repair, extension, replacement and/or use of any building, structure, sign and/or land in the Township.
   (2) At his or her discretion, examine or cause to be examined, all buildings, structures, signs and/or land or portions thereof for which an application has been filed for the erection, construction, alteration, repair, extension, replacement and/or use before issuing any permit. Thereafter, he or she may make such inspections during the completion of work for which a permit has been issued. Upon completion of the building, structure, sign and/or change, a final inspection shall be made and all violations of approved plans or permit shall be noted and the holder of the permit shall be notified of the discrepancies.
   (3) Keep a record of all applications received, all permits and certificates issued, reports of inspections, notices and orders issued and the complete recording of all pertinent factors involved. He or she shall file and safely keep copies of all plans permitted and the same shall form a part of the records of his or her office and shall be available for the use of the Board of Supervisors and other officials of the Township.
   (4) At his or her discretion, issue a 60-day temporary permit to continue operation of a business after damage caused by fire, flood or similar natural or man-made emergency. The applicant must demonstrate to the Zoning Officer's satisfaction that it is safe to continue operations and must submit a restoration plan to the Zoning Hearing Board for consideration at the next Zoning Hearing Board meeting, as directed by the Zoning Officer.

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§ 325-32-2. Permits.

A. Requirements. It shall be unlawful to commence the excavation for or the construction or erection of any building or structure, including an accessory building, or to commence the moving or alteration of any building, including an accessory building, until the Zoning Officer has issued a zoning permit for such work.

B. Form of application. The application for a permit shall be submitted in such form as shall be prescribed by the Board of Supervisors and shall be accompanied by the required fee as hereinafter prescribed. 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 an 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.

C. Description of work. The application shall contain a general description of the proposed work, use and occupancy of all part of the building, structure or sign and such additional information as may be required by the Zoning Officer. The application for the permit shall be accompanied by a plot plan of the proposed building, structure or sign drawn to scale with sufficient clarity to show the nature and character of the work to be performed, including off-street parking and loading space, if required, the location of new and existing construction and the distances of the same from the existing lot lines.

D. Time limit for application. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that reasonable extensions of time for additional periods not exceeding 90 days each may be granted at the discretion of the Zoning Officer.

E. 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 therefor. He shall inform the applicant of his right of 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 this chapter 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 therefor as soon as practical.

F. Expiration of permit. The permit shall expire after one year from the date of issuance; provided, however, that the same may be extended every six months for a period not to exceed an additional one year.

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G. Revocation of permits. The Zoning Officer may revoke a permit or approval issued under the provisions of this chapter 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 this chapter.

H. Posting of permit. A true copy of the permit shall be kept on the site of operations open to public inspection during the entire time of prosecution of the work or use and until the completion of the same as defined on the application.

I. Temporary permit. A temporary permit may be authorized by the Zoning Hearing Board for a nonconforming structure or use which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such permits shall be issued for a specified period of time not to exceed one year and may be renewed annually for an aggregate period not exceed three years.

J. Payment of fees. No permit to begin work for the erection, construction, alteration, repair, extension, replacement and/or use of any building, structure, sign and/or land for construction or use purposes shall be issued until the fees prescribed by the Township Board of Supervisors pursuant to resolution shall be paid to the Zoning Officer. The payment of fees under this section shall not relieve the applicant or holder of said permit from payment of other fees that may be required by this chapter or any other ordinance or law.

K. Compliance with this chapter. 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 this chapter, except as stipulated by the Zoning Hearing Board.

L. 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.

§ 325-32-3. Certificate of use and occupancy.

A. It shall be unlawful to use and/or occupy any residential dwelling, any structure, building, sign and/or land or portion thereof for which a 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 Building Code Officer or designee. The application for issuance of a certificate of use and occupancy shall be made at the same time an application for a permit is filed with the Zoning Officer as required herein.

B. The application for a certificate of use and occupancy shall be in such form as the Building Code Officer may prescribe and may be made on the same application as is required for a permit.

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C. The application shall contain the intended use and/or occupancy of any structure, building, sign and/or land or portion thereof for which a permit is required herein.

D. The Building Code Officer shall inspect any structure, building or sign within 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.

E. The certificate of use and occupancy or a true copy thereof shall be kept available for official inspection at all times.

F. Upon request of a holder of a permit, the Building Code Officer shall issue a temporary certificate of use and occupancy for a structure, building, sign and/or land before the entire work covered by the permit shall have been completed, provided:
   (1) Such portion or portions may be used and/or occupied safely prior to full completion of the work without endangering life or public welfare.
   (2) Guarantee of future performance must be filed with the Township assuring the installation and completion of all improvements required within this chapter and Subdivision and Land Development Ordinance (Chapter 289), including but not limited to curbs, sidewalks, driveways, stormwater management facilities, landscaping and buffer yards and grading. Such written guarantee shall be secured to the Township by one of the following forms of financial security in an amount equal to 110% of the cost of the improvement:
      a. Surety bond. The developer shall obtain and file with the Township a corporate surety bond from a bonding company authorized to do business in the Commonwealth of Pennsylvania, payable to the Township, conditioned upon the developer installing and completing all required improvements.
      b. Escrow account. The developer shall deposit with the Township or with a federal- or commonwealth-chartered banking institution authorized to do business in Pennsylvania cash or acceptable obligation instrument readily convertible to cash at face value to be held in escrow conditioned upon the developer installing and completing all required improvements. The Township, the developer and the escrow agent, if any, shall enter into a manner as the Township shall reasonably require to secure the installation and completion of the improvements.
      c. Letter of credit. The developer shall provide and deposit with the Township an irrevocable letter of credit from a federal- or commonwealth-chartered lending institution authorized to do business in Pennsylvania, payable to the Township, conditioned upon the developer installing and completing all required improvements.
   (3) Cost shall be determined by the applicant's professional engineer and, in the absence of such determination, cost shall be such amount as the Township Engineer shall estimate as of 90 days following the date scheduled for completion by the developer.

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(4) Upon installation or completion of the required improvements, the Township Engineer shall inspect the property to ensure the improvements were properly completed, at which point, the financial security shall be released to the developer within 30 days. In the event that the improvements are not completed within six months from the date of the temporary certificate of use and occupancy, then the Township shall cause any required improvements to be installed and completed and enforce against the financial security recovering the cost of the same by any appropriate legal or equitable remedy.

The Building Code 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 semipublic purposes and similar temporary use and/or occupancy. Such temporary certificates shall be for the period of time to be determined by the Zoning Officer; however, in no case for a period exceeding six months.

§ 325-32-4. Enforcement, penalty and remedy.

A. The construction, erection, replacement, alteration, repair, extension and/or use of any structure, building, sign and/or land or the change of use, area of use, percentage of use or extension or displacement of the use of any structure, building, sign and/or land without first obtaining a permit or the use of any building, structure, sign and/or land without receipt of a certificate of use and occupancy or the failure to comply with any other provisions of this chapter are hereby declared to be violations of this chapter.

B. The Zoning Officer shall serve a written enforcement notice of violation or order on the person, firm or corporation or the owner, lessee or agent of the land upon which the violation has occurred who has committed the violation, and such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. However, in no case shall the person so served abandon the premises in such condition so as to create a hazard or menace to the public safety, health, morals or welfare. Said premises shall be placed in such condition as the Zoning Officer shall direct. An enforcement notice shall state at least the following:
   (1) The name of the owner of record and any other person against whom the Township intends to take action.
   (2) The location of the property in violation.
   (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance.
   (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
   (5) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within the prescribed period of time in accordance with procedures set forth in this chapter.
   (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described. In case any building, structure, landscaping or land is

or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of any ordinance enacted under the Pennsylvania Municipalities Planning Code (MPC) or prior enabling laws, the Supervisors, or with the approval of the Supervisors, an officer of the Township, 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 Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors of Springettsbury Township. No such action may be maintained until such notice has been given.

(7) That failure to file an appeal and request a hearing before the Zoning Hearing Board will result in a deemed binding determination that a violation of this chapter exists, as stated within the enforcement notice.

(8) In any appeal of an enforcement notice to the Zoning Hearing Board the Township shall have the responsibility of presenting its evidence first.

(9) Any filing fees paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by the Township if the Zoning Hearing Board or any court in a subsequent appeal rules in the appealing party's favor.

C. If the notice of violation is not complied with within a period of five days, the Zoning Officer or other Township officer may take, in the name of the Township, any appropriate action or proceeding at law or in equity to prevent, restrain, correct or abate such violation or to require the removal or termination of the unlawful use of the structure, building, sign and/or land in violation of the provision of this chapter or of the order or direction made pursuant thereto.

D. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter enacted under the Municipalities Planning Code or prior enabling laws shall, upon being found liable therefor in civil enforcement proceeding commenced by the Township, pay a judgment of not more than $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 payable until the date of 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, 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 a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the

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violating of zoning ordinances shall be paid over to the Township whose ordinances have been violated. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

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

§ 325-32-5. Zoning Hearing Board.

A. Creation and membership. The terms of office of the Board members shall be five years and shall be so fixed that the term of office of one member of a five-member board shall expire each year. The Board shall promptly notify the Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township The Supervisors may appoint by resolution at least one but no more than three residents of the Township to serve as alternate members of the Board. The term of office of an alternate member shall be three years. When seated pursuant to the provisions of this section, an alternate shall be entitled to participate in all proceeding 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 as otherwise provided by law. Alternates shall hold no other office in the Township, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board and shall not be entitled to vote as a member of the Board nor be compensated unless designated as a voting alternate member.

B. General procedures. The Zoning Hearing Board shall be governed by the provisions of the Pennsylvania Municipalities Planning Code, Act 170 of December 21, 1988, P.L. 1329 Article IX, as may be amended or revised, and such other Commonwealth of Pennsylvania laws as may be applicable. As used in this article, unless the context clearly indicates otherwise, the term "Board" shall refer to such Zoning Hearing Board and "Act 170" shall refer to the "Pennsylvania Municipalities Planning Code" as cited above.

C. Officers. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves.

D. Meetings. Meetings shall be held at the call of the Board Chairman and at such other times as the Board may determine.

E. Hearings. Hearings will be held and records will be kept in accordance with the Pennsylvania Municipalities Planning Code.

F. Powers. The Zoning Hearing Board shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, determination or interpretation made by an administrative official in the enforcement of this chapter or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions which may be authorized in this chapter. In addition to the express standards and criteria stated in Article XXI, Permitted Uses Authorized by Special Exception, the Zoning Hearing Board should consider the following general provisions:

a. Purpose. The intended purpose of the proposed use must be consistent with the Township's development objectives as established in the Comprehensive Plan.

b. Compatibility. The proposed use shall be in the best interest of properties in the general area as well as the community at large. The proposed use shall be reviewed in relationship to and its effect upon surrounding land uses and existing environment conditions regarding the pollution of air, land and water, noise, potential of hazards and congestion, illumination and glare, restrictions to natural light and circulation.

c. Suitability. The proposed use shall be suitable for the property in question and shall be designed, constructed, operated and maintained suitably for the anticipated activity and population served, numbers of participating population, frequency of use, adequacy of space and generation of traffic.

d. Serviceability. Assurance shall be made as to the adequacy and availability of utility services and facilities such as sanitary and storm sewers, water, fire, police and other public facilities and the ability of the Township to supply such services.

e. Accessibility. The proposed use shall provide adequate ingress or egress, interior circulation of both pedestrians and vehicles, off-street parking and accessibility to the existing or proposed Township street system.

f. Conformity. The proposed use shall be in conformance with all applicable requirements of this article and, where applicable, in accordance with the Subdivision and Land Development Ordinance (Chapter 289).

g. Other reasonable conditions. The Zoning Hearing Board may attach whatever reasonable conditions and safeguards, in addition to those expressed in this article, it deems necessary to ensure that any proposed development will be consistent with the purposes and intent of this chapter.

(3) The Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

a. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located.

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b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefor necessary to enable the reasonable use of the property.
c. That such unnecessary hardship has not been created by the applicant.
d. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of the Pennsylvania Municipalities Planning Code and this chapter.

(4) In exercising the above-mentioned powers, the Board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as believed proper. Notice of such decision shall forthwith be given to all parties in interest.
(5) Unless expressly characterized as "permanent" in the Zoning Hearing Board's opinion, no special exception or variance shall create a nonconforming use or extend to anyone other than the person seeking such special exception or variance and their heirs, successors or assigns.

G. Fees for appeals and permits. The fee for appeals and permits shall be set by the Board of Supervisors by resolution.
(1) Any filing fee paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by the Township if the Zoning Hearing Board or any court in a subsequent appeal rules in the appealing party's favor.

H. Appeals from Board rulings. Any person aggrieved by any decision of the Zoning Hearing Board may, within 30 days after such decision of the Board, appeal to the Court of Common Pleas of the County.

I. Burden of proof in appeals. The burden of proof in any appeal, whether for a variance, special exception or otherwise, shall be on the appellant.

§ 325-32-6. Appeal to the Zoning Hearing Board.

A. Appeals to the Board may be made by any person or by any Township official or agency aggrieved or affected by any decision of the Zoning Officer. Such appeal shall be taken within 30 days of the decision of the Zoning Officer by filing with the Zoning Officer and with the Board a notice of appeal, specifying the grounds thereof.

The Zoning Officer shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal shall state:

(1) The name and address of the appellant.
(2) The name and address of the owner of the real estate to be affected by such proposed exception or variance.
(3) A brief description and location of the real estate to be affected by such proposed change.
(4) A statement of the present zoning classification of the real estate in question, the improvements thereto and the present use thereof.
(5) A statement of the section of this chapter under which the variance or exception requested may be allowed and reasons why it should be granted.

B. An appeal to the Board shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board, after the notice of appeal shall have been filed, that, by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life and property. In such a case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Officer for due cause shown.

C. Upon receiving an appeal, the Board shall fix a reasonable time and place for a public hearing thereon and shall give the notice thereof:

(1) By advertising at least once each week for two successive weeks in a newspaper of general circulation within the Township. 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.
(2) By mailing due notice at least six days prior to the date of the hearing to the parties in interest.
(3) By giving due notice thereof to the Township Planning Commission, the County Planning Agency, the Zoning Officer and such other persons who make timely request for the notice.
(4) In addition to the published notice, the Zoning Hearing Board shall give notice of the hearing to the owners of all properties lying within 200 feet of the property under consideration. This notice shall be mailed to each property owner not less than six days in advance of the hearing and shall be made from the list of property owners submitted by the person making the appeal. The failure to notify as provided in this subsection shall not invalidate any recommendations adopted in the hearing, it being the intent, so far as may be possible, to provide due notice to the persons substantially interested that the application for appeal is pending.

D. Public hearings. The Board shall conduct hearings and make decisions in accordance with the following requirements:

(1) Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer 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 rules of the Board. In addition to the written notice provided

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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 first hearing before the Board or hearing officer shall be commenced within 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 Board or hearing officer shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. The applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the Board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 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 his 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.

(3) The hearings shall be conducted by the Board or the 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 Board; however, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

(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, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

(5) The Chairman or Acting Chairman of the 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.

(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 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 Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such

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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.

(9) The 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 its Solicitor, unless the 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 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 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this chapter or of any law, 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 Board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the hearing officer. Except for challenges filed under Section 916.1 where the 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 Subsection D(2) of this section, 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 to meet or render a decision as hereinabove provided, the Board shall give public notice of the said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in Subsection D(1) of this section. If the 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 the decision to a court of competent jurisdiction.

(11) 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 day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision examined.

(12) The Board of Supervisors shall establish, by resolution, fees with respect to hearings before the Zoning Hearing Board. Upon application to the Board of Supervisors, the fee may be waived upon proof of economic hardship.

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E. Effect of Board's decision. If the variance 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 six months after the date when the variance is finally granted or the issuance of a permit is finally approved or the other action by the appellant is authorized. For good cause the Board may, upon application, in writing, stating the reasons therefor, grant an additional six-month extension.
   (1) Should the appellant or applicant fail to obtain the necessary permits within said twelve-month period, or having obtained the permit should he fail to commence work thereunder within such twelve-month 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 Board.
   (2) Should the appellant or applicant commence construction or alteration within said twelve-month period, but should he fail to complete such construction or alteration within said twelve-month period, the Board may, upon 10 days' notice, in writing, rescind or revoke the granted variance or the issuance of the permit or permits or the other action authorized to the appellant or applicant, if the Board finds that for good cause appears for the failure to complete within such twelve-month period and if the 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.

§ 325-32-7. Amendments.

The Township Board of Supervisors may, from time to time, after public notice and hearings as hereinafter prescribed, amend, supplement, change or repeal this chapter, including the 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 Township Board of Supervisors. Except when the Board of Supervisors preliminarily rejects a petitioned amendment, each amendment, supplement, change or repeal shall be submitted to the Township Planning Commission for its recommendations before final action shall be taken by the Board of Supervisors.

A. 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 Township Board of Supervisors, which shall then proceed in the same manner as with a petition to the Township Board of Supervisors which has already been reviewed by the Township Planning Commission.

B. Amendment initiated by the Township Board of Supervisors. When an amendment, supplement, change or repeal is initiated by the Township Board of Supervisors it shall submit the proposal to the Township Planning Commission for review and recommendations.

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C. Amendment initiated by petition. When an amendment, supplement, change or repeal is initiated by petition of a property owner, the following procedures shall apply:
   (1) No petition shall be accepted by the Zoning Officer which is not complete on its face, contains all of the information and data required by the Zoning Officer to reasonably support the petition and is signed by at least one record owner of property which would be affected by the proposed amendment, whose signature shall be notarized attesting to the truth and correctness of all of the facts and information set forth in the petition.
   (2) All petitions shall be accompanied by a fee in such amount as shall from time to time be fixed by resolution of the Board of Supervisors.
   (3) Upon receipt of a petition and the payment of the fee, the Zoning Officer shall cause the petition to be scheduled as an item for preliminary action at the next regular meeting of the Board of Supervisors convening not less than 10 days following the filing of the petition.
   (4) The action of the Board of Supervisors at such meeting shall be limited to either accepting or rejecting the petition. If the petition is accepted, it shall be referred to the Township Planning Commission for a report and recommendation as provided in Subsection D of this section. If the petition is rejected, the property owner who filed the petition shall be so notified, in writing, and the filing fee shall be refunded.

D. Referral to Township Planning Commission. After acceptance of the petition by the Township Board of Supervisors, said petition shall be presented to the Township Planning Commission for review and recommendations at least 30 days prior to the public hearing.

E. Referral to County Planning Commissioner. At least 30 days prior to the public hearing on the amendment by the Board of Supervisors, the Township shall submit the proposed amendment to the York County Planning Commission for recommendations.

F. Public hearing.
   (1) The Township Board of Supervisors shall fix a time and place for a public hearing at which parties of intent and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing and a description of the amendment to be discussed shall be published once each week for two consecutive weeks in a newspaper of general circulation within the Township, 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. Whenever a proposed amendment involves a Zoning Map change, notice of a public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract, such posting to be performed at least one week prior to the date of the hearing.
   (2) In addition to the requirement that notice be posted under this section, where the proposed amendment involves a Zoning Map change, notice of the public hearing shall be mailed by the Township at least 30 days prior to the date of the hearing

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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 Township. The notice shall include the location, date and time of the public hearing. A good faith effort and substantial compliance shall satisfy the requirements of this subsection. This clause shall not apply when the rezoning constitutes a comprehensive rezoning.

G. Action by the Township Board of Supervisors. At the time and place specified, the Township Board of Supervisors shall conduct a hearing on said petition to amend, change or repeal the Zoning Ordinance or Zoning Map of the Township and shall thereafter at a subsequent regular meeting of the Township Board of Supervisors, either reject the proposed change or adopt an ordinance implementing the proposed change.

H. Authentication of Official Zoning Map. Whenever there has been a change in the boundary of a zoning district or a reclassification of the zoning district adopted in accordance with the above, the change on the Official 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.

§ 325-32-8. Nonconforming uses and structures.

A. Continuation. Any lawful use of a structure or land existing at the effective date of this article may be continued, although such use does not conform to the provisions of this chapter.

B. Extensions. A nonconforming use may be expanded to a distance no greater than 150 feet in any direction from the existing nonconforming use or to an area equal to no more than 25% of existing nonconforming use, whichever is the lesser, or in the case of a building, the expansion shall be limited to an area equal to 50% of the existing total usable floor area of the building devoted to the nonconforming use, but excluding basement, cellars, attics, closets, hallways, stairways, service rooms, bathrooms, utility rooms, nor unheated areas such as enclosed porches. Nonconforming uses created by variance shall not be permitted to expand.

C. Nonconforming lots of record. In any district in which single-family houses are permitted, a single-family house and customary accessory buildings may be erected on any lot of record in existence at the effective date of this article. Consideration shall be given by the Zoning Hearing Board as to the desirability and feasibility of resubdividing the area when two or more nonconforming lots have contiguous frontage and are in single ownership.

D. Restoration.
   (1) Any nonconforming structure that has been damaged or destroyed by fire, wind storm, lightning or by any other means to an extent of less than 75% of its market value for tax assessment purposes may be reconstructed to its original height, area

and volume. Any structure damaged to an extent of 75% or greater of its market value for tax purposes shall not be repaired, reconstructed or used except in strict conformity with this chapter. Nothing in this section shall relate to nonconforming signs which shall be replaced or designed in conformance with Article XXIV of this chapter.

(2) No rebuilding shall be undertaken as provided herein until plans for rebuilding have been presented and approved by the Zoning Officer and Building Inspector. Approval shall be for the same use or for a use of a more restricted classification.

(3) Restoration regulations shall not apply to single-family homes or active nonconforming agricultural buildings and active farms which may be restored by right.

E. Changes. A nonconforming use of a building or land may be changed to a use of an equal or more restricted classification.

F. Abandonment.

(1) If a nonconforming use of a building or land ceases for a period of one year or more, subsequent use of such building or land shall be in conformity with the provisions of this chapter.

(2) Abandonment regulations shall not apply to agricultural or farming uses.

G. Zoning permits. In a case where a zoning permit has been issued prior to the effective date of this chapter and the proposed use of land and/or building does not conform with this chapter, said proposed use shall be regulated by the nonconforming use requirements of this chapter and shall be considered the same as a lawful nonconforming use if construction other than excavation and foundations is undertaken within a period of 30 calendar days after the issuance date of said zoning permit and construction thereof is complete within 12 calendar months from the issuance date of the zoning permit.

H. Nonconforming use of open land. All nonconforming signs, billboards, junk storage areas and similar nonconforming use of land, when discontinued for a period of 90 days or damaged to an extent of 60% or more of replacement costs, shall not be continued, repaired or constructed.

§ 325-32-9. Conditional Use Process.

A. Purpose. The conditional use approval process is designed to allow the Township Board the opportunity to review certain larger scale residential and mixed use development that will also come before the Township Board as part of the subdivision and land development approval process.

B. In addition to the express standards and criteria stated in Article XV, Traditional Neighborhood Overlay, the Township Board should consider the following general provisions:

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(1) Purpose. The intended purpose of the proposed use must be consistent with the Township's development objectives as established in the Comprehensive Plan.
(2) Compatibility. The proposed use shall be in the best interest of properties in the general area as well as the community at large. The proposed use shall be reviewed in relationship to and its effect upon surrounding land uses and existing environment conditions regarding the pollution of air, land and water, noise, potential of hazards and congestion, illumination and glare, restrictions to natural light and circulation.
(3) Suitability. The proposed use shall be suitable for the property in question and shall be designed, constructed, operated and maintained suitably for the anticipated activity and population served, numbers of participating population, frequency of use, adequacy of space and generation of traffic.
(4) Serviceability. Assurance shall be made as to the adequacy and availability of utility services and facilities such as sanitary and storm sewers, water, fire, police and other public facilities and the ability of the Township to supply such services.
(5) Accessibility. The proposed use shall provide adequate ingress or egress, interior circulation of both pedestrians and vehicles, off-street parking and accessibility to the existing or proposed Township street system.
(6) Conformity. The proposed use shall be in conformance with all applicable requirements of this article and, where applicable, in accordance with the Subdivision and Land Development Ordinance (Chapter 289).
(7) Other reasonable conditions. The Board of Superivsors may attach whatever reasonable conditions and safeguards, in addition to those expressed in this article, it deems necessary to ensure that any proposed development will be consistent with the purposes and intent of this chapter.

C. Procedure. Applications for conditional use approvals shall meet all requirements in the Sections of this Chapter which authorize such conditional use. The Township Board shall consider the conditional use application and render its decision in accordance with the requirements of the Municipalities Planning Code.

D. Consideration of Conditional Use Application. When a conditional use is provided for in this Chapter, The Township Board shall hear and decide requests for such conditional uses in accordance with stated standards and criteria in the Section of this Chapter that authorizes such conditional use. The Township Board may grant approval of a conditional use provided that the applicant complies with the express standards and the following standards for all conditional uses. The burden of proof shall rest with the applicant.
(1) Compliance with this Chapter. The applicant shall establish by credible evidence compliance with all standards and criteria for the conditional use enumerated in the Section which gives the applicant the right to seek the conditional use. The applicant shall provide the Township Board with

sufficient plans, studies or other data to demonstrate compliance with all applicable regulations

(2) Compliance with Other Laws. The applicant shall establish by credible evidence compliance with all applicable Township, State and Federal ordinances, statutes and regulations. The applicant shall provide the Township Board with sufficient plans, studies or other data to demonstrate compliance with all applicable regulations.

(3) Traffic and Public Services. The applicant shall establish by credible evidence that the proposed conditional use shall be properly serviced by all existing public service systems. The peak traffic generated by the subject of the application shall be accommodated in a safe and efficient manner or improvements made in order to effect the same. Similar responsibilities shall be assumed with respect to other public service systems including but not limited to fire protection, utilities, parks and recreation.

(4) Site Planning. The applicant shall establish by credible evidence that the proposed conditional use shall be in and of itself properly designed with regard to internal circulation, parking, buffering, and all other elements of proper design as specified in this Ordinance and any other governing law or regulation.

(5) Neighborhood. The proposed special exception shall not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and the use of property adjacent to the area included in the special exception application shall be adequately safeguarded.

E. Conditions. The Township Board, 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 district. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Chapter and be subject to the penalties described in this Chapter.

F. Modifications. The Township Board may, by conditional use approval, permit the modification of the provisions of the Ordinance which authorize the granting of the conditional use for Traditional Neighborhood Development, including but not limited to provisions relating to the percentage of types of dwelling units and the amount of commercial development, in order to encourage Traditional Neighborhood Development. A landowner desiring to obtain such conditional use approval shall, when making an application for the conditional use as required by this Section, also make application for conditional use approval under this Section.

The Township Board shall consider both conditional use approval requests simultaneously. However, the granting of a modification shall not have the effect of making null and void the intent and purpose the Section authorizing Traditional Neighborhood Development. Any conditional use to permit a modification of the

requirements of governing Traditional Neighborhood Development shall be subject to the following standards:

(1) The design and improvement of the development shall be in harmony with the purpose and intent of this Ordinance.
(2) The design and improvement of the development shall generally enhance the development plan, or in any case not have an adverse impact on its physical, visual or spatial characteristics.
(3) The design and improvement of the development shall generally enhance the streetscape and neighborhood, or in any case not have an adverse impact on the streetscape and neighborhood.
(4) The modification shall not result in configurations of lots or street systems which shall be impractical or detract from the appearance of the proposed development.
(5) The proposed modification shall not result in any danger to the public health, safety or welfare by making access to the dwellings by emergency vehicles more difficult, by depriving adjoining properties of adequate light and air or by violating the other purposes for which zoning ordinances are to be enacted under Section 604(1) of the Municipalities Planning Code.
(6) Landscaping and other methods shall be used to insure compliance with the design standards and guidelines of this Ordinance.
(7) The minimum lot size of any lot to be created shall not be reduced below the requirements of this Ordinance relating to cluster development or traditional neighborhood development, as applicable.
(8) The landowner shall demonstrate that the proposed modification will allow for equal or better results and represents the minimum modification necessary.

If the Township Board determines that the landowner has met his burden, it may grant a modification of the requirements of this Ordinance. In granting modifications, Township Board may impose such conditions as will, in its judgment, secure the objectives and purposes of this Ordinance.

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