

Walker Township

Centre County, Pennsylvania

Zoning Ordinance



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WALKER TOWNSHIP ZONING ORDINANCE

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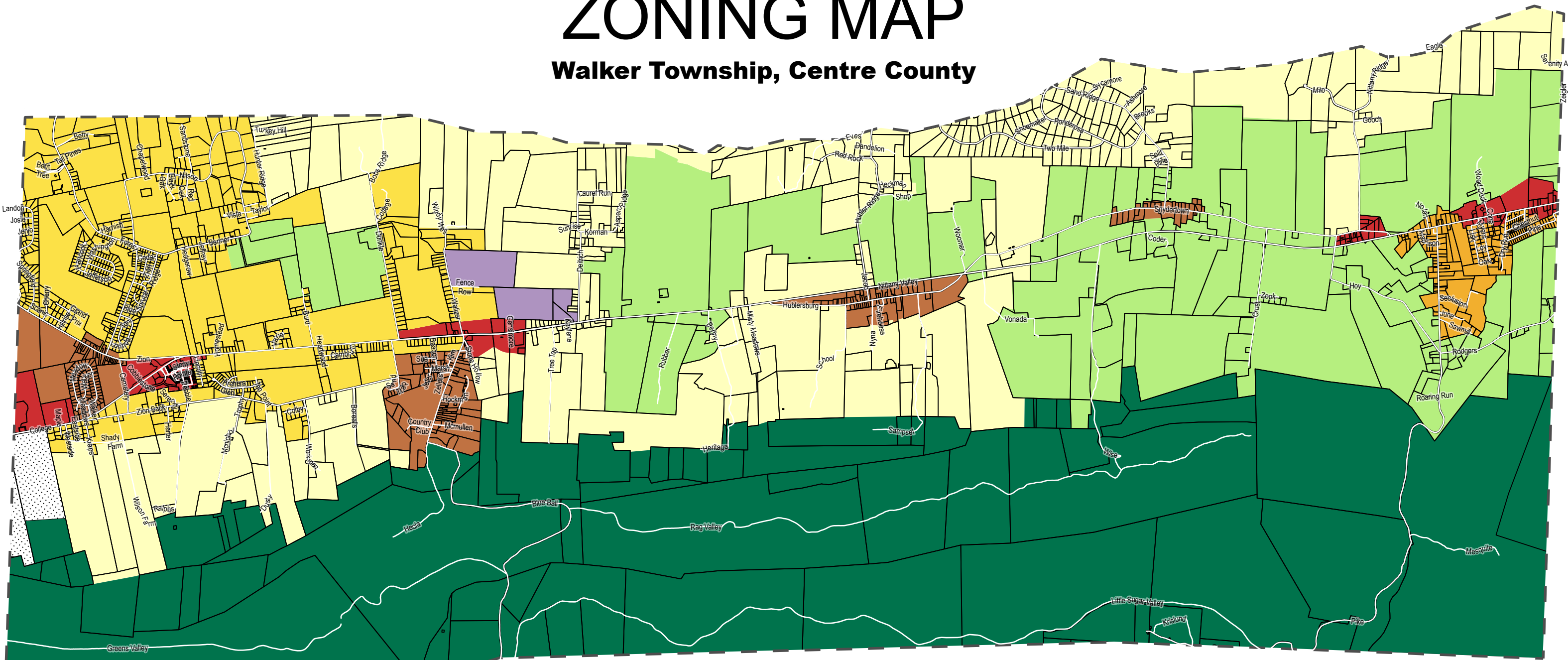
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
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ZONING MAP

Walker Township, Centre County



Zoning Districts

- | | |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|  Agriculture |  Residential Suburban |
|  Commercial General |  Residential Urban |
|  Woodland/Conservation |  Rural Residential |
|  Light Industrial |  Village |
|  Mineral Extraction | |

This map is part of the Official Zoning Ordinance of the Township of Walker, County of Centre, Pennsylvania, as adopted and amended the ____ day of _____, 2021.

Chairman

Vice-Chairman

Supervisor

Secretary



0 0.25 0.5 1 Miles

Article 1. TITLE, AUTHORITY, AND PURPOSE

100 SHORT TITLE

This Ordinance shall be known and be cited as the "Walker Township Zoning Ordinance of 2003" and is intended to serve as a comprehensive amendment of the Walker Township Zoning Ordinance enacted and ordained by the Township Board of Supervisors in September 1995.

101 AUTHORITY

The PA Municipalities Planning Code (P.L. 1329, Act 170, as reenacted December 21, 1988, and as subsequently amended) provides that the Supervisors of Walker Township may implement comprehensive plans or accomplish any of the purposes of the Planning Code by enacting a zoning ordinance.

The Supervisors of Walker Township, Centre County, PA, under the authority cited above, do hereby ordain that this Zoning Ordinance was enacted in order to promote and protect the health, safety, morals, and general welfare of the residents of the Township.

102 GENERAL PURPOSES

The zoning regulations and districts herein set forth were developed in accordance with an overall program for the Township, with consideration being given to the character of the area, the municipality's various parts, and the suitability of the various parts for particular uses and structures. As such, the regulations were designed to:

A. promote, protect, and facilitate:

- the public health, safety, morals, and the general welfare;
- coordinated and practical community development; and proper density of population;
- emergency management preparedness and operations, airports and national defense facilities;
- the provision of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as
- preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains;

- B. prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood, panic or other dangers;
- C. preserve prime agriculture and farmland considering topography, soil type and classification, and present use;
- D. provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing;
- E. accommodate reasonable overall' community growth and provide opportunities for development of a variety of residential dwelling types and nonresidential uses; and
- F. facilitate appropriate development of the Township, protect the tax base, and encourage economy in public expenditures.

103 COMMUNITY DEVELOPMENT OBJECTIVES

This Ordinance provides a legal basis and framework for future development in Walker Township. Its provisions were guided by the policy recommendations set forth in the Walker Township Comprehensive Plan of 1991, as amended by Resolution of the Township Board of Supervisors, dated December 10, 2003. The following list of goals represent the Township's legislative findings with respect to land use; density of population; the need for housing, commerce and industry; the location and function of streets and other community facilities and utilities; the need for preserving agricultural land and protecting natural resources, and other factors which the Board believes relevant in guiding the future development of the municipality.

- A GOAL# 1. Agricultural activities should be encouraged to continue within Walker Township in the future. Where possible, valuable farmland soils should be reserved for agricultural use, and agricultural production should be recognized as an important contributor to the region's economy.
- B. GOAL# 2. The Township's outstanding natural environment, its physical features and its natural resources should be recognized and protected by future development. The impact of the community's natural environment on its quality of life should be acknowledged and preserved for generations to come.
- C. GOAL# 3. Development types and densities should be guided and directed to the most appropriate and best-suited locations.
- D. GOAL# 4. Suitable, safe residential environments should be developed and maintained within the Township and a variety of housing types and styles should be made available for Township residents of all ages, family size, and income levels.

- E. GOAL # 5. Major new commercial and industrial growth in the Township should be limited and should be encouraged to locate only in areas designated for such activities.
- F. GOAL#6. The location and operation of mineral extraction activities should be closely regulated to avoid unnecessary disruptions or creating financial hardships for other land uses in the Township.
- G. GOAL# 7. Efficient, cost-effective public utilities and community facilities and services should continue to be provided for Township residents.
- H. GOAL # 8. An efficient, safe transportation network should be maintained in the Township.
- I. GOAL # 9. The Township's and region's heritage should be understood, respected, and protected by Township policies and initiatives.
- J. GOAL# 10. The Comprehensive Plan should be used as a guide for making land use decisions and as a basis for evaluating proposed actions which could affect future physical development of Walker Township. The Plan should also be used as a tool to communicate the municipality's policies to concerned individuals.
- K. GOAL # 11. Local and regional planning efforts and public sector expenditures should be coordinated to maximize the effectiveness of such investments; provide for orderly growth and development; and foster a pleasant, safe living environment.

104 DISCLAIMER OF MUNICIPAL LIABILITY

This Ordinance is not intended to create nor assume liability on the part of Walker Township or any officer or employee thereof for any fire, flood, or other damage that may result from reliance on this Ordinance or from any administrative decisions lawfully made thereunder. These regulations shall not guarantee a specific level of protection for any construction. The applicant shall in all cases rely on accepted engineering methods or building practices when designing or constructing structures approved pursuant to these regulations.

Article 2. DESIGNATION OF ZONING DISTRICTS

200 DESIGNATION OF DISTRICTS

For the purpose of implementing the objectives of this Ordinance, Walker Township is hereby divided into the following zoning districts:

| | |
|-----|-----------------------------------------------------------|
| RR | Rural Residential District |
| SR | Suburban Residential District |
| UR | Urban Residential District |
| V | Village District |
| C | General Commercial District |
| LI | Light Industrial District |
| ME | Mineral Extraction District |
| A | Agricultural District |
| W/C | Woodland/Conservation District |
| FP | General Floodplain District (<i>Overlying District</i>) |

201 DISTRICT PURPOSE STATEMENTS

A. RR Rural Residential District

It is the intent of this district to set aside areas of the Township where new, low density residential uses can be accommodated. Included in this district are areas north and west of Deitrich Road; areas south of Zion Back Road; areas south of generally surrounding the Village of Hublersburg; the acreage known as the "Woods at Sand Ridge" in the northcentral section of the Township; as well areas along the ridge at the Township's northern boundary. Public or municipal sewage treatment and/or water supply are generally not available in this zone. Minimum lot size requirements are therefore based upon the need to safeguard the health of the residents and to preserve the peaceful, rural character of these areas of the Township. Multi-family or higher density residential uses are not included in this zoning district, nor are other potentially incompatible non-residential uses.

B. SR Suburban Residential District

This district is designed to provide an area within the Township where low to moderate density, single and multi-family residential development can be situated and a safe, family home environment can be promoted. Areas set aside for this zone include sections of the municipality where this type of development already exists (i.e. Walker Meadows, Ridgecrest, and Smokerise Developments) and areas where further development of this nature could be located without creating conflicts with incompatible land uses (i.e. in the Zion Road and Forest Avenue region). Many of these areas presently have access to municipal sewer and/or public water services, and undeveloped areas included in this zone could be supplied with such services by prospective developers. Compatible public and semi-public uses are permitted in this zone, while

commercial activities or other uses which would interfere with the district's primary residential purpose are discouraged.

C. UR Urban Residential District

The purpose of this zone is to identify areas of the Township where moderate to high density residential development can be situated, along with associated institutional, recreational and compatible neighborhood retail uses. This district includes the Village of Nittany and some areas adjacent to that community. Regulations for this zone seek to protect and enhance, to the greatest extent possible, the past residential and non-residential investments that have occurred in this area. Public sewer and/or water supplies are now available throughout most of this zone.

D. V Village District

The Village District is intended to set aside those areas of the Township which can support the logical growth and co-existence of residential, institutional, and small-scale service-oriented retail activities serving rural "cross-roads" markets. Use regulations for this zone are intended to assure that new development will be consistent with the maintenance of a rural village atmosphere. Higher density residential uses may only be permitted in those areas of the zone with adequate sewer, water and transportation infrastructure. This district includes the municipality's established villages of Hublersburg, Mingoville, Zion, and Snyderstown

E. C General Commercial District

This district is established to accommodate retail and wholesale business activities serving both Township residents and a broader regional market. Areas set aside for this zone include those portions of the Township along PA Routes 64 and 550 where such uses already exist and additional areas along these Routes where further development of this nature is anticipated. The regulations governing this district permit the development of a wide range of shopping, service and other commercial activities, but require adequate off-street parking and loading areas, and appropriate buffer yards or screen plantings to be provided. Regulations also require that developers make all necessary arrangements with PADOT to safely accommodate the anticipated volumes of traffic entering and exiting their site, thereby helping to assure the efficient movement of people and goods to, from, and through the Township.

F. LI Light Industrial District

The purpose of this zone is to set aside segments of the Township where light industrial activities can be accommodated. The areas selected for the District (i.e. acreage north of PA Route 64 and east of Walizer Road, and at the western edge of the Township adjacent to PA Route 64) were chosen in an attempt to

consolidate the municipality's industrial operations, yet minimize potential negative effects caused by such uses. Regulations governing the zone prohibit industrial operations which could interfere with this purpose. Reasonable standards are included to address air pollution, noise, odors, glare, heat and potential fire and safety hazards. And, still other requirements insure that adequate buffer yards, planting strips and/or screenings are provided between the uses in this zone and other adjoining zoning districts, particularly residential areas.

G. ME Mineral Extraction District

This zone is intended to designate an area of Walker Township where mineral extraction activities may occur in the future. Acreage set aside for such operations is located at the western edge of the Township, south of PA Route 64, and adjacent to the Spring Township line. Standards are included to provide for adequate buffering and screening, or separation between these activities and adjoining land uses, and proposed developers are required to address a variety of environmental performance criteria. All uses unrelated to extractive operations, with the exception of agricultural or land cultivation activities, are prohibited within this zone.

H. A Agricultural District

The purpose of this district is to preserve and protect those areas of Walker Township which are predominantly agricultural in use and those portions of the municipality which have the highest quality soils. Land cultivation and related agricultural production activities, including animal husbandry, are encouraged in these areas, as is the maintenance of the area's rural and semi-rural countryside qualities and character. The intent of such designation is to permit those lands best suited for agriculture (including pasture and grazing lands) to be utilized for that purpose and to discourage incompatible land uses from encroaching into these areas. All types of agricultural activities, including agribusinesses, are provided for, and residential uses, while allowed, are permitted only at a low density. The agricultural designation is intended to encourage farmers to invest in farm improvements and to discourage land speculation for residential development in these areas of the Township.

I. W/C Woodland/Conservation District

It is the intent of this district to recognize woodlands and other environmentally sensitive areas of the Township as significant land uses and encourage their protection against destruction or elimination. This zone includes large tracts of wooded or forested lands, as well as steep slope areas and wetlands or hydric soil areas. This zone acknowledges the value of conserving land as a natural resource and recognizes the problems which can occur with over-utilization or improper development of such areas, including soil erosion, stream and drainageway sedimentation, water supply contamination, and loss of wildlife habitat areas. The regulations governing this district therefore provide for uses which will support these environmental protection objectives.

J. FP General Floodplain District (Overlying District)

The intent of this district is to prevent the loss of property and life; the creation of health and safety hazards; the disruption of commercial and governmental services; and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. To achieve this end, permitted uses must be floodproofed against flood damage. (See Article 6.) In these floodplain areas, development and/or the use of land shall be permitted 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 requirements of this and all other Township codes and ordinances.

202 ZONING MAP

- A. The locations and boundaries of the zoning districts are hereby established as shown on the Official Zoning Map, which is made a part of this Ordinance together with all future notations, references and amendments. A copy of the Official Zoning Map shall be on file in the Walker Township Municipal Building and in the office of the Township Zoning Officer.
- B. No change of any nature shall be made to the Official Zoning Map, except in conformance with the procedures set forth in Section 1100 of this Ordinance. The final authority as to the current status of zoning districts shall be the Official Zoning Map. Any changes made to the zoning districts shall be made on the Official Zoning Map promptly after the amendment has been approved by the Township Board of Supervisors, and shall include the date of the amendment, a brief description of the change, and the signature of the Chairman of the Board of Supervisors in the "Revision" block.

203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

A. Designation of District Boundaries

The district boundary lines, except for the floodplain districts, are intended to generally follow the centerlines of streets, highways, railroad rights-of-way, existing lot lines, municipal boundary lines, or streams or may be designated on the Official Zoning Map by a specific dimension from a road centerline or other boundary as indicated.

B. Determination of Boundary Locations

Where uncertainty exists with respect to the actual location of a district boundary line in a particular instance, the Zoning Officer shall request the Zoning Hearing Board to render its interpretation with respect thereto. Provided however, no boundary shall be changed by the Zoning Hearing Board. (The Zoning Hearing Board may request recommendations from the Township Planning Commission prior to making such decisions.) If the true location of the boundary cannot be determined by interpretation of the Zoning Hearing Board, a request for corrective action shall be filed with the Township Supervisors.

C. Severed Lots

Where a district boundary line divides a lot which was in single ownership at the time of adoption of this Ordinance or amendment thereto, the Zoning Officer may permit the extension of the regulations for either zone into the remaining portion of the lot for a distance not to exceed 50 feet beyond the district line, provided that the Zoning Officer determines such extension is consistent with the purposes of this Ordinance, including all floodplain management regulations.

204 FLOODPLAIN DISTRICT BOUNDARY CHANGES

The delineation of any boundary of the floodplain district may be revised by the Township Supervisors in accordance with the amendment procedure outlined in Section 1100 of this Ordinance where natural or man-made changes have occurred and more detailed studies have been conducted by a qualified agency or individual, such as the U.S. Army Corps of Engineers. No change in any floodplain boundary shall be made unless the municipality has sought and obtained approval for said change from the Federal Emergency Management Agency (FEMA) as per the National Flood Insurance Program regulations and has received a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) from FEMA for the proposed boundary change.

Article 3. DISTRICT REGULATIONS

300 APPLICATION OF DISTRICT REGULATIONS

The regulations set forth in this Article for each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as may be hereinafter provided.

- A. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered to:
 - 1. exceed the height or bulk;
 - 2. accommodate or house a greater number of persons or families;
 - 3. occupy a greater percentage of lot area; or to
 - 4. have narrower or smaller rear yards, front yards, side yards or other open space;than is required in this Article, or in any other manner be contrary to this Ordinance.
- C. No yard or lot existing at the time of adoption of this Ordinance shall be reduced in dimension or area below the minimum requirements herein specified for the district in which it is located.
- D. The commencement of any of the uses or activities listed in this Article (the District Regulations) shall require the issuance of a Zoning Permit from the Township Zoning Officer, except as may be exempted by Section 1202 A. of this Ordinance.

301 USE REGULATIONS AND DIMENSIONAL REQUIREMENTS

The specific use regulations and dimensional requirements pertaining to each district are contained on the charts that follow, namely Sections 302-311.

Permissible USES AND STRUCTURES are presented in the first four columns of the chart for each district. Applications for activities listed in the columns titled Permitted Principal and Permitted Accessory Uses and Structures may be approved by the Zoning Officer upon finding that the proposed use meets the Ordinance requirements. Activities listed in the Special Exception Uses and Structures column must be reviewed and approved by the Township Zoning Hearing Board, and uses listed in the Condition Uses and Structures column must be reviewed and approved

by the Township Supervisors. (See Appendix E and Appendix G of this Ordinance for an illustration of the Special Exception and Condition Use procedures, and Sections 1001 D. and 1101, respectively, for specific details of the process.)

Specific LOT, YARD AND OPEN SPACE REQUIREMENTS are presented in the final three columns of each district chart. Applications for uses which do not meet the dimensional requirements for the district in which they are to be located, may be submitted to the Township Zoning Hearing Board for variance consideration. (See Appendix D of this Ordinance for an illustration of the variance procedure, and Section 1001 C. for specific details of the process.)

The USE REGULATIONS are also presented by category of use in the TABLE OF USES which can be found in Appendix A of this Ordinance and general dimensional requirements are presented in the TABLE OF DIMENSIONAL REQUIREMENTS which can be found in Appendix B.

Section 302

RR Rural Residential District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> 1. Single-family detached dwellings. (See 402) 2. Mobile homes on individual lots. (See 402) 3. Churches or places of worship. 4. Parks or playgrounds. 5. Land cultivation. 6. Horticultural activities, including nurseries, greenhouses, &/or orchards. 7. Forestry or forest management activities. (See 418) 8. Raising of livestock &/or poultry, excluding concentrated animal feeding operations. (See 417) | <ul style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Temporary roadside stands. 3. Swimming pools. (See 421) 4. No-impact home-based businesses and home occupations. (See 422) 5. Family day care homes or accessory group day care homes. 6. Stabling of horses for personal use. (See 417A.) 7. Signs. (See 703) 8. Off-street parking and/or loading areas. (See 800 & 801) | <ul style="list-style-type: none"> 1. Two-family dwellings; i.e. duplexes. (See 402) 2. Conversion apartments up to two dwelling units. (See 403) 3. Group homes. (See 409) 4. Group day care homes, day care centers, or nursery schools. 5. Bed and breakfast establishments. (See 410) 6. Seasonal dwellings. 7. Stables & riding academies. 8. Animal hospitals &/or kennels. 9. Cemeteries | <ul style="list-style-type: none"> 1. Residential cluster developments. (See 407) 2. Public or private schools (K-12) 3. Outdoor commercial recreation uses, including golf courses, campgrounds, RV parks, and. similar activities. (See 419) 4. Utility supply facilities. |

Section 302

RR Rural Residential District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <u>Minimum Lot Area Per Principal Structure or Use</u></p> <p>a. <u>Residential Uses (including Seasonal Dwellings)</u></p> <p>1) <u>Single-Family Detached Dwellings or Group Homes</u></p> <p>a) <u>On-Lot Sewage</u> - 1 acre (43,560 sq.ft.) per dwelling unit.</p> <p>b) <u>Public or Community Sewer</u> - 1/2 acre (21,780 sq.ft.) per dwelling unit.</p> <p>2) <u>Two-Family Dwellings or Conversion Apartments</u> -</p> <p>a) <u>On-lot Sewage</u> - 30,000 sq.ft. per dwelling unit.</p> <p>b) <u>Public or Community Sewer</u> - 15,000 sq.ft. per dwelling unit.</p> <p>3) <u>Residential Cluster Developments</u> (Public or Community Sewer AND Water Only) - 10 acres.</p> <p>b. <u>Agricultural Uses</u> -</p> <p>1) <u>Stabling of Horses, Animal Hospitals. & Kennels</u> - 2 acres.</p> <p>2) <u>Riding Stables and Riding Academies</u> - 5 acres.</p> <p>c. <u>All Other Principal Uses</u> - 1 acre (43,560 sq.ft.) per use, except as provided below.</p> <p>1) <u>outdoor Commercial Recreation Uses</u> - 5 acres.</p> <p>2) <u>Churches of Places of Worship</u> - 5 acres.</p> <p>d. Regardless of the minimums provided above, all lots must meet the requirements of the PA Sewage facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width</u>: (measured at the building setback line).</p> <p>a. <u>On-Lot Sewage</u> - 150 feet.</p> <p>b. <u>Public or Community Sewer</u> - 100 feet.</p> <p>3. <u>Maximum Building Coverage</u>: 20%.</p> | | |
| | <p>1. <u>Front Yard</u>: 30 feet from edge of road right-of-way or 55 feet from road centerline, whichever is greater.</p> <p>2. <u>Side Yards</u>:</p> <p>a. <u>Residential Uses</u> - 15 feet each side.</p> <p>b. <u>All Other Uses</u> - 25 feet each side.</p> <p>3. <u>Rear Yard</u>:</p> <p>a. <u>Residential Uses</u> - 15 feet.</p> <p>b. <u>All Other Uses</u> - 25 feet.</p> | <p>1. <u>Principal Structure</u>: 40 feet.</p> <p>2. <u>Accessory Structures</u>: 25 feet.</p> <p>3. <u>Agricultural Structures</u>: No maximum.</p> |

Section 303

SR Suburban Residential District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| 1. Single-family detached dwellings. (See 402) 2. Mobile homes on individual lots. (See 402) 3. Two-family dwellings; i.e. duplexes. (See 402) 4. Conversion apartments (up to 2 dwelling units). (see 402) 5. Churches or places of worship. 6. Government or municipal buildings or community centers. 7. Parks or playgrounds. 8. Land cultivation. 9. Horticultural activities, including nurseries, greenhouses, &/or orchards. 10. Forestry or forest management activities. (See 418). | 1. Uses & structures customarily incidental to an approved principal use. 2. Swimming pools. (See 421). 3. No-impact home-based businesses and home occupations. (See 422) 4. Family day care homes or accessory group day care homes. 5. Temporary roadside stands. 6. Stabling of horses for personal use. (See 417A.) 7. Signs. (See 703) 8. Off-street parking and/or loading areas. (See 800 & 801) | 1. Conversion apartments (more than 2 dwelling units). (See 403) 2. Single-family attached dwelling structures; i.e. townhouses (up to 4 dwelling units). (See 404) 4. Group homes. (See 409) 3. Multi-family dwelling structures; i.e. apartment buildings (up to 4 dwelling units). (See 405) 4. Group homes. (See 409) 5. Group day care homes, day care centers, or nursery schools. 6. Bed and breakfast establishments. (See 410) 7. Cemeteries. | 1. Multi-family housing developments. (See 406) 2. Residential cluster developments. (See 407) 3. Public or private schools (K-12) 4. Utility supply facilities. |

Section 303

SR Suburban Residential District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <u>Minimum Lot Area Per Principal Structure or Use</u></p> <p>a. <u>Residential Uses</u></p> <p>1) Single-Family Detached Dwellings or Group Homes</p> <p>a) <u>On-Lot Sewage</u> · 30,000 sq.ft. per dwelling unit.</p> <p>b) <u>Public or Community Sewer</u> · 15,000 sq.ft. per dwelling unit.</p> <p>2) <u>Two-Family Dwellings or Conversion Apartments</u>-</p> <p>a) <u>On-Lot Sewage</u> · 20,000 sq.ft. per dwelling unit.</p> <p>b) <u>Public or Community Sewer</u> · 10,000 sq.ft. per dwelling unit.</p> <p>3) <u>Single-Family Attached Dwelling Structures</u> (Public or Community Sewer <u>AND</u> Water Only) · 15,000 sq.ft. + 5,000 sq. ft. per dwelling unit.</p> <p>4) <u>Multi-Family Dwelling Structures</u> (Public or Community Sewer <u>AND</u> Water Only) · 15,000 sq.ft. + 3,500 sq.ft. per dwelling unit.</p> <p>5) <u>Multi-Family Housing Developments</u> (Public or Community Sewer <u>AND</u> Water Only) 5 acres.</p> <p>6) <u>Residential Cluster Developments</u> (Public or Community Sewer <u>AND</u> Water Only) · 10 acres.</p> <p>(continued on next page)</p> | <p>1. <u>Front Yard</u>:</p> <p>a. <u>Residential Uses</u></p> <p>1) Adjacent to PA 64 · 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater.</p> <p>2) <u>All Other Streets</u> · 30 feet from edge of road R/W, or 55 feet from centerline, whichever is greater.</p> <p>b. All Other Uses · 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater.</p> <p>2. <u>Side Yards</u>:</p> <p>a. Residential Uses - 15 feet each side.*</p> <p>b. All Other Uses - 25 feet each side.</p> <p>3. <u>Rear Yard</u>:</p> <p>a. Residential Uses - 15 feet.</p> <p>b. All Other_ Uses - 50 feet.</p> <p> * <u>NOTE: No side yard shall be required where fireproof common walls, approved by the PA Department of Labor & Industry, are used.</u></p> | <p>1. <u>Principal Structure</u>: 40 feet.</p> <p>2. <u>Accessory Structures</u>: 25 feet.</p> <p>3. <u>Agricultural Structures</u>: No maximum</p> |

Minimum Lot Requirements continued
(See Section 501)

- b. All Other Principal Uses- 1 acre (43,560 sq.ft.) per use, except as provided below.
 - 1) Stabling of Horses - 2 acres.
 - 2) Churches of Places of Worship - 2 acres.
- c. Regardless of the minimums provided above, all lots must meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.
- 2. Minimum Lot Width: (measured at the building setback line)
 - a. Residential Uses -
 - 1) On-Lot Sewage - 100 feet.
 - 2) Public or Community Sewer
 - a) Single-Family Detached Dwellings and Other Residential Uses - 80 feet •
 - b) Single-Family Attached Dwelling Structures - 20 feet per dwelling unit (+ applicable side yard requirements).
 - b. All Other Principal Uses. - 150 feet.
- 3. Maximum Building Coverage: 30%

Section 304

UR Urban Residential District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| <ul style="list-style-type: none"> 1. Single-family detached dwellings. (See 402) 2. Two-family dwellings; i.e. duplexes. (See 402) 3. Conversion apartments (up to 2 dwelling units). (see 402) 4. Churches or places of worship. 5. Government or municipal buildings or community centers. 6. Police or Fire Stations 7. Parks or playgrounds. 8. Bed and breakfast establishments. (See 410) 9. Business or professional offices. 10. Medical or dental offices or clinics 11. Funeral homes. 12. Clubs, lodges or fraternal organization facilities. 13. Land cultivation. 14. Forestry or forest management activities. (See 418) | <ul style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Swimming pools. (See 421). 3. No-impact home-based businesses and home occupations. (See 422) 4. Family day care homes or accessory group day care homes. 5. Accessory residential uses. (See 426) 6. Signs. (See 703) 7. Off-street parking and/or loading areas. (See 800 & 801) | <ul style="list-style-type: none"> 1. Conversion apartments (more than 2 dwelling units. (See 403) 2. Single-family attached dwelling structures; i.e. townhouses (up to 8 dwelling units). (See 404) 3. Multi-family dwelling structures; i.e apartment bldgs. (up to 8 dwelling units. (See 405) 4. Group homes or institutional residences. (See 409) 5. Personal care or nursing homes. 6. Group day care homes, day care centers, or nursery schools. 7. Boarding or rooming homes. 8. Personal service businesses. (See 411) 9. Neighborhood retail activities. (See 411) 10. Outdoor commercial recreation uses, including golf driving ranges, miniature golf, & similar activities. (See 419) 11. Parks or playgrounds. | <ul style="list-style-type: none"> 1. Multi-family housing Developments. (See 406) 2. Mobile home parks. (See 408) 3. Public or private schools (K-12) 4. Utility supply facilities. |

UR Urban Residential District
Lot, Yard and Open Space Requirements

*** NOTE: No side yard shall be required where fireproof common walls, approved by the PA Department of Labor & Industry, are used.**

Section 304

UR Urban Residential District

Lot, Yard and Open Space Requirements

Minimum Lot Requirements continued
(See Section 501)

d. Regardless of the minimums provided above, all lots must meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.

2. Minimum Lot Width: (measured at the building setback line)

a. Residential Uses

1) On-Lot Sewage - 100 feet.

2) Public or Community Sewer -

a) Single-Family Detached Dwellings and Other Residential Uses - 80 feet •

b) Single-Family Attached Dwelling Structures - 20 feet per dwelling unit (+ applicable side yard requirements).

b. All Other Principal Uses •

1) on-Lot Sewage - 100 feet.

2) Public or Community Sewer - 80 feet.

3. Maximum Building Coverage (Residential Uses): 30%.

4. Maximum impervious Surface (Non-residential Uses): 50%.

Section 305

V Village District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| <ul style="list-style-type: none"> 1. Single-family detached dwellings. (See 402) 2. Two-family dwellings; i.e. duplexes. (See 402) 3. Conversion apartments (up to 2 dwelling units). (See 402) 4. Churches or places of worship. 5. Government or municipal buildings or community centers. 6. Police or Fire Stations 7. Libraries, museums', or cultural facilities. 8. Bed and breakfast establishments. (See 410) 9. Clubs, lodges or fraternal organization facilities. 10. Parks or playgrounds. 11. Land cultivation. 12. Forestry or forest management activities. (See 418) | <ul style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Swimming pools. (See 421). 3. No-impact home-based businesses and home occupations. (See 422) 4. Family day care homes or accessory group day care homes. 5. Accessory residential uses. (See 426) 6. Signs. (See 704) 7. Off-street parking and/or loading areas. (See 800 & 801) | <ul style="list-style-type: none"> 1. Conversion apartments (more than 2 dwelling units). (See 403). 2. Boarding or rooming homes. 3. Personal care or nursing homes. 4. Group homes.(see 409) 5. Group day care homes, day care centers, or nursery schools. 6. Business, professional, or financial offices. 7. Medical or dental offices or clinics. 8. Funeral homes. 9. Cemeteries. 10. Country Inns. (See 411) 11. Coffee shops, tea rooms, or cafes. (See 411) | <ul style="list-style-type: none"> 1. Public or private schools (K-12) 2. Institutional residences. (See 409) 3. Nursing homes. 4. Personal service businesses. 5. Outdoor commercial recreation uses, including golf courses, golf driving range, miniature golf, & similar activities. (See 419) 6. Utility supply facilities. 7. Neighborhood retail uses. |

Section 305

V Village District

Uses and Structures

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <u>Minimum Lot Area Per Principal Structure or Use</u></p> <p>a. <u>Residential Uses</u> -</p> <p>1) <u>Single-Family Detached Dwellings or Group Homes</u> -</p> <p>a) <u>On-Lot Sewage</u> - 30,000 sq.ft. per dwelling unit.</p> <p>b) <u>Public or Community Sewer</u> - 10,000 sq.ft. per dwelling unit.</p> <p>2) <u>Two-Family Dwellings or Conversion Apartments</u> -</p> <p>a) <u>on-Lot Sewage</u> - 20,000 sq.ft. per dwelling unit.</p> <p>b) <u>Public or Community sewer</u> - 5,000 sq.ft. per dwelling unit.</p> <p>b. <u>Churches or Places of Worship</u> - 1 acre (43,560 sq.ft.)</p> <p>c. <u>All Other Principal Uses</u> -</p> <p>1) <u>On-Lot Sewage</u> - 30,000 sq.ft. per use.</p> <p>2) <u>Public or Community Sewer</u> - 15,000 sq.ft. per use.</p> <p>d. <u>Regardless of the minimum provided above</u>, all lots must meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width</u>: (measured at the building setback line)</p> <p>a. <u>Residential Uses</u> -</p> <p>1) <u>on-Lot Sewage</u> - 100 feet.</p> <p>2) <u>Public or Community Sewer</u> - 60 feet.</p> <p>b. <u>All Other principal Uses</u></p> <p>1) <u>On-Lot Sewage</u> - 100 feet.</p> <p>2) <u>Public or Community Sewer</u> - 80 feet.</p> <p>3. <u>Maximum Building Coverage (Residential Uses)</u>: 30%.</p> <p>4. <u>Maximum impervious Surface (Non-residential Uses)</u>: 70%.</p> | <p>1. <u>Front Yard</u>:</p> <p>a. <u>Adjacent to PA 64</u> - 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater.</p> <p>b. <u>All Other Streets</u></p> <p>1) <u>New Development</u> - 20 feet from edge of road R/W, or 45 feet from centerline, whichever is greater.</p> <p>2) <u>Within Existing Developed Areas</u> - in line with existing buildings.</p> <p>2. <u>Side Yards</u>:</p> <p>a. <u>Residential Uses</u> - 5 feet each side.</p> <p>b. <u>All Other Uses</u> - 10 feet each side. *</p> <p>3. <u>Rear Yard</u>:</p> <p>a. <u>Residential Uses</u> - 15 feet.</p> <p>b. <u>All Other Uses</u> - 50 feet.</p> | <p>1. <u>Principal Structure</u>: 40 feet.</p> <p>2. <u>Accessory Structures</u>: 25 feet.</p> <p>3. <u>Agricultural Structures</u>: No maximum</p> <p> </p> <p><i>* NOTE: No side yard shall be required where fireproof common walls, approved by the PA Department of Labor & Industry, are used.</i></p> |

Section 306

C General Commercial

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| <ul style="list-style-type: none"> 1. Retail & personal service business establishments. (See 411) 2. Business, professional, or financial offices. 3. Medical, dental or veterinary offices or clinics. 4. Police or fire stations. 5. Funeral homes. 6. Automotive sales facilities. 7. Horticultural nurseries, greenhouses, or garden shops. | <ul style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Roadside stands. 3. Swimming pools. (See 421) 4. Home occupations. (See 422) 5. Family day care homes or accessory group day care homes. 6. Accessory residential uses. (See 426) | <ul style="list-style-type: none"> 1. Automotive service stations &/or repair shops. (See 412) 2. Personal storage warehouses. (See 411) 3. Recycling drop-off centers. 4. Group day care homes or day care centers. 5. Advertising sign boards. (See 705D) | <ul style="list-style-type: none"> 1. Multi-tenant shopping or service complexes. 2. Adult entertainment establishments. (See 413) 3. Utility supply facilities. 4. Crematoriums. 5. outdoor commercial recreation uses, including golf courses, golf driving ranges, miniature golf, and similar activities. (See 419) |
| <ul style="list-style-type: none"> 8. Public entertainment establishments, excluding adult entertainment. (See Conditional Uses) 9. Grocery stores or convenience markets. (See 411) 10. Hotels, motels, or commercial lodging facilities. (See 411) 11. Restaurants, bars &/or taverns. (see 411) 12. Land cultivation 13. Forestry or forest management activities. (See 418) 14. Churches & Places of Worship | | | |

Section 306

C General Commercial

Lot, Yard and Open Space Requirement

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
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| <p>1. <u>Minimum Lot Area Per Principal Structure or Use:</u> a. <u>No minimum</u>; however, each lot shall be of sufficient size to provide for all proposed buildings and structures, and shall meet all required service, access, parking, loading, and open space standards. b. All lots shall also meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width:</u> 150 feet (measured at the building setback line).</p> <p>3. <u>Maximum Building Coverage:</u> 40%.</p> <p>4. <u>Maximum impervious Surface:</u> 70%. *</p> <p>* <u>NOTE:</u> Where stormwater runoff from the roof of a building is diverted into properly constructed underground detent basins or sump areas (as determined by the County Conservation District), the space occupied by such building may be considered as "pervious" for the purpose of calculating the tract's minimum impervious surface.</p> | <p>1. <u>Front Yard</u> a. <u>Buildings</u> - 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater. b. <u>Parking Areas</u> - 25 feet from edge of road R/W. (No parking shall be permitted within this required setback area.)</p> <p>2. <u>Side Yards:</u> a. <u>Buildings</u> - 15 feet each side when abutting a nonresidential use; 25 feet when abutting a residential district or use. ** b. <u>Parking and/or Loading-Areas</u> - 10 feet each side when abutting a nonresidential use; 25 feet when abutting a residential district or use.</p> <p>3. <u>Rear Yard</u> a. <u>Buildings</u> 1) <u>Principal Structures</u> – 50 feet. 2) <u>Accessory Structures</u> - 25 feet. b. <u>Parling and/or Loading Areas</u> – 10 feet when abutting a nonresidential use; 25 feet when abutting a residential a residential district or use.</p> <p>**<u>NOTE:</u> No side yard shall be required where Fireproof Common walls, approved by the PA Department of Labor and Industry, are used.</p> | <p>1. <u>Principal Structure:</u> 40 feet.</p> <p>2. <u>Accessory Structures:</u> 30 feet.</p> <p>3. <u>Agricultural Structures:</u> No maximum</p> |

Section 307

LI Light Industrial District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| <ul style="list-style-type: none"> 1. Enclosed manufacturing, processing, or assembly operations. (See 414) 2. Research & development facilities, engineering, or testing laboratories. (See 414) 3. Enclosed warehousing or storage facilities, excluding distribution or freight terminals. (See Conditional Uses) 4. Printing, binding, or publishing operations. (See 414) 5. Machine shops. (See 414) 6. Lumber yards. 7. Contractor's shops & yards. 8. Land cultivation. 9. Horticultural nurseries or greenhouses. 10. Forestry or forest management activities. (See 418) | <ul style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Administrative offices. 3. Sales or retail outlets associated with an approved principal use. 4. Accessory warehousing or storage facilities associated with an approved principal use. 5. Signs. (See 705) 6. Off-street parking and/or loading areas. (See 800 & 801) | <ul style="list-style-type: none"> 1. Moving Companies or parcel delivery transfer stations. (See 414) 2. Sawmills. | <ul style="list-style-type: none"> 1. Multi-tenant industrial facilities or industrial parks. 2. Unenclosed manufacturing or industrial operations. (See 414) 3. Wholesale distribution or freight terminals. (See 414) 4. Utility supply facilities. |

Section 307

LI Light Industrial District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
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| <p>1. <u>Minimum Lot Area Per Principal Structure or Use:</u></p> <p>a. <u>No minimum</u>; however, each lot shall be of sufficient size to provide for all proposed buildings and structures, and shall meet all required service, access, parking, loading, and open space standards.</p> <p>b. <u>All lots</u> shall also meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width:</u> 150 feet (measured at the building setback line).</p> <p>3. <u>Maximum Building Coverage:</u> 50%.</p> <p>4. <u>Maximum impervious Surface:</u> 80%. *</p> <p>* <u>Note:</u> Where stormwater runoff from the roof of a building is diverted into properly constructed underground detent basins or sump areas (as determined by the County Conservation District), the space occupied by such building may be considered as "pervious" for the purpose of calculating the tract's minimum impervious surface.</p> | <p>1. <u>Front Yard</u></p> <p>a. <u>Buildings</u> - 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater.</p> <p>b. <u>Parking Areas</u> - 25 feet from edge of road R/W. (No parking shall be permitted within this required setback area.)</p> <p>2. <u>Side Yards:</u></p> <p>a. <u>Buildings</u> - 25 feet each side when abutting a nonresidential use; 50 feet when abutting a residential district or use. **</p> <p>b. <u>Parking Areas</u> - 25 feet from edge of road R/W. (No parking shall be permitted within this required setback area.)</p> <p>3. <u>Rear Yard</u></p> <p>a. <u>Buildings</u></p> <p>1) <u>Principal Structures</u> – 50 feet.</p> <p>2) <u>Accessory Structures</u> - 25 feet.</p> <p>b. <u>Parking and/or Loading Areas</u> – 10 feet when abutting a nonresidential use; 25 feet when abutting a residential a residential district or use.</p> <p>**<u>NOTE:</u> No side yard shall be required where Fireproof Common walls, approved by the PA Department of Labor and Industry, are used.</p> | <p>1. <u>Principal Structure:</u> 50 feet.</p> <p>2. <u>Accessory Structures:</u> 30 feet.</p> <p>3. <u>Agricultural Structures:</u> No maximum</p> |

Section 308

ME Mineral Extraction District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
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| 1. Enclosed warehousing or storage facilities, excluding distribution or freight terminals. (See 414) 2. Contractor's shops & yards. 3. Land cultivation. 4. Forestry or forest management activities. (See 418) 5. Business or professional offices or office buildings. | 1. Uses & structures customarily incidental to an approved principal use. 2. Administrative offices. 3. Accessory warehousing or storage facilities associated with an approved principal use. 4. Signs. (See 705) 5. Off-street parking and/or loading areas. (See 800 & 801) | | 1. Mineral extraction operations. (See 415) 2. Mixing or batching plants for extracted materials. (See 415E.) 3. Junk yards or auto salvage operations. (See 416) 4. Utility supply facilities. 5. Multi-tenant industrial facilities or industrial parks. |

Section 308

ME Mineral Extraction District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
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| <p>1. <u>Minimum Lot Area Per Principal Structure or Uses</u> a. <u>No minimum</u>; however, each lot shall be of sufficient size to provide for all proposed buildings and structures, and shall meet all required service, access, parking, loading, and open space standards. b. <u>All lots</u> shall also meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width</u>: 300 feet (measured at the building setback line).</p> <p>3. <u>Maximum Building Coverage</u>: 50%.</p> <p>4. <u>Maximum Impervious Surface</u>: 80%. *</p> <p>* <u>NOTE</u>: Where stormwater runoff from the roof of a building is diverted into properly constructed Underground detention basins or sump areas (as determined by the County Conservation District), the space occupied by such building may be considered as "pervious" for the purpose of calculating the tract's maximum impervious surface.</p> | <p>1. <u>Front Yard</u>: a. <u>Warehousing Uses</u> · 50 feet from edge of road R/W, or 75 feet from center line, whichever is greater. b. <u>All Other Uses</u> · 150 feet from edge of road R/W.</p> <p>2. <u>Side Yards</u>: a. <u>Warehousing Uses</u> - 25 feet each side when abutting a nonresidential use; 50 feet when abutting a residential district or use. b. <u>All Other Uses</u> - 125 feet each side.</p> <p>3. <u>Rear Yard</u>: a. <u>Warehousing Uses</u> · 50 feet. b. <u>All Other Uses</u> – 1) <u>Principal Structures</u> · 150 feet. 2) <u>Accessory Structures</u> · 50 feet.</p> | <p>1. <u>Principal Structures</u>: 45 feet.</p> <p>2. <u>Accessory Structures</u>: 30 feet.</p> <p>3. <u>Agricultural Structures</u>: No maximum</p> |

Section 309

A Agricultural District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Land cultivation. 2. Raising of livestock &/or poultry, excluding concentrated animal feeding operations. (See Condition Uses & 417) 3. Horticultural activities, including nurseries, greenhouses, orchards, &/or garden shops. 4. Stables or riding academies. 5. Veterinary clinics, animal hospitals, &/or kennels. 6. Public or private land conservation areas, including state game and forest lands, wildlife or nature preserves. 7. Forestry or forest management activities. (See 418) 8. Single-family detached dwellings. (See 402) 9. Mobile homes on individual lots. (See 402) | <ol style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Roadside stands for sale of products grown on the premises. 3. Farm-related businesses for the processing, storage, or sale of products produced or raised on the premises. (See 423) 4. Swimming pools. (See 421) 5. Home occupations. (See 422) 6. Family day care homes or accessory group day care homes. 7. Signs. (See 706) 8. Off-street parking and/or loading areas. (See 800 & 801) | <ol style="list-style-type: none"> 1. Agri-businesses. (See 425) 2. Cottage industries. (See 424) 3. Community centers or grange halls. 4. Seasonal dwellings/hunting camps. 5. Conversion apartments (up to 2 dwelling units). (See 403) 6. Group homes. (See 409) 7. Bed and breakfast establishments. (See 410) 8. Churches or places of worship. 9. Cemeteries. | <ol style="list-style-type: none"> 1. Concentrated animal feeding operations. (See 417B.) 2. Public or private schools. 3. Outdoor commercial recreation uses, including campgrounds, RV parks, and similar activities. (See 419) 4. Parks or playgrounds. 5. Utility supply facilities. 6. Correctional facilities. |

Section 309

A Agricultural District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <u>Minimum Area Per Principal Structure or Use:</u></p> <p>a. <u>Agricultural Uses</u> -</p> <ol style="list-style-type: none"> 1) <u>Land Cultivation</u> - 1 acre. 2) <u>Agri-businesses</u> - 5 acres 3) <u>Raising of Livestock and/or Poultry</u> · See 417 A.3. 4) <u>Concentrated Animal Feeding Operations</u> - 25 acres (See also Section 417 B.) 5) <u>Riding Academies or Commercial Stables</u> - 10 acres. 6) <u>All Other Agricultural Uses</u> - 2 acres. <p>b. <u>Residential Uses</u> (including Seasonal Dwellings and Hunting Camps)</p> <ol style="list-style-type: none"> 1) <u>Single-Family Detached Dwellings or Group Homes</u> - 1 acre per dwelling unit. (See also Section 417 c. for Non-Agricultural Subdivision Regulations.) 2) <u>Conversion Apartments</u>- 30,000 sq.ft. per dwelling unit. <p>c. <u>Recreational Uses</u> -</p> <ol style="list-style-type: none"> 1) <u>Campgrounds or RV Parks</u> - 5 acres. 2) <u>Sporting Clays or Skeet Shooting Ranges</u>. Ski Resorts and Similar Activities - 10 acres. <p>d. <u>All Other Principal Uses</u> - 2 acres.</p> <p>e. <u>Regardless</u> of the minimums provided above, all lots must meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width:</u> (measured at the building setback line).</p> <ol style="list-style-type: none"> a. <u>Residential Uses</u> · 150 feet. b. <u>All Other Principal Uses</u>- 200 feet. <p>3. <u>Maximum Building Coverage:</u> 15%</p> | <p>1. <u>Front Yard:</u></p> <p>a. <u>Residential & Agricultural Uses</u> -</p> <ol style="list-style-type: none"> 1) <u>Adjacent to PA 64</u> - 50 feet from edge of road R/W or 75 feet from centerline, whichever is greater. 2) <u>All Other Streets</u> - 30 feet from edge of road R/W, or 55 feet from centerline, whichever is greater. <p>b. <u>All Other Uses</u> - 50 feet from edge of road R/W, or 75 feet from centerline, whichever is greater.</p> <p>2. <u>Side Yards:</u></p> <ol style="list-style-type: none"> a. <u>Residential Uses</u> - 15 feet each side. b. <u>All Other Uses</u> - 25 feet each side. <p>3. <u>Rear Yard:</u></p> <ol style="list-style-type: none"> a. <u>Residential Uses</u> - 15 feet. b. <u>All Other Uses</u> - 50 feet. | <ol style="list-style-type: none"> 1. <u>Principal Structures:</u> 40 feet. 2. <u>Accessory Structures:</u> 25 feet. 3. <u>Agricultural Structures:</u> No maximum |

Section 310

W/C Woodland/Conservation District

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Public or private land conservation areas, including state game or forest lands, wildlife or nature preserves. 2. Parks or playgrounds. 3. Forestry or forest management activities. (See 418). 4. Land cultivation. 5. Horticultural activities, including nurseries, greenhouses, or orchards. 6. Raising of livestock &/or poultry, excluding concentrated animal feeding operations. (See 417). 7. Stables or riding academies. 8. Single-family detached dwellings. (See 402). 9. Mobile homes on individual lots. (See 402) 10. Seasonal dwellings / hunting camps. | <ol style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Roadside stands for sale of products grown on the premises. 3. Farm-related businesses for the processing, storage, or sale of products produced or raised on the premises. (See 423). 4. Swimming pools. (See 421). 5. Home occupations. (See 422). 6. Family day care homes. 7. Signs. (See 706) 8. Off-street parking and/or loading areas. (See 800 & 801). | <ol style="list-style-type: none"> 1. Sawmills and/or lumber yards. 2. Animal hospitals and/or kennels. 3. Cottage industries. (See 424). 4. Group homes. (See 409). 5. Bed and breakfast establishments. (See 410). 6. Churches or places of worship. 7. Cemeteries. | <ol style="list-style-type: none"> 1. outdoor commercial recreation uses, including campgrounds, RV parks, sporting clays or skeet shooting ranges, ski resort, and similar activities. (See 419). 2. Residential cluster developments, (See 407) 3. Utility supply facilities. 4. Commercial communications, antennae, towers, and/or equipment buildings. (See 420) |

Section 310

W/C Woodland/Conservation District

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <u>Minimum Lot Area Per Principal Structure or Use:</u></p> <p>a. <u>Residential Uses</u> (including Single-Family Detached Dwellings, Group Homes, & Seasonal Dwellings or Hunting Camps (See also Section 417C. for Non-Agricultural Subdivision Regulations) -</p> <p>1) Lots with Slopes of 15X or Less - 1 acre. *</p> <p>2) Lots with Slopes Over 15X - 10 acres. *</p> <p>3) Residential Cluster Developments - 25 acres.</p> <p>b. <u>Agricultural Uses</u> -</p> <p>1) <u>Land Cultivation</u> -</p> <p>a) Lots with Slopes of 15% or Less - 1 acre. *</p> <p>b) Lots with Slopes Over 15% • 10 acres *</p> <p>2) <u>Raising of Livestock and/or Poultry</u> - See Section 417 A.3</p> <p>c. <u>Recreational Uses</u> -</p> <p>1) Campgrounds or RV Parks • 5 acres.</p> <p>2) Sporting Clays or Skeet Shooting Ranges. Ski Resorts, and Similar Activities - 10 acres.</p> <p>d. <u>All Other Principal Uses</u> - 2 acres.</p> <p>e. Regardless of the minimums provided above, all lots must meet the requirements of the PA Sewage Facilities Act and all other State or local sewage or water regulations.</p> <p>2. <u>Minimum Lot Width:</u> (measured at the building setback line)</p> <p>a. <u>Residential Uses</u> - 150 feet.</p> <p>b. <u>All Other Uses</u> - 200 feet.</p> <p>3. <u>Maximum Lot Coverage:</u> 15%.</p> | <p>1. <u>Front Yard:</u> 30 feet from edge of road R/W, or 55 feet from centerline, whichever is greater.</p> <p>2. <u>Side Yards:</u></p> <p>a. <u>Residential Uses</u> - 15 feet each side.</p> <p>b. <u>All Other Uses</u> - 25 feet each side.</p> <p>3. <u>Rear Yard:</u></p> <p>a. <u>Residential Uses</u> - 15 feet.</p> <p>b. <u>All Other Uses</u> - 50 feet.</p> <p> *<u>NOTE:</u> Lot slope shall be measured from the edge of the road R/W or front property line to the rear property line and shall be determined by dividing the change in elevation between the two points (the vertical distance) by the total distance measured between the same two points (the horizontal distance,)</p> | <p>1. <u>Principal Structures:</u> 35 feet.</p> <p>2. <u>Accessory Structures:</u> 25 feet.</p> <p>3. <u>Agricultural Structures:</u> No maximum</p> |

Section 311

FP General Floodplain District (Overlying District)

Uses and Structures

| Permitted Principal Uses & Structures (Zoning Officer) | Permitted Accessory Uses & Structures (Zoning Officer) | Special Exception Uses & Structures (Zoning Hearing Board) | Conditional Uses & Structures (Township Supervisors) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| Same as the underlying district, and in addition: 1. Land cultivation. 2. Horticultural activities, including nurseries, greenhouses, or orchards. 3. Parks or playgrounds. 4. Temporary Uses, including carnivals or circuses. | Same as the underlying district, and in addition: 1. Uses & structures customarily incidental to an approved principal use. | Same as the underlying district. | Same as the underlying district. |
| ----- <u>SAME AS THE UNDERLYING DISTRICT</u> ----- | | | |
| <p>* <u>NOTE</u>: All uses, activities, and/or development in this district shall be undertaken in strict compliance with the floodproofing requirements contained in Article 6 of this Ordinance and any subsequently-enacted floodplain management regulations.</p> | | | |

Lot, Yard and Open Space Requirements

| Minimum Lot Requirements (See Section 501) | Minimum Yard Requirements (See section 502) | Maximum Height Requirements (See section 503) |
|----------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| ----- <u>SAME AS THE UNDERLYING DISTRICT</u> ----- | | |

Article 4. SUPPLEMENTARY USE REGULATIONS

400 PURPOSE AND APPLICABILITY

The purpose of this Article is to supplement the District Regulations contained in Article 3 with additional requirements applicable to certain specific uses. Therefore, in addition to those standards outlined in Article 3, the following regulations shall pertain to the identified uses, as well as all applicable requirements of the Subdivision and Land Development Ordinance in effect in Walker Township.

401 USES NOT PROVIDED FOR

Whenever, under this Ordinance, a lawful use is neither specifically permitted nor prohibited, and an application is made to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Township Supervisors to hear and decide such request as a Conditional Use. The Township Supervisors shall have the authority to permit the use or deny the use in accordance with the standards governing conditional use applications set forth in Section 1101 of this Ordinance; provided however, that this provision shall not be invoked to permit as a Conditional Use any lawful use which could create undue nuisance or serious hazard, or otherwise violate the conditional use criteria. **In addition, the proposed use may only be permitted if:**

- A. the use is similar in character to and compatible with the other uses permitted in the zone where the subject parcel is located; and
- B. the use NOT permitted in any other zone under the terms of this Ordinance; and the use does not conflict with the general purposes of this Ordinance.

The burden of proof shall be upon the applicant to demonstrate that the proposed use meets the foregoing criteria and would not be detrimental to the health, safety, and welfare of the neighborhood where it is to be located.

402 DWELLING UNITS

All dwelling units, including single-family, two-family, and multi-family units, hereafter erected shall adhere to the following requirements.

- A. Every dwelling unit shall conform to all applicable building, housing, electrical and plumbing codes in effect in the Township or as may hereafter be enacted.
- B. Every dwelling unit shall be placed upon and firmly anchored to a permanent foundation. Such foundation shall consist of no less than masonry construction or footers set well below the frost line, or other technique or methodology of demonstrated capability approved by the Township. The foundation shall be designed to support the maximum anticipated loads for the intended structure

and/or use, and no unnecessary open space shall be left between the dwelling unit and foundation, except for windows and other openings as might be necessary for floodproofing purposes. In no case shall any dwelling unit be placed or erected on jacks, loose blocks or other temporary materials.

- C. In the case of mobile homes, a properly graded and compacted pad or stand OR reinforced piers may be used where a permanent concrete or masonry foundation is not practical or desirable. In all cases however, the foundation shall be designed to support the maximum anticipated loads for the proposed structure and use. Regardless of the type of foundation used, mobile homes shall be installed in accordance with the instructions of the mobile home manufacturer. For all HUD-Code manufactured homes, the requirements of the National Manufactured Housing Construction and Safety Standards Act, as provided for in State Law 1982-192, the Manufactured Housing Construction and Safety Standards Authorization Act (or as may hereafter be amended) shall apply.
- D. Every mobile home shall be firmly anchored to its foundation prior to the unit being occupied or used in order to prevent overturning or uplift, lateral movement or flotation. The mobile home foundation shall be provided with anchors or tie-downs, such as concrete "deadman", eyelets embedded in concrete, screw augers, or equivalent. The anchoring system shall be designed to meet at least minimum industry-approved standards for wind resistance.
- E. Every mobile home shall have a continuous wall around its entire perimeter. At a minimum, such wall shall consist of industry-approved mobile home skirting. In no case shall bales of hay, straw, interior plywood or similar materials be used in place of skirting. Such skirting must be in place prior to the issuance of a Certificate of Compliance for the mobile home.
- F. Every dwelling unit which is to be located in the General Floodplain District shall comply with all applicable District Regulations in Article 3 and the floodplain management provisions contained in Article 6 of this Ordinance.
- G. In the absence of more restrictive codes, every single-family dwelling unit (whether attached or detached, including mobile homes and manufactured housing) shall contain a minimum of 650 square feet of gross floor area. In the case of multi-family dwellings or other types of apartment units (including conversion apartments and accessory residential units), each dwelling unit must contain a minimum of 500 square feet of gross floor area.

403 CONVERSION APARTMENTS

The conversion of any building into a dwelling, or the conversion of any dwelling so as accommodate a greater number of dwelling units or households, shall be permitted only where specified in the District Regulations, Article 3. All such conversions shall meet the requirements set forth in Section 402 as well as the standards outlined below.

- A. The lot upon which a conversion apartment is located shall meet the minimum lot area requirement for the zoning district in which it is to be located.
- B. Conversions may only be authorized for structures which were erected prior to the adoption of this Ordinance. Conversions shall be limited to one (1) building or structure per lot.
- C. Conversions shall be limited to the number of dwelling units specified in the District Regulations, Article 3.
- D. All conversions shall be subject to the gross floor area requirements set forth in Section 402 G.
- E. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the conversion. Where connection to a community sewage system cannot be made, certification, from the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing sub-surface system or a sewage permit for the installation of a new system shall be submitted as part of an application for such a use.
- F. No structural alterations designed to increase the gross floor area dimensions of the unit shall be made to the building, except as may be necessary for safety purposes or to improve handicapped accessibility:
- G. The yard, off-street parking, and other applicable requirements of this Ordinance shall be met.

404 SINGLE-FAMILY ATTACHED DWELLING STRUCTURES

Single-family attached dwelling structures (i.e. townhouse structures) may be permitted only where specified in the District Regulations, Article 3. Every application for such a use shall also meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township. (Applications proposing to locate more than one single-family attached dwelling structure on a single tract of land shall meet the requirements of Section 406 governing multi-family housing developments.)

- A. Minimum Tract Area and Density Requirements
 - 1. The minimum gross area required for each tract containing a single-family attached dwelling structure shall be as specified in the District Regulations, Article 3. Single-family attached dwelling structures in the Suburban Residential District shall contain no more than four (4) dwelling units per structure, and no more than eight (8) dwelling units per structure in the Urban Residential District. Overall density shall not exceed five (5) dwelling units per acre in the Suburban Residential District and eight (8) dwelling units per acre in the Urban Residential District.

2. Where individual dwelling units of a single-family attached dwelling structure are to be conveyed independently of any land area, the applicant shall demonstrate that all other requirements of the Uniform Condominium Act will be met.
3. Where title to individual dwelling units of a single-family attached dwelling structure is proposed to be conveyed, all dwelling units contained in the structure shall be part of the proposal.

B. Minimum Tract Width Requirements

The minimum gross area required for each tract containing a single-family attached dwelling structure shall vary depending upon the number of units proposed in each structure. In no case however, shall the width of the tract be less than the minimum lot width required for a single-family detached dwelling in the district where such structure is located. Each dwelling unit of a single-family attached dwelling structure shall maintain the minimum width set forth in the District Regulations for the district in which it is to be located.

C. Minimum Yard Requirements

The minimum yard requirements- for each tract containing a single-family attached dwelling structure shall be as specified in the District Regulations, Article 3.

D. Design Standards

All proposals for single-family attached dwelling structures shall be designed in accordance with the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township. In addition, the following standards shall apply.

1. Maximum Structure Length. No single-family attached dwelling structure shall exceed 100 feet in length when located in the Suburban Residential District nor 200 feet when located in the Urban Residential District.
2. Traffic Access. No single-family attached - dwelling unit may access directly onto a public street. All suet, units shall access public roadways via an approved private street, driveway or common parking area. All new streets, access drives, and parking areas shall be designed and constructed in accordance with the applicable street standards outlined in the Subdivision and Land Development Ordinance in effect in the Township.
3. Off-Street Parking Spaces. A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit contained in the single- family attached dwelling structure.
4. Grading and Landscaping. Where excavation or grading is proposed, or where existing trees, shrubs, or other vegetative cover is to be removed, plans shall be prepared by the developer and submitted to the Township which illustrate that all erosion and sedimentation control requirements

set forth in the Subdivision and Land Development Ordinance in effect in Walker Township will be met. And, where adjacent to existing single-family detached dwellings or noncompatible land uses, buffer yards and/or screening as required in Sections 505 and 506 of this Ordinance shall be provided by the developer.

5. Drainage Facilities. All drainage and/or stormwater management standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township shall be met.
6. Solid Waste Collection, Storage and Disposal. Arrangements for the collection, storage and disposal of solid wastes generated by the proposed development shall be made by the developer and submitted to the Township for approval as a part of the plan submission process.
7. Sewage and Water Facilities. Sewage and water facilities for single-family attached dwelling structures shall be provided by the developer in accordance with the standards of the PA Department of Environmental Protection and as follows.
 - a. Sewage Facilities. A public or community sewerage system or a private package sewage treatment facility shall be utilized to provide sewage service for such developments.
 - b. Water Supply. Where a public water supply system of satisfactory quantity, quality and pressure is reasonably accessible to the proposed development and there is a willingness on the part of the system owner to serve the proposed development, connection shall be made to this system and its supply shall be used exclusively. Where a public water supply system is not available, a private water supply system shall be designed by the developer to provide service for the development.

The developer shall provide sufficient documentation to the Township, along with his development plans to indicate that such facilities are presently available and will be extended to serve his development or that he has obtained the necessary approvals to construct them.

8. Common Open Space Ownership and Maintenance. The developer shall submit a plan to the Township indicating the arrangements to be made for ultimate ownership of and maintenance responsibilities for any common open space/land area associated with the single-family attached dwelling structure (including access drives and driveways). Such plans shall be submitted to the Township for approval as a part of the plan submission process.

405 MULTI-FAMILY DWELLING STRUCTURES

Multi-family dwelling structures (i.e. apartment buildings, but excluding single-family attached dwellings) may be permitted only where specified in the District Regulations, Article 3. Every application for such a use shall also meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township. (Applications proposing to locate more than one multi-family dwelling structure on a single tract of ground shall meet the requirements of Section 406 governing multi-family housing developments.)

A. Minimum Tract Area and Density Requirements

The minimum gross area required for each tract containing a multi-family dwelling structure shall be as specified in the District Regulations, Article 3. Multi-family dwelling structures located in a Suburban Residential District shall contain more than four (4) dwelling units per structure, nor more than eight (8) dwelling units per structure when located within an Urban Residential District. Overall density shall not exceed six (6) dwelling units per acre in the Suburban Residential District and ten (10) dwelling units per acre in the Urban Residential District.

B. Minimum Tract Width Requirements

The minimum width required for each tract containing a multi-family dwelling structure shall be as specified in the District Regulations, Article 3.

C. Minimum Yard Requirements

The minimum yard requirements for multi-family dwelling structures shall be as specified in the District Regulations, Article 3.

D. Design Standards

The design standards set forth in Section 404 D. of this Ordinance shall also be met.

406 MULTI-FAMILY HOUSING DEVELOPMENTS

Multi-family housing developments (the placement of more than one multi-family dwelling structure and/or more than one single-family attached or detached dwelling

structure on a single tract on ground) may be permitted only where specified in the District Regulations, Article 3. Every application for such a use shall also meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township.

A. Minimum Tract Area and Density Requirements

The minimum area required for each tract containing a multi-family housing development shall be as specified in the District Regulations, Article 3. The standards set forth in Sub-Sections 404 A. and 405 A. which establish the maximum number of dwelling units permitted per structure and the maximum allowable density for single-family attached dwelling structures and multi-family dwelling structures, respectively, shall apply to the type of development proposed.

B. Minimum Tract Width Requirements

The minimum width required for each tract containing a multi-family housing development shall vary with each individual application and shall be dependent upon the number of units proposed in each structure and the proposed arrangement of buildings in the development. Each dwelling unit of a single-family attached dwelling structure shall maintain the minimum width required in the District Regulations, Article 3.

C. Minimum Yard Requirements

The minimum yard requirements for multi-family housing developments shall be as specified in the District Regulations, Article 3. (See also Sub-Section E. below.)

D. Design Standards

The design standards set forth in Section 404 D. of this Ordinance shall be met for multi-family housing developments. In addition, the following standards shall also apply.

1. Street Lighting. Each multi-family housing development shall be furnished by the developer with lighting designed to adequately illuminate driveways, walkways, streets, and intersections, and to provide for the safe movement of pedestrians and vehicles throughout the development at night.
2. Required Open Space. A minimum of ten (10) percent of the gross area of the development shall be reserved by the developer as common open space for the use of all residents of the complex. Such open space may include areas of land and water, but shall exclude all roads, parking areas, structures, or service lanes. This area shall also be easily accessible to all units. Applicants for multi-family housing developments shall submit a proposal indicating the ultimate ownership and maintenance responsibilities for such common open space areas to the Township for review and approval as a part of the plan submission process. Copies of all approved arrangements shall be included in each deed or lease for a unit in such a development.

E. Building Relationships

1. Arrangement of Buildings. Adequate provision must be made for light, air, access and privacy in the arrangement of the buildings to each other. Each dwelling unit shall have a minimum of two (2) exterior exposures.
2. Maximum Length of Rows. The maximum length of any group of attached

dwelling units shall not exceed 100 feet in the Suburban Residential District and 200 feet in the Urban Residential District. Building groups must be arranged in order to be accessible by emergency vehicles.

3. Distance Between Buildings.

- a. The front or rear of any building shall be no closer to the front or rear of any other building than 40 feet.
- b. The side of any building shall be no closer to the side, front, or rear of any other building than 30 feet.

4. Distance Between Buildings and Driveways.

- a. No driveway or parking lot shall be closer than 15 feet to the front of any building, nor ten (10) feet to the side or rear of any building, except that space may be provided for loading and unloading which is closer to the building it is intended to serve than is herein provided.
- b. In the case of an enclosed garage or carport provided as a portion of the main structure, distance requirements for driveways providing access to these accommodations shall not apply.

407 RESIDENTIAL CLUSTER DEVELOPMENTS

Residential cluster developments may be permitted only where specified in the District Regulations, Article 3. Every such application shall also meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township.

Residential cluster development is an optional form of development which allows the developer more choices of housing types, and enables him to develop lots smaller than otherwise provided for in this Ordinance, so long as the land saved by the reduction in lot sizes is reserved as permanent open space for the benefit of all residents of the development

A. Minimum Tract Area Requirements

Residential cluster developments situated in the Rural Residential and Suburban Residential Districts shall contain a minimum of ten (10) contiguous acres of land suitable for development. In the Woodland/Conservation District, such developments shall contain a minimum gross lot area of 25 contiguous acres of land. Excluded from the determination of tract size shall be: 1) all land situated in a wetland or 100 year floodplain; and 2) all land with a slope exceeding 20%.

B. Permitted Dwelling Types

The type of dwelling units permitted in any cluster development shall be as set forth in the District Regulations, Article 3, for the zoning district in which the development is located; that is, in the RR District, single-family detached and two-family dwelling units may be clustered, in the SR Zone, single-family detached, two-family, and single-family attached dwellings and multi-family dwellings may be clustered, and in the W/C District, only single-family detached dwelling units may be included in the cluster development.

C. Tract Density Standards

All residential cluster developments shall be designed in accordance with the standards of this Section, except that the maximum gross density set forth in the District Regulations, Article 3, for the zoning district in which the development is located shall not be exceeded; that is:

1. RR District. In the RR District, the maximum allowable tract density shall not exceed:
 - a. Single-family Detached Dwellings - 2.0 dwelling units per acre.
 - b. Two-family Dwellings - 1.45 dwelling unit per acre.
2. SR District. The maximum allowable gross tract density in the SR District shall not exceed:
 - a. Single-family Detached Dwellings - 2.9 dwelling units per acre.
 - b. Two-family Dwellings - 4.36 dwelling units per acre.
 - c. Single-family Attached Dwelling Units - 5.0 dwelling units per acre.
 - d. Multi-family Dwelling Units - 6.0 dwelling units per acre.
3. W/C District. In the W/C District, the maximum allowable gross tract density shall not exceed 0.5 dwelling units per acre.

b. Permitted Lot Area Reductions

The minimum lot area requirement for single-family detached and two-family dwellings may be reduced up to 50% from the minimum established for the district in which the development is to be located. The minimum gross lot area requirement for single-family attached dwellings may be reduced to the area of the dwelling unit, and for multi-family dwellings, the minimum gross lot area may be reduced to the area of the multi-family dwelling structure.

c. Minimum Width Requirements

The minimum lot width required for single-family detached and two-family dwellings shall be 80 feet in the RR District, 60 feet in the SR District, and 100 feet in the W/C District. Width requirements for other types of dwelling units shall be as set forth in the District Regulations, Article 3.

d. Minimum Yard Requirements

1. RR District. Minimum yard requirements for the RR District shall be:
 - a. Front Yard - 50 feet from edge of road right-of-way.
 - b. Side Yards - 10 feet each side.
 - c. Rear Yard – 10 feet.
2. SR District. In the SR District, the minimum yard requirements shall be:
 - a. Front Yard - 30 feet from edge of road right-of-way.
 - b. Side Yards - 10 feet each side.
 - c. Rear Yard – 10 feet.
3. W/C District. In the W/C District, the minimum yard requirements shall be:
 - a. Front Yard - 30 feet from edge of road right-of-way.
 - b. Side Yards - 10 feet each side.
 - c. Rear Yard – 10 feet.

In addition, a 25 foot buffer yard shall be provided around the entire perimeter of the development site. The area of this buffer may be included as part of the development's required open space; however, where such buffer is included as part of the required open space, it shall not be included as part of any required lot area. If the area of the buffer is not included as part of the required open space, then the area may be included as part of required lot area

e. Maximum Building Coverage

The maximum permitted building coverage shall be 30% and shall apply to the entire development tract, rather than to individual lots.

f. Design and Building Relationship Standards

The design and building relationship standards set forth in Section 406 D. and 406 E. shall also be met for residential cluster developments. In addition, the following standards shall apply.

1. Arrangement of Buildings and Facilities.

- a. All of the elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and shape of the tract, the character of the adjoining property, and the type and size of the proposed buildings in order to produce a livable and economic land use pattern.
- b. Buildings shall be arranged in favorable relation to the natural topography, existing desirable trees, views within and beyond the site, and exposure to the sun and other buildings on the tract. Grading around the buildings shall be designed to be in harmony with the natural topography, at the same time assuring adequate drainage and safe and convenient access.

2. Access and Circulation.

- a. Access to the dwellings and circulation between the buildings and other important project facilities for vehicular and pedestrian traffic shall be safe, adequate and convenient for the residents of the development.
- b. Access and circulation for firefighting apparatus, furniture moving vans, fuel trucks, garbage collection, deliveries, and snow removal shall be planned for efficient operation and maintenance.
- c. Yards. Yards shall assure privacy, desirable views, adequate natural light and ventilation, convenient access to and around the dwelling and other essential facilities or uses.

g. Open Space Requirements

1. Size and Physical Requirements

- a. A minimum of 50% of the gross area of the development tract shall be reserved by the developer as common open space for the benefit of all residents of the development. Such open space may include areas of land and water, but shall exclude all roads, parking areas, structures or service lanes. The area shall also be easily accessible to all units in the development and shall be free of safety and health hazards. Portions of the area to be used for recreational purposes shall have suitable physical characteristics, including well-drained soils, gentle topography, and suitable shape and size.
- b. No more than 25% of the open space may be wetlands, floodplains, or areas with slope exceeding 20%.

2. Use Standards.

- a. Open space required _and provided as part of a residential cluster development shall not be subdivided nor conveyed unless approved as part of the original site development plan.
- b. Required open space may be used for agricultural, woodland conservation, or recreation purposes.
- c. Only structures that enhance the use of the required open space may be permitted. There shall be no residential or commercial use of such structures, nor shall more than a total of 2% of the open space be devoted to structures.

3. Ownership and Maintenance Responsibilities. Applications for residential cluster developments shall include a proposal indicating the ultimate ownership and maintenance of required open space areas. Where such open space is not dedicated to the Township or where such dedication is not accepted by the Township, an Agreement which assigns maintenance

responsibilities for the open space and/or recreational facilities shall be submitted by the developer and approved by the Township, recorded with the final plan, and shall be included in the deeds for each parcel or dwelling unit within the development. At a minimum, covenants in the Agreement shall:

- a. obligate the purchasers to participate in a Homeowners Association and to support maintenance of the open space by paying assessments to the Association sufficient to cover the cost of such maintenance and subjecting their properties to a lien for enforcement of payment of the respective assessments;
- b. obligate such an Association to maintain the open areas as well as any private streets and utilities which may have been approved within the development;
- c. empower purchasers of lots or dwelling units in the development to enforce the covenants in the event of failure of compliance;
- d. provide that the developer shall be responsible for the formation of the Homeowner's Association of which the developer (or owner, if other than the developer) shall remain a member until all lots in the development are sold. (Other equivalent provisions to assure adequate perpetual maintenance may be considered and approved by the Township); and
- e. guarantee that the Homeowner's Association formed to own and maintain the open space will not be dissolved without the consent of the Township

h. Criteria for Granting Approval of Residential Cluster Developments

In addition to the standards set forth the Section 1101 of this Ordinance for review and approval of Conditional Use applications, the following criteria shall be utilized in reviewing applications for residential cluster developments.

1. The proposed cluster development shall be in harmony with the general purpose, goals, objectives, and standards of the Walker Township Comprehensive Plan, this Ordinance, and the Subdivision and Land Development Ordinance in effect in Walker Township;
2. The proposed cluster development shall not have substantial or undue adverse effects, as compared to a standard development permitted by this Ordinance, upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, safety and general welfare;
3. The proposed cluster development shall be served adequately by essential public facilities and services, such as highways, streets, off- street parking

spaces, police and fire protection, drainage structures, refuse disposal, water, sewers and schools; and

4. The proposed cluster development shall not result in the destruction, loss or damage of any natural, scenic or historic features of significant importance.

408 MOBILE HOME PARKS

Mobile home parks may be permitted only where specified in the District Regulations, Article 3. All proposed mobile home parks and extensions to existing parks shall also meet all requirements set forth in the Subdivision and Land Development Ordinance in effect in Walker Township, as well as those standards established in the Township's Mobile Home Park Ordinance (Ordinance# 102, or any subsequent amendment thereto).

Every mobile home placed in an approved mobile home park in Walker Township, including replacement units, shall obtain a Zoning Permit prior to its placement in the mobile home park. In addition, each unit, including replacement units, must obtain a Certificate of Compliance, as required by this Ordinance, prior to being used as a dwelling unit. All additions proposed for mobile homes located in mobile home parks shall also require a Zoning Permit prior to being initiated.

409 GROUP HOMES OR INSTITUTIONAL RESIDENCES

Group homes or institutional residences may be permitted only where specified in the District Regulations, Article 3. Applications for such activities shall also meet all applicable State regulations, as well as the requirements outlined below.

- A. The lot upon which the group home or institutional residence is situated shall meet the minimum area requirements established in the District Regulations for the district in which the use is to be located.
- B. Residents of a group home shall maintain a single household unit with shared use of rooms, and shall share mealtimes and housekeeping responsibilities. There shall however be a no more than two (2) persons per bedroom.
- C. Accommodations in a group home shall be provided for no more than eight (8) residents, excluding staff, at one time. For the purposes of this Ordinance, group homes providing accommodations for more than eight (8) residents shall be considered to be institutional residences. Applications for group homes shall specify the maximum number of residents or occupants to be housed or cared for at the facility.
- D. Adult supervision shall be provided at the group home or institutional residence on a 24-hour basis.

- E. Applicants for group homes or institutional residences shall indicate the type of care, counseling or treatment to be provided at the site. In each instance, medical care shall be incidental in nature and shall not be a major element of the care being provided at the facility.
- F. Residents of such facilities shall remain in residence for a period of at least three (3) months, and a change of residents shall not routinely occur, except in the case of death, extended illness, disability or similar circumstances.
- G. The applicant for an institutional residence shall provide a copy of his complete license application from the PA Department of Public Health, including drawings, as a part of his application to the Township for such a use. Revocation or suspension of the State Permit shall constitute an automatic revocation of the Township Zoning Permit.
- H. Any Zoning Permit for a group home or institutional residence shall apply only to the facility and applicant named, the premises designated, and for the activities or purposes listed or identified in the application. Said Permit shall be nontransferable.
- I. Sewage and water facilities shall be sufficient to handle the anticipated loading created by the proposed facility and shall meet all requirements set forth by the PA Department of Environmental Protection. Where applicable, all requirements of the PA Department of Labor and Industry shall also be met. Satisfactory evidence that the necessary permits or approvals have been obtained shall be provided by the developer as a part of the plan submission process.
- J. Arrangements for the collection, storage and disposal of solid waste generated by the facility shall be made by the applicant and submitted to the Township for approval as part of the plan submission process.
- K. Where adjacent land use dictates, in the opinion of the approving authority, adequate buffer yards and/or screening shall be provided in accordance with the requirements of Sections 505 and 506 of this Ordinance.
- L. The requirements set forth in Article 8 regarding off-street parking, loading and access drives, and all other applicable standards of this Ordinance, including the sign requirements contained in Article 7, shall also be met.

410 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments may be permitted only where specified in the District Regulations, Article 3. In addition, the following standards shall also be met.

- A. The lot upon which the bed and breakfast establishment is situated shall meet the minimum area requirements established in the District Regulations for the district in which the use is to be located.
- B. The operator of the facility shall reside on the lot.
- C. Overnight lodging accommodations for any guest shall not exceed 14 continuous nights nor more than 60 days in any calendar year.
- D. There shall be no more than two (2) adults and two (2) children occupying a single guest room.
- E. Lodging accommodations may or may not include arrangements for breakfast or other meals.
- F. Dining facilities and services shall be available only to lodgers, except in the Urban Residential and Village Districts, where such facilities may be open to the public.
- G. Satisfactory evidence shall be provided to the Township by the applicant indicating that the proposed facility will conform to all applicable State and local regulations (including regulations of the PA Department of Health and PA Department of Labor and Industry).
- H. Sewage and water facilities shall be sufficient to handle the anticipated loading created by the facility and shall be approved by the PA Department of Environmental Protection.
- I. Arrangements for the collection, storage and disposal of solid wastes generated by the facility shall be made by the applicant and submitted to the Township for approval as part of the application for such use.
- J. Adequate off-street parking and loading facilities shall be provided in accordance with Sections 800 and 801 of this Ordinance.
- K. Signs advertising the facility shall meet the requirements of Article 7 of this Ordinance.

411 RETAIL ESTABLISHMENTS

Retail establishments, including all those commercial and business establishments set forth in the District Regulations, may be permitted only where specified in the District Regulations, Article 3. In addition, every proposed retail establishment shall

meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township. Additional documentation may be required where it is deemed necessary by the Township to protect the health, safety and welfare of its residents.

- A. Applications for retail establishments shall include the following information and written documentation:
1. A site plan prepared by a licensed, professional engineer, registered professional land surveyor, or architect, showing the tract of ground on which, the use is proposed and the location of all buildings or structures existing or to be situated on the site;
 2. An indication that the use will not have a detrimental effect on the character of the area or neighborhood where it is proposed to be located, including the use of externally broadcast music, public address systems, public announcements, paging and similar activities;
 3. An indication that adequate sewage disposal facilities and a safe water supply will be provided;
 4. An indication that access to the proposed establishment will be adequate and will meet the requirements of Article 8 of this Ordinance, and that the number of off-street parking spaces and loading berths required in Article 8 will be provided;
 5. An indication that a buffer yard and/or screening as required by Sections 505 and 506 of this Ordinance will be provided;
 6. An indication that all outdoor lighting associated with the proposed establishment will be mounted and shielded to effectively eliminate glare on adjacent properties and on public streets;
 7. An indication of the arrangements that have been made for collection, storage and disposal of solid wastes generated by the commercial use, including an indication of the type of screening to be used to conceal all such storage facilities;
 8. An indication that all signs used to advertise such facilities will meet the requirements of Article 7 of this Ordinance;
 9. An indication of the establishment's proposed hours of operation; and
 10. An indication that no offensive or objectionable noise, vibration, smoke, dust, odor, heat or glare will be detected at or beyond the property line of the lot containing the commercial activity.
- B. All outdoor, unenclosed storage or accumulation associated with an approved commercial use shall meet the requirements set forth in Section 427 of this Ordinance.

412 AUTOMOTIVE SERVICE STATIONS AND/OR REPAIR SHOPS

Automotive service stations and/or repair shops may be permitted only where specified in the District Regulations, Article 3. All applications for such uses shall also meet the criteria established for retail uses in Section 411 of this Ordinance as well as the standards outlined below, and all applicable State or federal laws.

- A. No automotive service station or repair shop shall be located within 300 feet of any school, day care center, playground, nursing home, church or public place of assembly.
- B. Gasoline pumps or other fuel dispensing devices shall be no closer than 30 feet to any street right-of-way line, nor shall any fuel oil, propane gas, or other similar substance be stored within 30 feet of a street right-of-way or property line. (Additional permits may be necessary to meet State and Federal requirements regarding the location of storage tanks for such purposes.)
- C. All associated repair work (excluding minor adjustments) shall be carried out within a structure. All repair materials, including new, used, discarded or unusable parts of any vehicle, shall be stored within a building. Vehicles being stored on-site shall be kept within a building or shall be screened from view as set forth in Section 506 of this Ordinance.
- D. Body work or painting of vehicles may be permitted only where the operation is to be conducted within an enclosed structure and where such structure meets the PA Department of Labor and Industry and PA Department of Environmental Protection regulations and is designed to contain all noise, vibrations, dust, and odor generated by the activity.
- E. Automatic car wash facilities may be permitted in conjunction with such uses provided that the applicant can show that his sewage treatment facilities can accommodate the additional loading.
- F. Arrangements for the collection, storage and disposal of all waste generated by the facility shall be made by the applicant and submitted to the Township for approval as part of the application for such use.

413 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments or facilities may be permitted only where specified in Article 3, the District Regulations. In addition, all applications for adult entertainment establishments shall meet the criteria set forth for retail uses in Section 411 of this Ordinance as well as the standards outlined below, and all applicable State or local requirements.

- A. No adult entertainment establishment may be situated or located within:
 - 1. 750 feet of the boundary of any Residential District or residential property line;

2. 750 feet of the property line of any church, school, day care center, theater, park, playground, or other areas where minors congregate;
 3. 750 feet of the property line of any establishment licensed by the PA Liquor Control Board to dispense alcoholic beverages; nor within
 4. 750 feet of the property line of any other adult entertainment establishment.
- B. Advertisements, displays, or other promotional materials for adult entertainment establishments shall not be shown or exhibited so as to be visible to the public from any street, sidewalk or other public place.
 - C. All building openings, entries, exits or windows for adult entertainment establishments shall be located, covered or screened in such a manner so as to prevent a view into the interior from any street, sidewalk or other public place. In the case of any adult drive-in or motion picture theater, viewing screens shall be situated so as to prevent observation from any street, sidewalk or other public area.
 - D. Screening shall be provided on both sides and to the rear of the establishment in accordance with the requirements of Section 506 of this Ordinance.
 - E. No person under 18 years of age shall be permitted within an adult entertainment establishment, nor be permitted to purchase or rent any adult entertainment materials.
 - F. Hours of operation for such establishments shall be limited to from 9:00 a.m. to 9:00 p.m.
 - G. Business identification signs shall include no promotional advertisement or displays.

414 INDUSTRIAL OPERATIONS

Industrial operations, including those manufacturing, assembly, processing, packaging or shipping operations and those research or testing activities set forth in the District Regulations, may be permitted only where specified in the District Regulations, Article 3. Applications for such activities shall meet the requirements outlined below as well as the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township. Additional documentation may also be required where it is deemed necessary by the Township to protect the health, safety and welfare of its residents.

- A. Industrial or manufacturing operations shall abut on or provide direct access to a street or highway which is capable of accommodating the anticipated levels and types of industrial and employee traffic. Where access is proposed onto a state highway, a copy of the applicant's PADOT-issued Highway

Occupancy Permit shall be submitted to the Township. Where however, a Township roadway is to be used to provide access to the site, the Township Supervisors may require that a bond or other acceptable security, in an amount set by the Supervisors, be provided by the applicant to assure the maintenance of such roadways. The amount of such security shall be reviewed annually and any unused portion shall be returned to the applicant.

- B. Every industrial operation must be contained within a building, except as may be authorized otherwise for a specific type of industrial activity.
- C. All outdoor, unenclosed storage or accumulation associated with an approved industrial use shall meet the requirements set forth in Section 427 of this Ordinance
- D. Adequate sewage and water facilities shall be provided by the developer in accordance with the standards of the PA Department of Environmental Protection. The developer shall provide sufficient documentation along with development plans to indicate that such service will be provided.
- E. Arrangements for the collection, storage and disposal of all solid wastes generated by the operation shall be made by the developer and submitted to the Township for approval as a part of his application for such a use. Where determined appropriate, the Township may request review of the proposed arrangements by the PA Department of Environmental Protection prior to granting approval.
- F. Off-street parking and loading areas shall be provided in accordance with Article 8 of this Ordinance.
- G. Accessory sales or retail outlets may be permitted to be associated with approved principal uses, but shall be clearly incidental to the industrial use of the subject site and shall occupy no more than 25% of the gross floor area of the operation. Where such retail facilities are to be established, additional off-street parking spaces shall be provided to satisfactorily accommodate the commercial activity.
- H. Buffer yards and/or screening shall be provided as required by Sections 505 and 506 of this Ordinance.
- I. Compliance with the following minimum performance standards, in addition to all applicable local, State or Federal codes or regulations (including DEP's air, water and noise pollution control standards) shall be required. The developer shall present sufficient documentation with his application for the industrial use to indicate that each of the applicable performance standards will be met.
 - 1. Sound: The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses.
 - 2. Vibration. No vibrations shall be discernible beyond the property lines of the industry.

3. Odor. No emission of odorous gas or other odorous matter shall be permitted in such quantity as would be readily detectable along or beyond the lot lines of the industrial operation without the use of instruments.
 4. Toxic or Noxious Matter. No discharge of any toxic or noxious matter in such quantity as would be detrimental or dangerous to public health, safety, comfort or welfare, or would cause injury or damage to property, businesses, or the surrounding natural environment shall be permitted.
 5. Glare. No direct or reflected glare shall be detectable at any point along or beyond the property lines of the industry.
 6. Heat. No direct or reflected heat shall be detectable at any point along or beyond the property lines of the industry.
 7. Dust and Fly Ash. No solid or liquid particles shall be emitted in such quantities as would be readily detectable at any point along or beyond the property lines of the industry or as would produce a public nuisance or hazard.
 8. Smoke. No smoke shall be emitted in such quantity as would be become a nuisance.
 9. Fire, Explosion, and Chemical Hazards. In all activities involving, and in all storage of flammable and explosive materials, the owner or operator of such use shall provide adequate safety devices against the hazard of fire, explosion, leaks or spills, and appropriate fire fighting and fire suppression equipment and devices standard in the industry, or as may be required by the Occupational Safety and Hazards Administration (OSHA). Burning of industrial waste materials in open fires shall be prohibited at all times.
- J. Radioactivity or Electrical Disturbances. No activities shall be permitted which emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

415 MINERAL EXTRACTION OPERATIONS

Mineral extraction operations, including the commercial excavation of sand, gravel, clay, shale, rock or other natural mineral deposit as may be defined by State or Federal regulations, may be permitted only where specified in the District Regulations, Article 3. Additionally, extraction operations conducted in Walker Township shall be sub-surface in nature, unless the applicant can demonstrate to the Township Supervisors that such methodologies are not possible. All extraction operations shall comply with PA Department of Environmental Protection and applicable Federal permit requirements and evidence of such compliance must be

submitted with any application for a mineral extraction operation. In addition, the following standards shall be met. ***(Where however, the requirements of this Ordinance conflict with any state or federal Law or regulation, such state or federal regulation shall prevail.)***

- A. Mineral extraction operations shall abut on or provide direct access to a street or highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation site shall be arranged to minimize danger to traffic and nuisance to surrounding properties. A copy of the applicant's PADOT-issued Highway Occupancy Permit shall be submitted to the Township where access onto a state highway is proposed. Where however, Township roads are to be used to haul materials to or from the site, a bond or other acceptable security, in an amount set by the Township Supervisors, shall be provided by the applicant to assure the maintenance of such roadways. The amount of such security shall be reviewed annually and any unused portion shall be returned to the applicant within one year after termination of the use.
- B. A copy of the applicant's Soil Erosion and Sedimentation Control Plan, reviewed and approved by the Centre County Conservation District, or other designated agency, shall be submitted to the Township to indicate what precautions are to be taken to avoid erosion and sedimentation problems where excavation is proposed. All exposed ground surfaces shall be stabilized or protected with a vegetative cover to prevent erosion, unless other erosion control techniques are approved as part of the above-referenced Plan.
- C. Screen plantings, buffering, and/or fencing shall be provided along the perimeter of the excavation site as may be required by State or Federal regulations. Where not specifically regulated by State or Federal standards, a buffer yard of 150 feet and screening in accordance with Section 506 of this Ordinance shall be provided. In addition, in the case of open excavation, a fence, at least eight (8) feet in height, shall completely surround the excavated area, except at approved points of ingress and egress. Points of ingress and egress shall have a gate(s) which shall be locked to prevent unauthorized access when the facility is not in operation.
- D. Where not specifically regulated by State or Federal standards, no extraction activities, stockpiling or storage of extracted material shall be located within the required buffer (see Section C. above.), nor less than 300 feet from any stream, body of water or designated wetland area. Further, no stockpiles may exceed 50 feet in height above the original ground surface. All reasonable precautions shall be taken to prevent any materials deposited on stockpiles from being washed, blown, or otherwise transported off the site by natural forces.
- E. Where permitted, rock crushers, batching or mixing plants, or other grinding, polishing or cutting machinery shall be setback a minimum of 150 feet from all property lines and public rights-of-way. Such facilities shall not exceed 65 feet in height and shall be subject to such additional conditions and

safeguards deemed necessary by the Township Supervisors to protect the public health, safety and welfare.

- F. The owner/operator of the extractive operation shall provide sufficient information to the Township to demonstrate that the impact of the proposed operation will not have an adverse effect upon the health, safety and welfare of the Township. Such information shall include, but need not be limited to, evidence that the use will not adversely impact ground water quality and supply, will not cause ground vibration, increase noise, dust dissemination, nor cause the contamination of the air or ground by the use of noxious or hazardous substances. The minimum standards for determining compliance with such environmental requirements shall be all State and Federal laws and subsequent implementing rules and regulations. The owner/operator of the extractive operation shall perform testing and provide the results thereof to the Township in order to demonstrate compliance. Such testing shall continue to be conducted on a semi-annual basis or as determined appropriate by the Township to guarantee no adverse effects of the use on the environment. If such impacts are determined to have occurred, the owner/operator shall undertake all measures required by the Township (or other State or Federal agency) to bring the operation into full compliance with the environmental performance requirements of this Section as soon as possible and practical.
- G. The applicant shall submit a copy of the state or federally mandated post-closure site restoration plans to the Township as a part of the application for a mineral extraction operation.
- H. The applicant shall provide evidence that all required governmental approvals have been granted prior to the issuance of a Zoning Permit. In the event the mining operation is found to be in violation of any governmental regulations which require the operation of the facility to cease, such action shall cause the Zoning Permit to be forfeited. In this case, no resumption of facility operations shall take place unless and until the applicant obtains approval of a new Zoning Permit application.

416 JUNK YARDS OR AUTO SALVAGE OPERATIONS

All junk yards or auto salvage operations created after the effective date of this Ordinance shall comply with the provisions outlined below, as well as all other municipal regulations which may be in effect or may hereafter be enacted to control such activities. Such facilities may be permitted only where specified in the District Regulations, Article 3. Applications for such uses shall meet the requirements outlined below and the standards set forth in the Subdivision and Land Development Ordinance in effect in Walker Township, as well as those provisions established in the Township's Junk Yard and Refuse Ordinance (Ordinance# 104, or any subsequent amendment thereto).

- A. Such uses shall be conducted within a building or shall be entirely enclosed with a fence or wall not less than eight (8) feet in height and made of a

suitable, permanent material. In addition, a buffer yard of 50 feet around the entire perimeter of the facility shall be required to provide adequate separation between the junk yard and adjacent uses. No part of this buffer yard may be used for the storage of any materials or parts associated with the operation. Buffer areas shall be planted and maintained with grass or other acceptable vegetative cover.

- B. No junk material, accessory structure, related activity or other enclosure shall be stored, placed, located or conducted within 50 feet of any public street right-of-way, body of water, stream or wetland, nor within 25 feet of any adjoining property line. No weeds or scrub-growth over ten (10) inches in height shall be permitted to grow within this setback area. And, where determined appropriate by the Township Supervisors, the applicant may be required to prepare and submit a Soil Erosion and Sedimentation Control Plan for his facility.
- C. All junk materials shall be placed so that they are incapable of being transported off the premises by wind, water, or other natural causes.
- D. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water. No junk shall be piled to a height exceeding ten (10) feet.
- E. All gasoline and oil shall be drained from junked vehicles prior to being accepted at the facility.
- F. No oil, grease, tires, gasoline or other similar material shall be burned at any time, and all other burning shall be controlled at all times.
- G. All junk yards shall be maintained in such a manner to avoid causing public or private nuisances; causing any offensive or noxious odors; or causing the breeding or harboring of rats, flies, or other vermin that could be hazardous to public health.

417 AGRICULTURAL USES

Irrespective of the specific uses listed or permitted in any of the Township's zoning districts, existing agricultural programs shall be permitted and encouraged as an interim use until such time as the property owner sells or transfers his property interests to persons, agents or others interested in developing a use in conformance with the District Regulations set forth in Article 3. All agricultural uses initiated after the effective date of this Ordinance shall however be subject to the following safeguards and regulations.

A. General Agricultural Use Regulations

The following general regulations shall apply to all agricultural uses.

1. Private gardens shall be permitted in all zoning districts.

2. The stabling of horses for personal, noncommercial use may be permitted as an accessory use in the Rural Residential and Suburban Residential Districts subject to the following requirements:

- a. Lot Size and Number Limitations

| <u>Lot Size</u> | <u>Permitted Number</u> |
|-----------------------|-------------------------|
| 2 acres | 1 horse |
| 2 + acres to 6 acres | 2 horses |
| 6 + acres to 10 acres | 4 horses |
| 10+ acres to | no limit |

- b. Setback Requirements- Stables and corrals shall be set back 50 feet from all property lines; 100 feet from dwellings (other than the owner's residence); and may not be situated within a front yard. Manure shall be set back at least 75 feet from all property lines and may not be stored within a front yard in either of these zones.

3. The raising of livestock or poultry may be permitted as a principal and/or accessory use in the Agricultural and Woodland/Conservation Districts subject to the following requirements:

- a. Lot Size and Density Limitations.

| <u>Lot Size</u> | <u>Maximum Permitted Density</u> |
|-----------------------|----------------------------------|
| 2 acres | 1 AEU/lot * |
| 2 + acres to 10 acres | 1/2 AEU per acre |
| 10+ acres to | up to 2 AEU's per acre |

* Animal equivalent unit (See also Appendix C of this Ordinance for a listing of Standard Animal Weights)

- b. Setback Requirements. Buildings in which livestock or poultry are to be housed shall be set back at least 25 feet from all property lines and 50 feet from all dwellings (other than the owner's residence). Manure or other similar unenclosed storage shall be set back at least 75 feet from all property lines.
4. Commercial animal husbandry activities may also be permitted in the Agricultural and Woodland/Conservation Districts as provided in the District Regulations, Article 3. (See also Sub-Section B. below regarding Concentrated Animal Operations.)
5. Nothing contained in this Ordinance shall prohibit a farmer from carrying out normal farming activities, including the spreading of manure.

B. Concentrated Animal Feeding Operation Regulations

Concentrated animal feeding operations (CAFO) may only be permitted in an Agricultural District, and all new or expanded CAFO's shall require Conditional Use approval from the Township Supervisors prior to the issuance of a Zoning Permit. In addition, all applications for CAFO's shall satisfy the following criteria.

1. All concentrated animal feeding operations shall meet the requirements set forth in the PA Nutrient Management Regulations for the preparation and submission of Nutrient Management Plans. In particular, all such operations shall meet the standards established in the Nutrient Management Regulations pertaining to nutrient application, manure management, and manure storage facilities.
2. A minimum of 25 acres shall be required for concentrated animal feeding operations. The maximum permitted density for parcels of ground containing 25-100 acres shall be 3 AEU's per acre. For parcels in excess of 100 acres, there shall be no maximum density.
3. All applications to the Township for new or expanded concentrated animal feeding operations shall include the following information:
 - a. a detailed, written description of the type and size of operation being proposed;
 - b. a site plan illustrating the proposed location of all outdoor feedlots, animal confinement buildings, manure storage facilities, and manure application areas, and their relation to existing occupied dwellings (other than the owner's residence); and
 - c. a copy of the applicant's Nutrient Management Plan, reviewed and Nutrient Management Specialist, or other appropriate agency.
4. At a minimum, buildings in which livestock and/or poultry are to be housed (temporarily or permanently) shall be erected at least 50 feet from all property lines and 100 feet from all dwellings (other than the owner's residence). Where however, more restrictive setback requirements are established in the Nutrient Management Regulations, then those standards shall apply.

C. Non-Agricultural and Agricultural Subdivision Regulations

Consistent with the Governor's Agricultural Land Preservation Policy, issued on October 14, 1997, and the State's subsequent "Growing Greener" Initiative, the overall intent of these provisions is to preserve and protect the municipality's valuable agricultural lands from irreversible conversion to uses that result in their loss as an environmental and essential food and fiber resource and to prevent the loss of precious open space. All non-agricultural and agricultural subdivisions proposed in the

Agricultural and Woodland/Conservation Zoning Districts of the Township after the effective date of this Ordinance shall therefore be subject to the following regulations.

1. In the Agricultural and Woodland/Conservation Zoning Districts, a tract of land containing 20 acres or less at the effective date of this Ordinance may be subdivided for non-agricultural purposes in accordance with the following criteria.
 - a. There shall be no limit on the number of non-agricultural lots created from the parent tract;
 - b. All non-agricultural lots created by a split from the parent tract located in the Agricultural District shall contain a minimum of one (1) acre. Non-agricultural lots created by a split from the parent tract located in the Woodland/Conservation District shall meet the lot size requirements set forth in Section 310 of this Ordinance; and
 - c. All non-agricultural lots created by a split from the parent tract shall meet the Use Regulations set forth in Sections 309 and 310 of this Ordinance, as applicable.
2. In the Agricultural and Woodland/Conservation Zoning Districts, a tract of land containing **in excess of 20 acres** at the effective date of this Ordinance may be subdivided for **non-agricultural purposes** in accordance with the following criteria.
 - a. For tracts of land containing between 20 + and 100 acres, the total amount of land subdivided for non-agricultural purposes shall not exceed ten (10) acres or 10% of the parent tract as it existed at the effective date of this Ordinance, whichever is less;
 - b. For tracts of land containing more than 100 acres, the total amount of land subdivided for non-agricultural purposes shall not exceed ten (10) acres of the parent tract as it existed at the effective date of this Ordinance, plus one (1) additional lot may be permitted for each 30 acres of land in the parent tract beyond the initial 100 acres.
 - c. All non-agricultural lots created by a split from the parent tract located in the Agricultural District shall contain a minimum of one (1) acre. Non-agricultural lots created by a split from the parent tract located in the Woodland/Conservation District shall meet the lot size requirements set forth in Section 310 of this Ordinance;
 - d. All non-agricultural lots created by a split from the parent tract shall meet the Use Regulations set forth in Sections 309 and 310 of this Ordinance, as applicable;
 - e. All applications for non-agricultural subdivisions shall include

plans showing the applicant's entire allotment of non-agricultural lots either as part of the proposed subdivision or illustrated on the plot plan's residual tract map; and

- f. Where feasible, all non-agricultural lots created from a single parent tract should be contiguous, use a common access, and be located so as to afford the least disruption to any farm operation or woodland area as possible.
3. After the effective date of this Ordinance, tracts of ground located in the Agricultural and Woodland/Conservation Zoning Districts being subdivided for agricultural purposes must contain a minimum of 20 acres. Any such subdivided parcels shall not thereafter be further subdivided unless the acreage involved is to be added to existing, adjacent lots of record being used for agricultural purposes. A single dwelling unit intended as living quarters for persons working on the site may be permitted on such parcels.

418 FORESTRY OR FOREST MANAGEMENT ACTIVITIES

In order to preserve the forested open space and the environmental and economic benefits they provide, it is the intent of these provisions to encourage the owners of forestland to continue to use their land for forestry purposes, including the long- term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations set forth below are intended to: promote good forest stewardship; protect the rights of adjoining property owners; minimize the potential for adverse environmental impacts; and avoid unreasonable and unnecessary restrictions on the right to practice forestry.

A. Applicability and Permit Requirements

1. To encourage maintenance and management of forested and wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land throughout Walker Township, forestry activities, including timber harvesting, shall be permitted in all zoning districts.
2. A Zoning Permit shall however be required prior to initiation of any forestry activity in Walker Township, except as indicated in Sub-Section A.3.below. The Permit application shall specify the land on which harvesting will occur, the expected size of the harvest area, the anticipated starting and completion date of the operation, and shall include a copy of the logging plan prepared for the operation. (See Sub-Section B. below for details of the required logging plan.)
3. The provisions of this Section shall apply to all timber harvesting operations within the Township where the operation will exceed 2 acres. The provisions do **NOT** apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement. (See also Sub-Section E. below for cutting and regeneration disclosure requirements.)

B. Logging Plan Requirements

Every land owner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified below. No Zoning Permit for timber harvesting shall be issued until such plan is prepared. The provisions of the plan shall be followed throughout the operation. The plan shall also be available at the harvest site at all times during the operation.

1. At a minimum, the logging plan shall include the following:
 - a. design, construction, maintenance, and retirement details of the access system, including haul roads, skid roads and trails, and landing areas;
 - b. design, construction, and maintenance details of water control measures and structures such as culverts, filter strips, swales, and similar features; and
 - c. design, construction, and maintenance details of stream and wetland crossings.
2. Each logging plan shall also include a sketch map or drawing containing the following information
 - a. site location and boundaries, including both the boundaries of the property on which the harvesting operation is to occur and the boundaries of the proposed harvest area within that property;
 - b. significant topographic features related to potential environmental problems;
 - c. location of all earth disturbance activities, such as roads, landings, and water control measures and structures;
 - d. location of all crossings of waters of the Commonwealth; and
 - e. the general location of the proposed operation in relation to municipal and state highways, including accesses onto those highways.
3. Logging plans shall also comply with the requirements of all applicable state regulations, including the erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, and the stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105. Any permits required by state laws and regulations shall be attached to and become a part of the logging plan. **(An erosion and sedimentation control plan that satisfies the requirements of Chapter 102 shall also satisfy the**

requirements of the logging plan and associated map set forth above.)

C. Required Forest Practices

The following practices shall apply to all timber harvesting operations in Walker Township.

1. Felling or skidding of trees on or across any public roadway is prohibited without prior written permission of Walker Township or PADOT, as applicable.
2. No tops or slash shall be left within 25 feet of any public roadway or private roadway providing access to adjoining residential property.
3. All tops and slash between 25 and 50 feet of a public roadway or private roadway providing access to adjoining residential property, or within 50 feet of adjoining residential property shall be lopped to a maximum height of four feet above the ground.
4. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the written consent of the owner thereof.
5. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.

For the purposes of this Ordinance, Permits issued for timber harvesting operations may include the use of band sawmills, where such facilities are to be in operation for one year or less in duration. Requests for operation of such facilities for more than one year or for the creation of a sawmill as an independent use shall be considered as a Special Exception.

D. Road Maintenance Responsibilities

Pursuant to Title 67 Pennsylvania Code, Chapter 189, the landowner and operator shall be responsible for repairing any damage to State or Township roads caused by traffic associated with the timber harvesting operation. Where direct access to a timber harvesting operation is to be provided via a state highway, a copy of the applicant's PADOT-issued Highway Occupancy Permit shall be submitted to the Township as part of the Zoning Permit application. Where however, Township roads are to be used to provide direct access to or from the site, a bond or other acceptable security, in an amount set by the Township Supervisors (as recommended by the Township Engineer), shall be provided by the applicant to assure the maintenance of such roadways. The amount of the security shall be reviewed annually, as necessary, and any unused portion shall be returned to the applicant within six months after completion of the operation.

E. Cutting and Regeneration Disclosure Requirements

Because of the impact of harvesting operations on forest conditions, residual

forest values and regeneration should be considered prior to initiation of such activities. The following disclosure process was therefore developed to encourage landowners to understand and assess the impact of their harvesting decisions on forest uses and values.

In addition to the requirements set forth above for timber harvesting operations, a Cutting and Regeneration Disclosure Form shall be required to be completed for all timber harvests of two or more acres in Walker Township. The Form shall include information on the types of treatments to be used during and after the harvesting operation to assure satisfactory regeneration of the forest. To ensure the applicant has received sufficient information and assistance in completing the Form, the Disclosure must be signed by a forest resource professional not in the employment of the purchaser, in addition to the land owner, and the harvester. (Copies of the Cutting and Regeneration Disclosure Form may be obtained from the Township Zoning Officer.) **(The disclosure process may be waived by the Zoning Officer where the timber harvest is to precede an approved land use change.)**

419 OUTDOOR COMMERCIAL RECREATION USES

Outdoor commercial recreation uses, including campgrounds, RV parks, golf courses, golf driving ranges, sporting clays or skeet shooting ranges, ski resorts, and similar activities, may be permitted only where specified in the District Regulations, Article 3. Applications for such uses shall also meet the requirements outlined below.

- A. A plan showing the proposed facilities and/or design of the recreational facility shall be provided by the applicant with his Zoning Permit application.
- B. All buildings, structures, and/or active recreation facilities shall be located at least 25 feet from all property lines and shall be screened in accordance with the standards set forth in Section 506 of this Ordinance.
- C. Sewage disposal facilities, when proposed, shall be provided by the applicant in accordance with the standards of the PA Department of Environmental Protection and applicable local sewage regulations.
- D. Arrangements for the collection, storage and disposal of all solid wastes generated by the facility shall be made by the applicant and submitted to the Township for approval as part of the application process.
- E. Off-street parking facilities shall be provided in accordance with the requirements of Article 8 of this Ordinance.
- F. Outdoor security lighting provided for the facility shall be installed and shielded to eliminate direct glare on adjacent properties or upon public streets.
- G. No public address system shall be permitted, except where such system will be inaudible at all property lines.

- H. The proposed hours, rules, and security arrangements for the facility shall be included with the application for the use. Consideration shall be given not only to the convenience of the users, but the convenience, safety and welfare of the neighborhood or area in which the facility is to be located.
- I. Where the proposed activity involves a use which presents a potentially hazardous situation, additional safeguards or precautions shall be taken by the applicant to ensure the safety of the public. In all such instances, the Supervisors shall review the precautions being proposed and shall determine their adequacy before approving the proposed Conditional Use.
- J. In addition to meeting the standards set forth above, applications for campgrounds or RV parks shall also meet the requirements contained in the Subdivision and Land Development Ordinance in effect in Walker Township. Furthermore, a campground or RV park proposed to be situated in any identified floodplain area, must meet the floodplain management requirements established in Article 6 of this Ordinance.

420 **COMMERCIAL COMMUNICATIONS ANTENNAE, TOWERS AND/OR EQUIPMENT BUILDINGS**

Commercial communications antennae, towers, and/or receiving equipment buildings may be permitted only as specified in the District Regulations, Article 3. Applications for such uses shall also be subject to the standards outlined below, as well as all other applicable State or Federal regulations. **Residence-mounted satellite dishes and television reception devices, and ham or citizen band radio antennae may be located in any zoning district as an accessory use and shall not be subject to further regulation by this Ordinance.**

A. General Requirements

- 1. No person or entity shall construct, install or otherwise operate a commercial communications antenna or erect a communications tower or equipment building without first securing a Zoning Permit from the Township Zoning Officer, except as provided above.
- 2. The applicant shall provide sufficient documentation that is it licensed by the Federal Communications Commission (FCC) to operate a communications tower and/or antennae. The applicant shall also demonstrate that all antennae proposed to be mounted on such towers will comply with the applicable standards established by the FCC governing human exposure to electromagnetic radiation, and that any proposed tower will comply with all Federal Aviation Administration (FAA), Commonwealth Bureau of Aviation, and applicable Airport Zoning regulations.
- 3. The applicant shall demonstrate that the proposed antenna will not cause interference with other communications facilities located in the Township.

4. There shall be no strobe or other warning lights utilized on communications antennae, towers, or equipment buildings unless mandated by the FAA.
5. No provision of this Section is intended to unduly restrict or impair communications activities conducted by any FCC-licensed individual or entity. In the event that it is determined that any provision of this Section would unlawfully restrict the exercise of a license issued by the FCC, the Supervisors of Walker Township shall have the power and authority to modify the terms of this Section as they apply to such license holder. Relief under this Section shall however be authorized on a case-by-case basis, and any such application shall be considered as a conditional use.

B. Communications Antennae (Building-mounted)

1. Building-mounted communications antennae shall not be located on a single- or two-family dwelling.
2. Building-mounted antennae shall not exceed 20 feet in height above the building to which they are attached. Omni-directional or whip antennae shall not exceed a height of 20 feet and a diameter of seven (7) inches. Directional or panel antennae shall not exceed five (5) feet in height and three (3) feet in width.
3. Any applicant proposing to mount a communications antennae on a building or other structure shall submit evidence to the Township from a PA-registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or structure, considering wind and other loads associated with the antennae location. In addition, the applicant shall submit detailed construction and elevation drawings indicating how the antennae will be mounted on the building or structure and evidence of agreements and/or easements necessary to provide access to the, building or structure on which the antennae is located.
4. Building-mounted antennae shall be located on those building elevations which do not face public rights-of-way.

C. Communications Towers

1. Any applicant proposing construction of a new communications tower shall document that a good faith effort has been made to obtain permission to mount the communications antennae on an existing building, structure or communication tower. A good faith effort shall require that all owners of potentially suitable structures within a one quarter (.25) mile radius of the proposed tower site be contacted and that one (1) or more of the following reasons applies for not selecting such structure.

- a. The proposed antennae and related equipment would exceed the structural capability of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 - b. The proposed antennae and related equipment would cause radio frequency interference with other existing equipment for that structure and the interference could not be prevented at a reasonable cost.
 - c. Such existing structures do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - d. Addition of the proposed antennae and related equipment would result in electromagnetic radiation from the structure exceeding applicable standards established by the FCC governing human exposure to radiation.
 - e. A commercially reasonable agreement could not be reached with the owners of such structure.
2. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the district in which the tower is to be located.
 3. The maximum height of any communications tower shall be 150 feet, unless the applicant can demonstrate, to the satisfaction of the Township Zoning Hearing Board, that a greater height is necessary to perform the intended function.
 4. The foundation and base of any communications tower shall be set back from all property lines and public street rights-of-way a distance equal to the intended height of the tower.
 5. The base of the tower shall be landscaped to screen the foundation, base, and equipment building from abutting properties.
 6. The site of a communications tower shall be secured by a fence with a minimum height of eight (8) feet to limit accessibility by the general public.
 7. All communications towers shall be designed and constructed in accordance with currently accepted engineering practices, taking into consideration all relevant safety factors, including but not limited to wind forces. All guy wires associated with communications towers shall be clearly marked so as to be visible at all times and shall be located within the required fenced enclosure. The applicant shall supply the Township with certification from a PA-licensed professional engineer indicating that such practices will be met.

8. No signs or lights shall be mounted on a communications tower, except as may be required by the FCC, FAA, or other governmental agency which has jurisdiction.
9. Access to the communications tower and/or equipment building shall be provided by means of a public street or private right-of-way or easement to a public street. Any such right-of-way or easement shall be a minimum of 20 feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all-weather surface for its entire length.
10. The applicant shall submit a copy of his FCC license, together with the name, address and emergency telephone number of the operator of the communications tower, and a certificate of insurance evidencing general liability coverage in the amount of \$1 million per occurrence and property damage coverage in the amount of \$1 million per occurrence covering the tower and antennae thereon, with a \$3 million aggregate. Such insurance shall remain current at all times that a tower is located on the site.
11. Upon completion of installation, the applicant shall supply the Township with engineering certification indicating that the tower has been constructed and installed in accordance with the applicant's approved plans. The Township Zoning Officer may then issue a Certificate of Compliance thereby allowing the structure to be used.
12. A tower removal performance bond shall be provided to the Township by the applicant to ensure removal of the tower should it become abandoned or is no longer used to support communication antennae. Such bond shall be in an amount no less than 20% of the cost of the tower. Said bond shall remain in effect and with the Township for the life of the tower. Any change in the status of the bond must be reported to the Township by the applicant within 30 days.
13. If a communications tower remains unused for a period of 12 consecutive months, the Township may consider the use abandoned and the Zoning Officer may therefore issue a notice to the tower owner to dismantle and remove the facility and associated equipment from the site within 90 days of the date of the notice. Municipal enforcement proceedings and procedures to invoke use of the tower removal bond may be initiated following the 90-day period if the tower has not been removed or satisfactory arrangements for the tower's removal have not been made.

D. Communications Equipment Buildings

1. Structures permitted for the housing of communications equipment, transformers, and other similar hardware, shall be designed and constructed to be compatible with the general character of the other structures located within the same district, and shall be subject to the setback requirements provided in the District Regulations for the district where they are to be located. Such structures shall house only that equipment necessary to provide normal maintenance and repair for the operations, and shall generally be unmanned.
2. The maximum height of an equipment building shall be 35 feet.

421 **SWIMMING POOLS**

A. Private Swimming Pools

Private swimming or bathing pools (pools used by the occupant and his guests) may be permitted as accessory uses in all zoning districts, except the Light Industrial and Mineral Extraction District, but must comply with the following requirements.

1. Every outdoor private swimming pool of permanent construction, whether above or below ground, shall be completely surrounded by a fence or wall not less than four (4) feet in height to prevent uncontrolled access. (No additional fence or wall shall be required where a minimum of four (4) feet of the walls around the entire perimeter of the pool are located above the ground; provided, that steps, ladders and other means of access to the pool are removed or secured to a minimum of four (4) feet above ground level when the pool is not in use.) The maximum space between fence rails or openings shall not exceed four (4) inches. All gates or doors in the fence or wall shall have self-latching or automatic locking devices.
2. A dwelling or accessory structure may be used as part of the required enclosure.
3. The pool shall not be located within any required front yard, nor be closer to any side or rear property line than is established for accessory structures in the district where the pool is located.

B. Public Swimming Pools

Public swimming or bathing pools, including pools owned and operated by municipal governments, private organizations, or pools provided in conjunction with commercial lodging facilities, mobile home parks, or similar uses, may be permitted only as specified in the District Regulations, Article 3. Such pools shall be subject to all requirements established by the PA Department of Environmental Protection and the PA Department of Health.

422 **HOME OCCUPATIONS** *(SEE ALSO SECTIONS 423, 424, and 425)*

Where not prohibited by deed restrictions or other covenants or agreements restricting the use of land, no-impact home-based businesses and other home occupations may be permitted subject to the following requirements.

A. **No-Impact Home-Based Businesses**

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business activity shall be conducted entirely within the owner's dwelling and may occupy no more than 25% of the habitable floor area of the residence.
3. The business shall employ no employees other than family members residing in the dwelling.
4. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
5. There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.
6. The business activity shall 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.
7. The business activity shall not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
8. The business shall not involve any customer, client, or patient traffic, whether vehicular or pedestrian, pick-up, delivery, or removal functions to or from the premises in excess of that normally associated with a residential use.
9. The business shall not involve any illegal activity.

B. **Home Occupations**

1. For the purposes of this Ordinance, a home occupation shall be defined as an accessory use of a dwelling or accessory building which is clearly secondary to the use of the premises as a residence.

2. The area devoted to the permitted occupation shall be located within the resident's dwelling OR a single building accessory thereto (including a garage, farm building, barn, shed, etc.) In the Rural Residential and Suburban Residential Districts, not more than a total of 25% of the gross floor area of the dwelling, up to a maximum of 400 square feet, may be devoted to home occupations. In the Agricultural, Woodland/Conservation, Urban Residential, Village, and General Commercial Districts, home occupations may occupy no more than 45% of the gross floor area of the dwelling, up to a maximum of 600 square feet.
3. The home occupation shall be owned and operated by the individual who is the owner and resident of the dwelling in which the occupation is located. There shall be no more than one {1} non-resident employee engaged in the home occupation.
4. The home occupation shall not create any adverse impact on existing traffic or circulation patterns in the neighborhood.
5. No offensive or objectionable noise, vibration, smoke, dust, odor, heat or glare shall be produced or detected at or beyond the property line of the lot containing the home occupation.
6. There shall be no exterior display or sign, except as may be permitted in Article 7 of this Ordinance, and no outdoor storage of materials on the premises associated with the occupation.
7. The majority of all goods or products sold on the premises must be produced on the premises, or must be related to a service offered on the site.
8. A minimum of two (2) additional off-street parking spaces shall be provided for all home occupations.
9. Permitted home occupations shall include the following "low-intensity", service-oriented activities which do not meet the criteria for a no-impact, home-based business as set forth above:
 - a. Professional offices for physicians, dentists, architects, engineers, real estate or insurance agents, lawyers, and accountants;
 - b. Home offices for seamstresses, fine artists, tutors, and musicians giving lessons;
 - c. Barber and beauty shops;
 - d. Family day care homes;
 - e. Custom baking and catering operations;

- f. House cleaning services; and
 - g. Non-automotive electronic equipment repair facilities.
10. Requests for other home occupations not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

423 FARM-RELATED BUSINESSES

Farm-related businesses may be permitted as accessory uses in the Agricultural and Woodland/Conservation Districts and shall be subject to the following requirements.

- A. For the purposes of this Ordinance, a farm-related business shall be defined as an accessory commercial enterprise conducted on a farm parcel which is related to and/or supportive of an on-going agricultural operation located on the same tract of ground. All such operations shall remain secondary to the principal agricultural use of the property.
- B. Farm-related businesses shall be conducted primarily within an enclosed building(s) typical of farm buildings, with the exception of approved storage, but may not be located within the farm residence. All buildings used for farm-related businesses shall be located in proximity to other farmstead buildings and must remain compatible with the character of the farm and the rural setting in which they are located.
- C. The farm-related business must be owned and operated by the individual who is the owner and resident of the farm on which it is located. There shall be no more than two (2) non-resident employees engaged in the business.
- D. The area devoted to production, storage and sales associated with the farm-related business shall be limited to a total of 5,000 square feet of gross floor area.
- E. No outdoor, unenclosed storage associated with a farm-related business shall become a nuisance or create a safety hazard. All such storage shall meet the requirements set forth in Section 427 of this Ordinance.
- F. All signs used to advertise such facilities shall meet the requirements of Article 7 of this Ordinance.
- G. Off-street parking spaces shall be provided for each farm-related business as set forth in Article 8 of this Ordinance.

- H. Farm-related businesses may include the following agricultural activities:
1. Processing, storage, and/or sale of products raised or produced on the premises;
 2. Dairy stores;
 3. Custom butcher shops;
 4. Horticultural nurseries, greenhouses, and/or garden shops; and
 5. Livestock or animal grooming services.
- I. Requests for other farm-related businesses not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

424 COTTAGE INDUSTRIES

Cottage industries may only be permitted in the Agricultural and Woodland/Conservation Districts and will require approval as a Special Exception from the Township Zoning Hearing Board.

- A. For the purposes of this Ordinance, a cottage industry shall be defined as an accessory commercial or industrial use of a residential or agricultural tract of ground which is clearly secondary to the use of the premises as a residence or farm. Cottage industries are intended to enhance the economy of the Township by producing an opportunity for land owners in the Agricultural and Woodland/Conservation Districts to establish accessory business activities without requiring the subdivision or fragmentation of rural lands.
- B. Cottage industries shall be conducted primarily within the resident's dwelling or other enclosed building(s) typical of farm buildings, with the exception of approved storage. All buildings used for cottage industries must remain compatible with the character of the farm and the rural setting in which they are located.
- C. The cottage industry must be owned and operated by the individual who is the owner and resident of the dwelling or farm on which it is located. There shall be no more than two (2) non-occupants engaged in the operation.

- D. The area devoted to production, storage and sales associated with the cottage industry shall be limited to a total of 4,000 square feet of gross floor area where the activity is accessory to an agricultural operation. Where however, the activity is accessory to a residential use, the area devoted to all aspects of the cottage industry shall be limited to 45% of the dwelling's gross floor area.
- E. No outdoor, unenclosed storage associated with a cottage industry shall become a nuisance or create a safety hazard. All such storage shall meet the requirements set forth in Section 427 of this Ordinance.
- F. All signs used to advertise such operations shall meet the requirements of Article 7 of this Ordinance.
- G. Off-street parking spaces shall be provided for each cottage industry as set forth in Article 8 of this Ordinance.
- H. Cottage industries may include the following "low" or "moderate" intensity service or industrial activities:
 - 1. Custom woodworking, furniture or cabinetry shops;
 - 2. Craftsmanship shops;
 - 3. Family-scale food processing operations (no canneries or rendering plants); and
 - 4. Pet or animal grooming facilities.
 - 5. Small engine, and/or lawn & garden equipment repair.
- I. Requests for other cottage industries not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

425 AGRI-BUSINESSES

Agri-businesses may only be permitted in the Agricultural District and will require approval as a Special Exception from the Township Zoning Hearing Board.

- A. For the purposes of this Ordinance, an agri-business shall be defined as a principal commercial use related to agriculture or an agricultural activity, which may or may not be associated with an agricultural operation located on the same tract of ground.

- B. Agri-businesses shall be conducted primarily within an enclosed building(s) typical of farm buildings, with the exception of approved storage, but shall not be located within a farm residence. All buildings used for agri-businesses must remain compatible with the character of the rural setting in which they are located.
- C. Where the agri-business is to be accessory to an on-going agricultural operation located on the same tract of ground, there shall be no more than two (2) non-occupants engaged in the business, and the area devoted to production, storage and sales for such business shall be limited to a total of 5,000 square feet of gross floor area.
- D. Where the agri-business is to be considered as the principal use of a tract of ground, there shall be no limit on the number of employees engaged therein, and the area devoted to production, storage and sales for such business shall be limited to a total of 10,000 square feet of gross floor area.
- E. No outdoor, unenclosed storage associated with an agri-business shall become a nuisance or create a safety hazard. All such storage shall meet the requirements set forth in Section 427 of this Ordinance.
- F. All signs used to advertise such operations shall meet the requirements of Article 7 of this Ordinance.
- G. Off-street parking spaces shall be provided for each agri-business as set forth in Article 8 of this Ordinance.
- H. Agri-businesses may include the following service or agricultural-related retail activities:
 - 1. Feed, seed, and grain mills;
 - 2. Agricultural implement sales and service;
 - 3. Sawmills;
 - 4. Blacksmith or carriage shops;
 - 5. Wineries; and
 - 6. Custom butcher shops.

- I. Requests for other agri-businesses not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

426 ACCESSORY RESIDENTIAL USES

For the purposes of this Ordinance, accessory residential uses shall include apartments or dwelling units above or adjoining principal commercial uses in the Urban Residential, Village, and General Commercial Districts. Every such proposed use shall also meet the requirements outlined below.

- A. All such uses must remain secondary to the principal commercial use of the structure.
- B. The minimum gross floor area requirements set forth in Section 402 of this Ordinance shall be met.
- C. Sewage and water facilities shall be sufficient to handle the anticipated loading created by the addition of the dwelling unit(s) and shall meet the requirements of the PA Department of Environmental Protection.
- D. The off-street parking requirements set forth in Article 8 of this Ordinance shall be met for both the commercial and residential uses.

427 OUTDOOR STORAGE

The outdoor or unenclosed storage of materials, equipment or items of personal property may be permitted as an accessory use on any lot, in all zoning districts in the Township, except as may be provided otherwise in this Article. All such storage shall however be subject to the following standards, as well as the requirements of the Township's Property Maintenance Ordinance (Ordinance# 145, or any subsequent amendment thereto).

- A. All such storage shall be located on a lot occupied by the owner of the material, equipment, or personal property.
- B. Such storage shall not constitute a nuisance nor create a safety hazard.
- C. No outdoor storage shall be permitted in a front yard, and shall be situated so as to meet the applicable side and rear yard requirements for the district in which it is located. (The storage of firewood may however be permitted to be located within required side and rear yards.)

- D. No part of a street right-of-way, sidewalk or other area intended or designated for pedestrian use, and no required parking area shall be used for such storage.
- E. All materials or wastes which might cause fumes or constitute a fire hazard or which might be attractive to rodents or insects shall be stored outdoors only in closed, water-tight containers.
- F. In the Commercial or Industrial District, all outdoor storage of raw materials or unfinished products, except those intended for retail sale to the general public, shall be screened or shielded from view from any public street or right-of-way. In the Rural Residential, Suburban Residential, Urban Residential, Village and Woodland/Conservation Districts, a fence, wall or evergreen planting, as provided in Section 506 of this Ordinance, shall be used to screen outdoor storage from view of the travelling public.

428 TEMPORARY USES

Temporary uses may be permitted only in those zoning districts as provided below and subject to the specified standards. The requirements of this Section shall not apply to accessory uses permitted in Article 3, the District Regulations, nor to temporary uses that are clearly incidental to a permanent use. Temporary uses not specifically authorized by this Section shall be prohibited.

A. Temporary Uses Permitted

The following temporary uses may be permitted in Walker Township.

1. Carnival or Circuses. Carnivals or circuses may be permitted in the Rural Residential, Suburban Residential, Urban Residential, Agricultural, or Commercial Districts for a maximum of 15 days; provided however that no such use within any Residential District shall be situated closer than 150 feet to any dwelling unit.
2. Christmas Tree Sales. Christmas tree sales may be permitted in the Woodland/Conservation, Agricultural, Commercial, or Village Districts for up to 45 days.
3. Contractor's Office or Storage Shed. Temporary offices or storage sheds may be permitted in any zone in the Township, but only where such use is incidental to a construction project. All such facilities shall be removed from the site within 30 days of completion or cancellation of the construction project. In addition, there shall be no residential use of such construction facilities.
4. Educational, Artistic, or Recreational Events. Educational, artistic, or recreational events may be permitted in any zone in the Township for a maximum of 90 days.

5. Flea Markets. Flea markets may be permitted in any zone in the Township, but shall be limited to four (4) consecutive days.
6. Garage, Porch and Yard Sales; Bake Sales; or Bazaars. Garage, porch and yard sales conducted by residents for the purpose of selling used items from the residents' home, or bake sales or bazaars conducted by non-profit organizations may be permitted in any zone in the Township, but shall be limited to four (4) consecutive days and may not occur more than three (3) times per year. (Such activities shall not require the issuance of a Zoning Permit.)
7. Livestock Exhibitions. Livestock exhibitions may be permitted in the Agricultural and Woodland/Conservation Districts for a maximum of 15 days; provided however, that no such activity shall be situated closer than 500 feet to a dwelling unit in any Residential District.
8. Public Auctions. Public auctions may be permitted in any zone in the Township, but shall be limited to three (3) days in duration. (Such activities shall not require the issuance of a Zoning Permit.)
9. Religious Services. Religious services may be conducted in any zone in the Township for up to 30 days.
10. Seasonal Sale of Farm Products, Horticultural Products, or Seafood. Seasonal sales of farm or horticultural products or seafood may be permitted in any zone in the Township for a maximum of 90 days. (See Section 423 for sales associated with farm-related businesses.)

B. General Regulations

The following general regulations shall apply to the temporary uses specified above.

1. A Temporary Zoning Permit shall be required to be issued by the Zoning Officer for all temporary uses or activities, except as may be indicated otherwise above.
2. All temporary uses shall meet the minimum lot and yard standards established for the zoning district in which they are to be located.
3. If the temporary use is to take place on land not owned by the applicant, the applicant shall present a written statement from the owner of the property in which he agrees to the temporary use of his property.
4. Off-street parking spaces shall be provided for each temporary use as set forth in Article 8 of this Ordinance.

5. All temporary uses authorized within an identified 100 year floodplain shall be completely removed from the floodplain by the Permittee if there is a threat of flooding or a flood warning is issued.

429 COMMERCIAL WIND ENERGY FACILITIES

A. Conditional Use Permit

A grouping of one or more wind turbines known as wind energy facilities shall be permitted as a conditional use in the Agricultural, Woodland/Conservation and Rural Residential Zoning Districts under the following regulations.

- 1) Establishment of conditions. The conditional use permit for wind energy facilities shall establish the following prior to approval by the Board of Supervisors:
 - a. The tract(s) of land must meet all eligibility requirements established in B of this chapter.
 - b. The wind energy facility meets all pertinent regulations contained in C, Subdivision of Land.
 - c. The wind energy facility meets all zoning requirements contained in C of this chapter and all pertinent regulations contained in the Zoning Ordinance.
 - d. Evidence that the wind energy facility meets all design and installation requirements specified in C of this chapter.
 - e. Agreement between the Township and the applicant that the wind turbines will be operated pursuant to E and decommissioned pursuant to F.
 - f. Type(s) size(s) and number of wind turbine as well as any accessory structures or equipment accompanying the wind turbines.
 - g. Evidence that the wind energy facilities will meet any other conditions required by Supervisor(s) to protect the health, safety and general welfare of the public.
- 2) Modification of conditional use permit. Once approval for a conditional use permit is granted, the applicant shall abide by all conditions, including everything established in Subsection I above. Modification to the conditions can only be made by applying for a new conditional use permit following all the procedures set forth in this chapter. Any change

in relation to the land development and/or subdivision plan can be made following the processes outlined in the Counties Land Development Ordinance unless they relate to modifications of the conditions established for the conditional use permit BS required above.

- 3) Land development and subdivision. Applicants shall submit land development and/or subdivision plans with the conditional use permit application which all be compliant with all land development/subdivision requirements.
- 4) Existing facilities. Wind energy facilities constructed prior to the effective date of this article shall not be required to meet the requirements of this article, provided that any physical modification to an existing wind energy facility that materially alters the size, type and number of wind turbines or other equipment shall require a conditional use permit pursuant to the regulations contained herein.

B. Eligibility Requirements

- 1) In order for a tract(s) of land to be eligible for a wind energy facility, it must have a minimum lot size derived as follows:

$(2 \text{ acres} \times \text{number of wind turbines}) + 18 \text{ acres} = \text{minimum lot size}$

- 2) The minimum lot size may be broken into multiple abutting tracts, each under separate ownership, if all of the wind turbines are to be owned, operated and maintained by one facility owner.
- 3) Tract(s) of land proposed for a wind energy facility shall be located in either the Rural Residential, Woodland/Conservation or Agricultural Zoning District.

C. Design and Installation

- 1) Wind energy facilities shall be designed and installed as follows:
 - a. Uniform Construction Code. To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999. (Editor's Note: See 35 P.S. 7210.101 et seq. As amended, and the regulations adopted by the Department of Labor and Industry.)

- b. Design safety certification. The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energy, or other similar certifying organization(s).
- c. Controls and brakes. All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- d. Electrical components. All electrical components of the wind energy facility shall conform to relevant and applicable local, state and national codes and relevant and applicable international standards.

2) Visual appearance; power lines.

- a. Wind turbines shall be a non-obtrusive color such as white, off-white or gray, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
- b. Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
- c. Wind turbines shall not display advertising, except for reasonable identification of the turbine manufacturer, facility owner and/or operator, which shall be limited to not more than two square feet in area each and six square feet in total for each wind turbine.
- d. Where possible all on-site transmission and power lines between wind turbines shall be placed underground. If because of geology, extreme topography, streams/wetlands crossing make it impractical the Walker Township Supervisors may permit the minimum waiver necessary to offer relief.

3) Warnings and safety measures.

- a. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- b. Visible, reflective, colored objects, such as flags, reflectors, or tape, shall be placed on the anchor points of guy wires and along the guy wires up to a height of 10 feet from the ground.

- c. Climb prevention/locks.
- e. Wind turbines shall not be climbable up to 15 feet above ground surface.
- f. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
- g. Blade clearance. The minimum distance between the ground and any protruding blade(s) utilized on all wind turbines shall be 15 feet, as measured at the lowest point of the arc of the blades. The minimum distance shall be increased as necessary to provide for vehicle clearance in locations where oversized vehicles might travel.

D. Setbacks.

1) Occupied buildings.

- a. Wind turbines shall be set back from the nearest occupied building a distance not less than the greater of the maximum setback requirements for that zoning classification where the turbine is located or 1.5 times the turbine heights, whichever is greater. The setback distance shall be measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
- b. Wind turbines shall be set back from the nearest occupied building located on a nonparticipating landowner's property not less than the greater of a distance of at least five times the turbine height or 1,500 feet as measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
- c. Property lines. All wind turbines shall be set back from the nearest property line a distance of not less than the greater of the maximum setback requirements for that zoning classification where the turbine is located or 1.5 times the turbine height, which is greater. The setback distance shall be measured to the center of the wind turbine base.
- d. Public roads. All wind turbines shall be set back from the nearest public road a distance of not less than 1.5 times the turbine height, as measured from the right-of-way line of the nearest public road to the center of the wind turbine base.

E. Operational Standards.

- 1) Upon successful approval of a conditional use permit for wind energy facilities, the site, installation of and operation of the wind turbines and associated facilities shall be used and operated under the following requirements:
 - a. Use of public roads.
 - i. The applicant shall identify all state and local public roads to be used within Walker Township to transport equipment and parts for construction, operation or maintenance of the wind energy facility.
 - ii. The Walker Township Engineer, or a qualified third-party engineer hired by the Township and paid for by the applicant, shall document road conditions prior to construction. The engineer shall document road conditions again 30 days after construction is complete or as weather permits.
 - iii. The Township may bond the road in compliance with state regulations.
 - iv. Any road damage caused by the applicant, or its contractors shall be promptly repaired at the applicant's expense.
 - v. The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads.
- 2) Noise.
 - a. Audible sound from a wind energy facility shall not exceed 55 dBA, as measured at the exterior of any occupied building on a nonparticipating landowner's property.
 - b. Methods for measuring and reporting acoustic emissions from wind turbines and the wind energy facility shall be equal to or exceed the minimum standards for precisions described in A WEA Standard 2.1 - 1989, titled "Procedures for the Measurement and Reporting of Acoustic Emissions from wind turbine Generation Systems, Volume I: First Tier". The municipality may grant a partial waiver of such standards where it has determined that literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question and provided that such waiver will not be contrary to the public interest.

- c. In the event the ambient noise level (exclusive of the development in question) exceeds the applicable standards given above, the applicable standard shall be adjusted so as to equal the ambient noise level. The ambient noise level shall be expressed in terms of the highest whole number sound pressure level in dBA, which is succeeded for more than five minutes per hour ambient noise levels shall be measured at the exterior of potentially affected nonparticipating landowners' occupied building(s). Ambient noise level measurement techniques shall employ all practical means of reducing the effect of wind-generated noise at the microphone. Ambient noise level measurements may be performed when wind velocities at the proposed project site are sufficient to allow wind turbine operation, provided that the wind velocity does not exceed 30 miles per hour at the ambient noise measurement location.
 - d. Any noise level falling between two whole decibels shall be the lower of the two.
- 3) Signal interference. The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals and shall mitigate any harm caused by the wind energy facility. The applicant shall test signal reception at occupied buildings within a 2500-foot radius of any proposed wind turbine prior to construction. During a time period of 30 days to 60 days post-construction, signal reception shall be tested again at the same buildings tested prior. The applicant shall correct any significant signal degradation.
 - 4) Liability insurance. There shall be maintained a current general liability policy covering bodily injury and property damage with limits of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate. Certificates shall be made available to Walker Township upon request.
 - 5) Public inquiries. The facility owner and operator shall maintain on file with the Township a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project. If there is a mechanical failure or possible ordinance violation, the facility owner or operator shall begin to correct the problem with 10 days and have it corrected within 30 business days from the time of the complaint or inquiry was received. If the problem has not been corrected within the 30 business days, the Township may, at its discretion, instruct the facility owner and/or operator to shut down the affected wind turbine until a repair or correction is made to eliminate the problem.

- 6) Waste management. AH solid waste, whether generated from supplies, equipment, parts, packaging, or operation or maintenance of the facility, including old parts and equipment, shall be removed from the site in a timely manner consistent with industry standards. All hazardous waste generated by the operation and maintenance of the facility, including but not limited to lubricating materials, shall be handled in a manner consistent with all local state and federal rules and regulations.

F. Decommissioning.

- 1) The facility owner and operator shall, at its expense, complete decommissioning of the wind energy facility, or individual wind turbines, within 12 months after the end of the useful life of the facility or individual wind turbines. The wind energy facility or individual wind turbines will presume to be at the end of its or their useful life if no electricity is generated for a continuous period of 12 months.
- 2) Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, access roads, foundations to a depth of 36 inches, and any other associated facilities.
- 3) Disturbed earth shall be graded, reseeded and/or reforested to reclaim the site back to its predevelopment condition, unless the landowner requests in writing and approval granted by Walker Township Supervisors that the access roads or other land surface areas not be restored.
- 4) An independent and certified professional engineer shall be retained by Walker Township at the cost of the property owner or operator to estimate the total cost of decommissioning ("decommissioning costs") without regard to salvage value of the equipment and the cost of decommissioning net salvage value of the equipment ("net decommissioning costs"). Said estimates shall be submitted to Walker Township after the tenth year of operation and every fifth year thereafter.
- 5) The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs, provided that at no point shall decommissioning funds be less than 25% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or federal or commonwealth chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the commonwealth and is approved by Walker Township.
- 6) Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to Walker Township.

- 7) If the facility owner or operator fails to complete decommissioning within the period prescribed by this section, then the landowner shall have six months to complete decommissioning.
- 8) If neither the facility owner or operator nor the landowner complete decommissioning within the periods prescribed, then Walker Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to Walker Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that Walker Township may take such action as necessary to implement the decommissioning plan at owner, operator and/or landowners expense.
- 9) The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed or upon written request of the municipality in order to implement the decommissioning plan.

10) DEFINITIONS

- 1) "Applicant" is the person or entity filing an application under this Ordinance.
- 2) "Facility Owner" means the entity or entities having an equity interest in the Wind Energy Facility, including their respective successors and assigns.
- 3) "Operator" means the entity responsible for the day-to-day operation and maintenance of the Wind Energy Facility.
- 4) "Hub Height" means the distance measured from the surface of the tower foundation to the height of the Wind Turbine hub, to which the blade is attached.
- 5) "Occupied Building" means a residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when the permit application is submitted.
- 6) "Turbine Height" means the distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.
- 7) "Wind Turbine" means a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.

- 8) "Wind Energy Facility" means a commercial electric generating facility, whose main purpose is to supply the majority of it's electricity for off-site consumption, consisting of one or more Wind Turbines and other accessory structures and buildings, including substations meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.
- 9) "Non-Participating Landowner" means any landowner except those on whose property all or a portion of a Wind Energy Facility is located pursuant to an agreement with the Facility Owner or Operator.

Saved for future use.

Article 5. SUPPLEMENTARY LOT REGULATIONS

500 PURPOSE

The provisions of this Article represent standards and regulations that shall be applied to all lots in addition to those established in Article 3, the District Regulations, for each zoning district. These regulations shall be used either in common within all zoning districts or shall be applied to specific situations as may be otherwise stated throughout this Ordinance.

501 GENERAL LOT REQUIREMENTS

- A. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established in Article 3, the District Regulations, of this Ordinance. In addition, all provisions set forth for lots in the Subdivision and Land Development Ordinance in effect in Walker Township shall be met.
- B. No part of a yard or other open space required in connection with any building or use shall be included as part of a yard or open space similarly required for any other building or use, except as may be authorized in Section 504 A of this Ordinance.
- C. Every principal building hereinafter erected shall be located on a lot as defined. In the Rural Residential, Suburban Residential, and Urban Residential Districts there shall not be more than one principal building and its accessory structures on one lot, except in the case of multi-family housing developments, mobile home parks, OR other land developments approved pursuant to the requirements of the Subdivision and Land Development Ordinance in effect in the Township. In all other zoning districts, there may be more than one principal use per lot, but each use must meet the area, yard, and open space standards set forth in this Ordinance as well as all applicable land development requirements.
- D. The width of any lot shall be measured at the minimum required building setback line. Lots located on cul-de-sac turn-arounds or curves in the road or lots of unusual shape may have lot widths of less than those required provided that the average of the front and rear lot line is equal to or greater than the required lot width. In no case however, shall the front lot line have a width of less than 50 feet measured at the building setback line.
- E. No portion of a lot included in a street right-of-way shall be included in calculating the lot's area.
- F. Every lot created hereafter shall be adjacent to a public street or shall have access to a public street via a private street or right-of-way approved pursuant to the requirements of the Subdivision and Land Development Ordinance in effect in the Township

502 YARD REQUIREMENTS

A. Projections

1. Chimneys, fireplace flues, cornices, eaves, gutters, uncovered steps, bay windows, or other architectural features may project into any required yard, but not more than 36 inches. In no case however, shall the projection be closer than five (5) feet to any property line.
2. Porches, patios, decks, loading docks, and attached carports, whether enclosed or unenclosed, shall be considered part of the main building and shall not project into any required yard.

B. Front Yards

1. Front yard setbacks shall be as set forth in Article 3, the District Regulations, and shall be measured from either the centerline of the adjoining street or from the edge of the adjoining street right-of-way, as provided in the District Regulations. Where a lot has no road frontage or in the case of a "flag" lot, the front yard requirement shall be equal to either the front yard setback specified in the applicable district or 35 feet, whichever is greater. In the case of a lot with no road frontage, the front yard requirement shall be measured from the edge of the front property line, and in the case of a "flag" lot, it shall be measured from the edge of the longest lot line opposite the rear lot line.
2. Buildings proposed within existing developed areas of the Village District may be set back at the same depth as existing or adjoining buildings in order to maintain the character of the Township's existing Villages.
3. When an unimproved lot is situated between two (2) improved lots, each having a principal building which extends into the required front yard, the front yard of such unimproved lot may be the same depth as the average of the two (2) adjacent improved lots.
4. Where an addition is proposed for an existing principal residential building which extends into the required front yard, the addition may be authorized by the Zoning Officer so long as the addition extends no further into the required front yard than the existing structure and does not obstruct the clear sight triangle at an intersection.
5. Accessory buildings or structures may not be erected or located within any required front yard, except for fences (as provided in Section 504 C below), signs (as regulated in Article 7), or as may be provided otherwise in the Supplementary Use Regulations (Article 4) for specific uses. (See also Section 504 B. for additional standards pertaining to accessory buildings or structures.)

6. Off-street parking and loading areas may be located within a required front yard, but only as provided in Article 3, the District Regulations.

C. Side Yards

1. Side yards shall be measured from the property line or from the edge of the right-of-way of any adjoining street or alley.
2. On a corner lot, the side yard abutting the street shall have a depth equal to the required front yard for the district in which the lot is located. The remaining two (2) yards shall constitute a side yard and a rear yard.
3. Where a single lot extends from one street along its front lot line to another parallel or nearly parallel street along its rear lot line, both yards abutting the streets shall have a depth equal to the front yard required for the district in which the lot is located. The remaining two (2) yards shall be considered as side yards.
4. Where an addition is proposed for an existing, principal building which extends into the required side yard, the addition may be authorized by the Zoning Officer so long as the addition: extends no further into the required side yard than the existing structure; does not obstruct the clear sight triangle of an intersection; nor is located closer than five (5) feet to any property line. Accessory buildings or structures may not be erected or located within required side yards, except for fences (as provided in Section 504 C. below), signs (as regulated by Article 7), or as may be provided otherwise in the Supplementary Use Regulations (Article 4) for specific uses. (See also Section 504 B. for additional standards pertaining to accessory buildings or structures.)
5. Off-street parking and loading areas may be located within a required side yard, but only as provided in Article 3, the District Regulations.

D. Rear Yards

1. Rear yards shall be measured from the property line or from the edge of the right-of-way of any adjoining street or alley.
2. Where an addition is proposed for an existing, principal building which extends into the required rear yard, the addition may be authorized by the Zoning Officer so long as the addition: extends no further into the required rear yard than the existing structure; does not obstruct the clear sight triangle of an intersection; nor is located closer than five (5) feet to any property line.
3. Accessory buildings or structures may not be erected or located within required rear yards, except for fences (as provided in Section 504 C. below), signs (as regulated by Article 7), or as may be provided otherwise in the Supplementary Use Regulations (Article 4), for specific uses. (See also Section 504 B. for additional standards pertaining to accessory buildings or structures.)

4. Off-street parking and loading areas may be located within a required rear yard, but only as provided in Article 3, the District Regulations.

503 HEIGHT REGULATIONS

- A. The maximum height regulations set forth in the District Regulations (Article 3) shall not apply to spires, belfries, cupolas, chimneys, ventilators, skylights, flag poles, utility poles, solar collectors or related equipment, and ornamental or other necessary mechanical appurtenances normally associated with homes, churches and similar establishments. Such appurtenances shall however be erected only to such height as is necessary to accomplish their intended purpose and shall not be used for human occupancy.
- B. Agricultural or industrial structures such as barns, silos, grain elevators, water storage or cooling tanks, discharge stacks, or similar types of structures generally erected to heights exceeding the maximum limits established in the District Regulations for the zones where they may be located, may also exceed the designated maximum height regulations, provided such appurtenances shall be erected only to such height as is necessary to accomplish their intended purpose, and in the case of industrial structures, are set back a distance equal to their height from all property lines.
- C. Commercial communications towers may also exceed the maximum height regulations set forth in the District Regulations, provided they meet all height and setback provisions set forth in Section 420 of this Ordinance.
- D. Notwithstanding any of the exceptions outlined above, the location and height of all structures shall be in accordance with all applicable rules, regulations, standards and criteria of the U.S. Department of Transportation, Federal Aviation Administration.

504 MISCELLANEOUS PROVISIONS

A. Two or More Principal Uses in the Same Building

When two (2) or more principal uses occupy the same building (not including home occupations or cottage industries as defined in Sections 422 and 424) sufficient parking spaces, lot area, open space, etc., shall be provided so that the standards pertaining to each use will be met in full, unless provided otherwise in this Ordinance OR authorized as part of a land development approved pursuant to the requirements of the Subdivision and Land Development Ordinance in effect in Walker Township.

B. Accessory Buildings or Structures

An accessory building(s) or structure(s) may be maintained in conjunction with any permitted principal use provided that the following standards are met:

1. Accessory buildings or structures shall be set back in accordance with the yard requirements established in Article 3, the District Regulations, Article 3; provided however, that one (1) accessory building, containing no more than 200 square feet of gross floor area and being no greater than 12 feet in height, may be permitted to be erected or placed on a lot to within five (5) feet of any side or rear lot line. A Zoning Permit must however be issued for such placement.
2. In the Rural Residential, Suburban Residential, Urban Residential and Village Districts, no accessory storage or utility building shall be located in front of its principal structure.
3. No manufactured housing, mobile home units, buses, or truck trailers may be used as accessory buildings or structures, except that temporary storage trailers may be permitted in the Commercial, Industrial and Mineral Extraction Districts as set forth in Article 3, the District Regulations.
4. The height of all accessory buildings or structures shall be as set forth in Article 3, the District Regulations, except as may be provided otherwise in Article 4, the Supplementary Use Regulations, or in Article 7, the Sign Regulations.

C. Fences and Walls (See also Section 506 B)

1. Fences or walls may be permitted to be located within any of the required yards, unless otherwise restricted or prohibited by provisions of this Ordinance.
2. In no case shall a fence or wall be erected which could cause danger to traffic on a street or road (whether public or private) by obscuring a driver's view or which does not comply with the clear sight triangle requirements contained in Section 504 D. below.
3. All fences to be placed in an identified floodplain area shall meet the floodplain management regulations set forth in Article 6 of this Ordinance.

D. Clear Sight Triangle Requirements

No obstructions or plantings measuring higher than 30 inches or hanging lower than ten (10) feet above the established grade of the street at the property line shall be permitted within the clear sight triangle of any street intersection. A clear sight triangle shall be defined as that area of unobstructed vision at a street intersection formed by lines of sight between points at a given distance from the intersection of the street centerlines. These distances shall be as follows:

1. For the intersection of two (2) local streets, the distance from the intersection of the street centerlines shall be 50 feet.
2. For the intersection of a local street and a collector street, the distance from the centerline intersection shall be 75 feet.
3. For the intersection of two collector streets or a collector street and an arterial highway, the distance required shall be 100 feet.

E. Maximum Building Coverage

The percentage of land covered by principal and accessory buildings or structures on each lot shall not be greater than is permitted in Article 3, the District Regulations, for the district in which the lot is located.

F. Maximum Impervious Surface

The percentage of the lot covered by impervious surfaces, including buildings, structures, and any area in asphalt, concrete or similar materials which will not absorb water (including parking lots, driveways, roads, and sidewalks) shall not be greater than is permitted in Article 3, the District Regulations, for the district in which the lot is located.

G. Erosion and Sedimentation Control

All plans to meet the erosion and sedimentation control requirements set forth in the Subdivision and Land Development Ordinance in effect in the Township and in the Department of Environmental Protection's, Title 25, Chapter 102, "Erosion Control", or as may hereafter be amended, shall be reviewed and approved by the Township Engineer or County Conservation District prior to the issuance of a Zoning Permit.

H. Drainage and Stormwater Management

All plans to meet the drainage and/or stormwater management standards set forth in the Subdivision and Land Development Ordinance in effect in the Township and in Act 1978-167, the PA Stormwater Management Act, shall be reviewed and approved by the Township Engineer or the County Conservation District prior to the issuance of a Zoning Permit.

I. Outdoor Lighting

All outdoor flood lighting and spot lighting shall be mounted and shielded to effectively eliminate direct glare on adjacent properties or on public streets.

505 BUFFER YARDS

- A. Where a commercial or industrial use (commenced after the effective date of this Ordinance) abuts a residential district or use, a buffer yard of not less than 25 feet shall be required, unless provided otherwise in Article 4, the Supplementary Use Regulations. Such buffer yard shall be a part of the commercial or industrial installation and shall be parallel and adjacent to the residential district boundary or property line, as applicable. Screen plantings, as provided in Section 506, shall also be placed along the entire length of the buffer yard and shall be owned and maintained by the commercial or industrial property owner.
- B. All required buffer yards shall be planted and maintained with vegetative material, such as grass, sod, shrubs, or other evergreens. Where required within or in place of buffer yards, screening shall be accomplished in accordance with Section 506 below.
- C. A buffer yard may be considered as part of the required yard space.
- D. No structure, storage of materials, or off-street parking and/or loading areas shall be permitted in a required buffer yard; however, access drives and utilities may cross such yards.

506 SCREENING

Where required, screening may be accomplished through the use of any one or a combination of the following methods.

A. Screen Plantings

- 1. Screen planting shall be provided as set forth in Article 4, the Supplementary Use Regulations, or where determined necessary by the Township Supervisors or Zoning Hearing Board, as appropriate, to serve as a barrier to visibility, glare, and/or noise between adjacent properties.
- 2. Plant or vegetative materials, including shrubs or evergreens, used in screen planting shall be of such species as will produce, within two (2) years, a complete visual screen six (6) feet in height, and be of such density as is necessary to achieve the intended purpose.
- 3. Screen planting shall be maintained permanently by the lot owner, and any plant material which does not live shall be replaced within one (1) year.

4. Screen planting shall be placed so that, at maturity, it will be no closer than five (5) feet to any street or property line.
5. Screen planting shall be broken only at points of vehicular or pedestrian access or utility easements. In accordance with the provisions of Section 504 D. however, a clear sight triangle must be maintained at all street intersections.
6. Where a commercial or industrial use abuts an existing residential use or residential district, all required screen plantings shall extend the entire length of the common boundary.

B. Fences or Walls

1. In lieu of, or in addition to, screen plantings as set forth above, the Township Supervisors or Zoning Hearing Board, as appropriate, may consider the use of a fence or wall as an acceptable barrier to potentially objectionable noise, glare and/or visibility between adjacent properties.
2. Fences or walls used to provide required screening shall be at least six (6) feet in height and be of such type as is necessary to achieve the intended purpose.
3. Fences or walls used to provide required screening shall meet the requirements set forth in Section 504 C. of this Ordinance.
4. Any fence or wall used to provide required screening shall be maintained in structurally sound condition by the lot owner.

C. Berms or Other Landforms

1. In lieu of, or in addition to, screen plantings as set forth above, the Township Supervisors or Zoning Hearing Board, as appropriate, may consider the use of an earthen berm or other existing or proposed landform as an acceptable barrier to potentially objectionable noise, glare and/or visibility between adjacent properties.
2. Berms or landforms used to provide required screening shall be of such height and of such type as is necessary to achieve the intended purpose.
3. Any berm or landform used to provide required screening shall be maintained in satisfactory condition by the lot owner, and may not be altered except for usual maintenance.

Article 6. SUPPLEMENTARY FLOODPLAIN MANAGEMENT REGULATIONS

600 GENERAL PROVISIONS

A. Purpose

The purpose of these provisions is to promote the general health, welfare and safety of the community; encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future; minimize danger to public health by protecting water supply and natural drainage; and reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in floodprone areas.

B. Compliance

It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development within the Township except in full compliance with the terms and provisions of this Ordinance, including Section 1202 pertaining to Zoning Permits, and any other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

C. Interpretation of District Boundaries

Where interpretation is needed concerning the exact location of any boundary of any floodplain district, the Zoning Hearing Board shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Zoning Hearing Board and to submit technical evidence if he so desires.

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. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas, will be free from flooding or flood damages.

601 BASIS FOR FLOODPLAIN DISTRICT

A. Identification

subject to the 100 year flood, as shown in the Flood Insurance Study (FIS) dated August 15, 1990 and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof. For the purposes of this Ordinance, the General Floodplain District shall be an overlay to the existing underlying districts as shown on the Township's

Official Zoning Map. As such, the provisions for the Floodplain 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 Floodplain District and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain district shall apply.

B. Description of Floodplain Areas

The identified floodplain shall consist of the following specific areas:

1. The AE area shall be those areas identified as an AE Zone on the Flood Insurance Rate Maps (FIRM) included in the FIS prepared by FEMA and for which 100 year flood elevations have been provided in the FIS.
2. The A area shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no 100 year flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, and other acceptable sources shall be used when available. When no other information is available, the 100 year flood elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, the Township may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Township.

602 FLOOD DAMAGE CONTROL PROVISIONS

In order to prevent excessive damage to buildings and structures due to conditions of flooding, the following restrictions shall apply to all new construction, development and substantial improvement occurring in the General Floodplain District.

A. General Technical Requirements

1. Within the identified floodplain areas, the development and/ or use of land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in effect in Walker Township.
2. Within any floodway area, no new construction or development shall be permitted that would cause any increase in the 100 year flood elevation.

3. Within any AE Zone, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the 100 year flood more than one (1) foot at any point.
4. Within any identified floodplain area, no new construction development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless a permit is obtained from the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands.

B. Elevation and Floodproofing Requirements

1. Residential Structures. Within any identified floodplain area, the elevation of the lowest floor (including basement or cellar) in any new construction or substantially improved residential structure (including those structures which have been substantially damaged) shall be at least one and one half (1 ½) feet above the 100 year flood elevation.
2. Non-residential Structures.
 - a. Within any identified floodplain area, the elevation of the lowest floor (including basement or cellar) in any new construction or substantially improved non-residential structure (including those structures which have been substantially damaged) shall be at least one and one-half (1 ½) feet above the 100 year 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 non-residential structure, or part thereof, having a lowest floor (including basement or cellar) which is not elevated to one and one half (1 ½) feet or more above the 100 year flood, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Floodproofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992), or with some other 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. Fully enclosed space below the lowest floor shall be prohibited.

- b. Partially Enclosed Space. Partially enclosed space below the lowest floor (including basement or cellar) which will be used solely for the parking of vehicles, 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 either be certified by a registered professional engineer or architect QC meet or exceed the following minimum criteria:

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

C. Design and Construction Standards

The following minimum standards shall apply to all construction and development proposed within any identified floodplain area.

1. Fill. If fill is used, it shall:
 - a. extend laterally 15 feet beyond the building line from all points;
 - b. consists 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;
 - d. be no steeper than one (1) vertical to two (2) horizontal, unless substantiating data, justifying steeper slopes are submitted to and approved by the Zoning Officer;
 - e. be used only to the extent to which it does not adversely affect adjacent properties.

2. Special Requirements for Mobile Homes. For the purposes of this Ordinance, the term mobile home shall also include park trailers, travel trailers, recreational vehicles and other similar types of manufactured homes which are placed on a site for more than 180 consecutive days.
 - a. Within any identified floodplain area, all mobile homes and any additions thereto shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
 - b. Where permitted within any floodplain area, all mobile homes and any improvements thereto, including those units substantially damaged as a result of a flood, shall be:
 - 1) placed on a permanent foundation;
 - 2) elevated so that the lowest floor of the mobile home is one and one-half (1 ½) feet or more above the elevation of the 100 year flood; and
 - 3) anchored to resist flotation, collapse, or lateral movement.
3. 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 the flood water.
4. Anchoring.
 - b. All buildings and structures, including mobile homes, shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 - c. 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.
5. Floor, Walls and Ceilings. Where a structure is located at or below the 100 year flood elevation, the following standards shall apply:
 - a. Wood flooring 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 shall be of a "marine" or water-resistant variety.
 - c. Walls and ceilings shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.

- d. Windows, doors, and other such components shall be made of metal or other "water-resistant" material.
- 6. Paints and Adhesives. Where a structure is located at or below the 100 year flood elevation, the following standards shall apply.
 - a. Paints or other finishes shall be of "marine" or "water-resistant" quality.
 - b. Adhesives shall be of a "marine" or "water-resistant" variety.
 - c. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or "water-resistant" paint or other finishing material.
- 7. Electrical Components.
 - a. Electric distribution panels shall be at least three (3) feet above the 100 year flood elevation.
 - b. Separate electrical circuits shall serve lower levels and shall be dropped from above.
- 8. Equipment. Water heaters, furnaces, air conditioning and ventilating units, and other mechanical or utility equipment or apparatus shall not be located below the 100 year flood elevation.
- 9. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.
- 10. Water and Sanitary Sewer Facilities and Systems.
 - a. All new or replacement water and sanitary sewer facilities and systems, including pump stations and collector systems, shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
 - b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
 - 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.
- 11. 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.

12. Streets. The finished elevation of all new streets shall be no more than one (1) foot below the 100 year flood elevation.
13. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure 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.
14. Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life (including but not limited to those identified in Section 606 A.) shall be stored at an elevation one and one-half (1 1/2) feet or more above the 100 year flood elevation and/or be floodproofed to the maximum extent possible.

603 WATER MANAGEMENT USES

Uses normally associated with water management projects (such as dams, impoundment basins, culverts, sewers or bridges) may be permitted in any identified floodplain area regardless of the underlying zoning district, but shall meet the "no rise rule" requirements set forth in Section 602 A.2 of this Ordinance. Such uses shall also be subject to approval by the Township Supervisors (following review by the Township Planning Commission) and the PA Department of Environmental Protection. In addition, no alteration or relocation of a stream or watercourse may take place without the applicant having first obtained the necessary permit from the Department of Environmental Protection. Prior to any such alteration or relocation, adjacent communities, the PA Department of Community and Economic Development and the Federal Emergency Management Agency must be notified. Under no circumstances shall any alteration or relocation take place which will lower the flood-carrying capacity of any stream or watercourse.

604 EXISTING STRUCTURES IN FLOODPLAIN AREAS

A structure, or use of a structure or premises, which lawfully existed in any identified floodplain area 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 a floodway area of the 100 year floodplain shall not be expanded or enlarged, but may be modified, altered, or repaired to incorporate floodproofing measures, provided that such measures do not increase the elevation of the 100 year flood.

- B. No expansion or enlargement of an existing structure shall be allowed in an AE area that would, together with all other existing and anticipated development, increase the 100 year flood plain elevation more than one (1) foot at any point.
- C. Any modification or alteration, reconstruction, or improvement of any kind to an existing structure in any identified floodplain area, to an extent or amount of less than 50 percent of its market value, shall be floodproofed and/or elevated to the greatest extent possible.
- D. Any modification or alteration, reconstruction, or improvement of any kind to an existing structure in any identified floodplain area, to an extent or amount of less than 50 percent of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.

605 SPECIAL PROVISIONS FOR ACCESSORY STRUCTURES

- A. Accessory structures which are proposed to be built in any identified floodplain area need not to be elevated or floodproofed to remain dry, but shall comply, at a minimum with the following requirements.
 - 1. The Structure shall not be designed 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 of activity.
 - 2. The floor area shall not exceed 600 square feet.
 - 3. The structure shall have a low damage potential.
 - 4. The structure shall be located on the site so as to cause the least obstruction to the flow of floodwaters.
 - 5. Power lines, wiring, and outlets will be at least one and one-half (1 ½) feet above the 100 year flood elevation.
 - 6. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. shall be prohibited.
 - 7. Sanitary facilities shall be prohibited; and

8. The structure will 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 meet or exceed the following minimum criteria:
 - a. a minimum of two (2) openings having a net total area of not less than one (1) square inch for every square foot of enclosed space;
 - b. the bottom of all openings shall be no higher than one (1) foot above grade; and
 - c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- B. Individuals should be aware that building a structure as described above could significantly increase the cost of flood insurance for the accessory structure and its contents.
- C. The administrative procedures contained in Section 608 and other appropriate Sections of this Ordinance shall apply.

606 DEVELOPMENT WHICH MAY ENDANGER HUMAN LIFE

- A. Hazardous Materials and Substances In accordance with the Pennsylvania Floodplain Management Act (Act 1978-166), and the regulations adopted by the Department of Community Affairs (now known as 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 dangerous materials or substances; or,
 - will be used for any activity requiring the maintenance or a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
 - will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this Section, in addition to all other applicable provisions. The following list of materials and substances, and any other substances which require the completion of a Materials Safety Data Sheet, are considered dangerous to human life:

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

B. Floodproofing Requirements

1. Within any identified floodplain area, any new or substantially improved structure of the kind described in Sub-Section A. above shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
2. Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in Sub-Section A. above shall be:
 - a. elevated or designed and constructed to remain completely dry up to at least one and one-half (1 ½) feet above the 100 year flood; and
 - b. designed to prevent pollution from the structure or activity during the course of a 100 year flood.

Any such structure, or part thereof, that will be built below the 100 year flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations" (U.S. Army Corps of Engineers, June 1972, as amended March 1992), or with another equivalent watertight standard.

3. In addition, the Township may attach whatever additional conditions and safeguards it may deem necessary and reasonable in order to implement the purposes of this Ordinance and to protect the general health, safety, and welfare of the public.
4. Except for modification of the freeboard requirements involved, no variance shall be granted for any other requirements of this Section.

607 ACTIVITIES REQUIRING SPECIAL PERMITS

A. Identification of Activities Requiring a Special Permit

In accordance with the administrative regulations adopted by the PA Department of Community Affairs (now known as the Department of Community and Economic Development) to implement the PA Floodplain Management Act (Act 1978-166), the following activities shall be prohibited within any identified floodplain area unless a Special Permit has been issued by the Township.

1. The commencement of any of the following activities: or the construction, enlargement, or expansion of any structure fused, or intended to be used, for any of the following activities:
 - a. hospitals
 - b. nursing homes
 - c. jails or prisons
2. The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision

B. Application Requirements

Applicants for Special Permits shall provide five (5) 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 (1) 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 (2) 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 width, pavement types, and construction, and 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 100 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; and
 - h. any other information which the municipality considers necessary for adequate review of the application.
4. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at a 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 or cellar) and, as required, the elevation of any other floor;
 - c. complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the 100 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; and
- 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 100 year flood;
- c. a statement, certified by a registered professional engineer, architect, 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 100 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 effects the proposed development will have on 100 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 the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the 100 year flood elevation and the effects such materials and debris may have on 100 year flood elevations and flows;
- f. the appropriate component of the Department of Environmental Protection's "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 Section 302 of Act 1978-166; and
- i. an evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a 100 year flood.

C. Application Review Procedures

Upon receipt of an application for a Special Permit by the Township, the following procedures shall apply in addition to all other applicable permit procedures.

1. Within three (3) 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 the Township Planning Commission and Township Engineer for review and comment.
2. If an application is received that is incomplete, the Township shall notify the applicant in writing, stating in what respect the application is deficient.
3. If the Township decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
4. If the 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 or certified mail, within five (5) working days after the date of approval.
5. Before issuing the Special Permit, the Township shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and decision made by the Township.
6. If the Township does not receive any communication from the Department of Community and Economic Development during the 30 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 the Township and the applicant, in writing, of the reasons for the disapproval, and the Township shall not issue the Special Permit.

D. Special Technical Requirements

In addition to any other applicable requirements, the following minimum requirements shall also apply to any proposed development requiring a Special Permit. If there is any conflict between any of the following requirements and any other applicable provisions, the more restrictive provision shall apply.

1. 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 100 year flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the 100 year flood elevation.
 - 2) the lowest floor elevation (including basement or cellar) will be at least one and one half (1 ½) feet above the 100 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 100 year flood.
 - b. prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.
2. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Township and the Department of Community and Economic Development.
3. In approving any application for a Special Permit, the Township may attach whatever additional conditions and safeguards it may deem necessary and reasonable in order to implement the purposes of this Ordinance and to protect the general health, safety, and welfare of the public.

608 ADMINISTRATION

A. Zoning Permit Requirements

To insure that the aforementioned flood damage controls are being employed in all construction, development and substantial improvement within any identified floodplain area, including the use of fill, the applicant or developer shall obtain a Zoning Permit prior to commencement of any such activity. The Zoning Officer shall provide the applicant with information from the Township's official floodplain mapping concerning the location of any floodplain district boundary relative to the proposed construction and/ or development site and the water surface elevation of the 100 year flood at the proposed construction and/or development site, when available. The applicant shall provide all the necessary information in sufficient detail and clarity to enable the Zoning Officer to determine that:

1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
2. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
3. adequate drainage is provided so as to reduce exposure to flood hazards.

B. Application Requirements

The Zoning Officer shall require the following specific information plus other pertinent information as may be required to be included as part of an application for a Zoning Permit in order to make the above determination.

1. A completed Zoning Permit application form.
2. plan of the entire site, prepared by a registered professional land surveyor, engineer or architect, clearly and legibly drawn at a scale of one (1) inch being equal to 100 feet or less, showing the following:
 - a. north arrow, scale and date;
 - b. topographic contour lines, if available;
 - 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 and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision or land development;

- e. the location of all existing streets, drives, and other accessways;
 - f. the location of all existing or proposed utilities, including sewer, water, electric and natural gas lines; and
 - g. the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
3. Plans for all proposed buildings, structures, and other improvements, drawn at a suitable- scale showing the following:
- a. the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - b. the elevation of the 100 year flood;
 - c. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100 year flood; and,
 - d. detailed information concerning any proposed floodproofing measures.
4. The following data and documentation:
- a. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the 100 year flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or development. All plans and specifications for 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 standards of Section 602 of this Ordinance.
 - b. detailed information needed to determine compliance with Section 602 C. 14, Storage, and Section 606, Development Which May Endanger Human Life, including:
 - 1) the amount, location and purpose of any materials or substances referred to in Sections 602 C. 14 and 606 A. which are intended to be used, produced, stored or otherwise maintained on site.

- 2) a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 606 A. during a 100 year flood.
- c. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development".
- d. 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.

C. Review by the County Conservation District

A copy of all plans for proposed development in any identified floodplain area shall be submitted by the Zoning Officer to the Centre County Conservation District for review and comment at least 30 days prior to the issuance of a Zoning Permit. The recommendations of the Conservation District may be incorporated into the plan to provide for protection against predictable hazards. If no comments are received within the 30-day review period, the Zoning Officer may take action on the Permit.

D. Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Zoning Officer to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

E. Issuance of Zoning Permits

Prior to the issuance of any Zoning Permit, the Zoning Officer shall review the application to determine if all other necessary government permits required by State and federal laws have been obtained, such as those required by the PA Sewage Facilities Act (Act 1966-537, as amended); the PA Dam Safety and Encroachments Act (Act 1978-325, as amended); the PA Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No Zoning Permit shall be issued until this determination has been made.

609 VARIANCES IN FLOODPLAIN AREAS

In passing upon applications for variance within any floodplain area, the Zoning Hearing Board shall consider all factors specified in other Sections of this Ordinance, state law relative to variances, and the following:

- A. Variances may be granted for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places provided that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
- B. No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100 year flood elevation. No variance shall be granted for any construction, development, use or activity within an AE area that would, together with all other existing and anticipated development, increase the 100 year flood elevation more than one (1) foot at any point.
- C. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements pertaining specifically to Section 606, Development Which May Endanger Human Life. No variance shall be granted for any of the provisions of Section 607, Development Regulated by Special Permit.
- D. If granted, a variance shall involve only the least modification necessary to provide relief.
- E. In granting any variance, the Zoning Hearing Board shall attach whatever reasonable conditions and safeguards it considers necessary to protect the public health, safety and welfare, and to achieve the objectives of this Ordinance.
- F. Whenever a variance is granted, the Zoning Hearing Board shall notify the applicant in writing that:
 - 1. the granting of the variance may result in increased premiums for flood insurance; and,
 - 2. such variances may increase risks to life and property.
- G. In reviewing any request for a variance, the Zoning Hearing Board shall consider, at a minimum, the following:
 - 1. that there is good and sufficient cause;

2. that failure to grant the variance would result in exceptional hardship to the applicant; and
3. that granting of the variance will:
 - a. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
 - c. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- H. A complete record of all variance requests and related actions shall be maintained by the Zoning Hearing Board. In addition, a report of all variances granted during the year shall be included in the annual report to FEMA.
- I. Notwithstanding any of the above, all structures shall be designed and constructed so as to have the capability of resisting the 100 year flood.

610 SPECIAL EXCEPTIONS IN FLOODPLAIN AREAS

In passing upon applications for Special Exceptions in any floodplain area, the Zoning Hearing Board shall consider all relevant factors specified in other sections of this Ordinance, and:

- A. the danger to life and property due to increased flood heights or velocities caused by encroachments. In the floodway area, no Special Exception shall be granted which will cause any rise in the elevation of the 100 year flood;
- B. the danger that materials may be swept onto other lands or downstream causing injury 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 safety of access to the property in times of flooding by ordinary and emergency vehicles;
- J. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and,
- K. such other factors which are relevant to the purposes of this Ordinance.

Article 7. SIGN REGULATIONS

700 PURPOSE

In order that the legitimate demands for signage can be met without the unsightly intrusion of an unlimited number of signs of inappropriate size, dimension and location, any sign erected or altered in Walker Township after the effective date of this Ordinance shall conform to the following regulations.

701 TYPES OF SIGNS

Signage can include a variety of different types of signs, each with unique functions. The following list itemizes and describes the types of signs considered under the provisions of this Article.

- A. Advertising Sign Boards (Billboards): A sign or board which attracts the attention of motorists or pedestrians to a product, place or activity that exists or occurs at a location other than the location upon which the sign is situated; i.e. an off-premises sign. For the purposes of this Ordinance, advertising sign boards may only be free-standing signs.
- B. Business Identification Sign: A sign or board which attracts motorists or pedestrians to a business, product, service or activity that is sold, produced, or conducted on the same premises upon which the sign is located; i.e. an on-premises sign. For the purposes of this Ordinance, business identification signs may be either free-standing, or parallel or projecting wall signs.
- C. Directional Sign: A sign erected and maintained for the purpose of directing traffic to a particular destination, which does not contain any advertisement or promotional information. Such signs may be either on-premises or off-premises signs.
- D. Free-Standing Sign: A self-supported sign resting on the ground or supported by means of poles or standards placed in or on the ground. Such signs may advertise products or items offered for sale or that are directly related to the premises on which they are located, i.e. a business identification sign, or may advertise a business, product or event located elsewhere, i.e. an advertising sign board.
- E. Parallel Wall Sign: A type of wall sign which is attached parallel to the face of its supporting wall, and which does not protrude more than 12 inches from such wall.
- F. Permanent Sign: A sign intended to be used for a period of time exceeding 30 days, excluding standard real estate or similar signs.

G. Projecting Wall Sign: A type of wall sign with its horizontal plane attached at right angles to its supporting wall and which protrudes more than 12 inches from such wall.

H. Temporary Sign: A sign intended to be used for a period of time of 30 days or less.

702 GENERAL SIGN REGULATIONS

The following regulations shall apply to all permitted sign uses.

A. Construction and Maintenance

Signs shall be constructed of durable materials, be maintained in good condition, and shall not be allowed to become dilapidated or endanger public health, safety or welfare. All signs shall be securely fastened in order to prevent their displacement by the elements.

B. Sign Area

1. For the purposes of this Ordinance, sign area shall include the entire face of a single side of a sign, including all trim and border area, but excluding any supporting framework or bracing.
2. A double-faced sign shall be considered a single sign, unless the interior angle formed by the two sides of the sign is greater than 45 degrees, then each side of the sign shall be considered to be a separate sign.
3. Where a sign consists of individual letters or symbols attached to a building, the area of the sign shall be considered to be the smallest rectangle or other regular geometric shape which encompasses all of the letters and/or symbols.

C. Placement

1. No sign shall be placed within the Clear sight triangle of any intersection as per the requirements of Section 504 0., nor at any other location that could obstruct or impair a motorist's clear vision. In addition, no sign (whether temporary or permanent) shall be located where it could be an impediment to pedestrian traffic.
2. No sign, other than an official traffic sign, shall be erected within the right-of-way of any street, unless authorized by the Township Supervisors for a special purpose.

3. The main supporting structure(s) of all free-standing signs shall be located no closer to a street right-of-way or front property line, whichever is greater, than a distance equaling the height of the sign, except for official traffic signs. No free-standing sign shall be closer than five (5) feet to any side or rear property line in an Urban Residential or Village District; no closer than ten (10) feet in a Rural Residential, Suburban Residential or Agricultural District; nor closer than 15 feet to any such line in a Commercial, Industrial, Mineral Extraction, or Woodland/Conservation District.
4. No sign shall be erected or maintained which could prevent free ingress or egress from any door, window, or fire escape, nor shall any sign be attached to a standpipe, fire escape, or the eave of any building.
5. Signs placed in a General Floodplain District shall be subject to the regulations of the underlying district, except that no sign in any floodplain area may substantially impede natural drainage or the flow of water.

D. Height

1. Sign height shall be measured from the average grade of the site beneath the sign to the height point of the sign. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign.
2. No free-standing sign located in a Rural Residential, Suburban Residential, Agricultural, or Woodland/Conservation District shall exceed 20 feet in height. In all other zones, free-standing signs may not exceed the height of the principal structure on the property where they are located. (See also Section 705 D. regarding the height of advertising sign boards.)
3. No portion of a wall sign, whether parallel or projecting, shall extend above the top of the wall to which it is attached.

E. Projection

1. Parallel wall signs may not extend more than 12 inches from the surface to which they are mounted or attached, nor in any way interfere with pedestrian or vehicular traffic.
2. Projecting wall signs shall not extend or project more than five (5) feet from their supporting structure or wall, nor shall any such sign extend over a public street or walkway.
3. Projecting wall signs shall have a clearance of no less than ten (10) feet, measured from the ground or pavement immediately beneath the sign to the bottom or lowest part of the sign.

F. Illumination

Illuminated signs shall cause no glare or other disturbance which would be incompatible with the nature of the neighborhood where the sign is located or which would in any way impair the vision of passing motorists. Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity, except for approved time and temperature signs.

G. State Regulations

All applicable State regulations shall be met where signs are proposed in areas adjacent to highways included in PADOT's Primary and Interstate Highway Systems. Any person desiring to erect a sign in these areas shall contact PADOT to determine if the State's regulations will affect his proposal. A written copy of PADOT's determination shall accompany all applications for signs in such areas.

703 SIGNS IN THE RURAL RESIDENTIAL AND SUBURBAN RESIDENTIAL DISTRICTS

Signs may be placed or located in the Rural Residential and Suburban Residential Districts subject to the specified requirements.

A. General Signs

The following types of non-illuminated, non-advertising general signs may be permitted in the Rural Residential and Suburban Residential Districts as indicated below. Such signs may be designed as either free-standing or parallel wall signs.

1. Property Posting Signs. Signs which indicate the private nature of a property, a driveway, or restrict or prohibit hunting, fishing or other activity may be permitted as follows:
 - a. Maximum Size - 2 square feet.
 - b. Maximum Number - As needed.
2. Name Plates or Personal Identification Signs: Signs which display the name of the property owner and/or address of the property on which they are located may be permitted as follows:
 - a. Maximum Size - 2 square feet.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.

3. Home Occupation Signs: Signs which identify the name of a specific home occupation to be conducted on the site where they are located maybe permitted as follows:
 - a. Maximum Size - 6 square feet.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.
4. Property Sale and/or Rental Signs: Signs which advertise the sale, rental or lease of property on which they are located may be permitted as follows:
 - a. Maximum Size - 6 square feet.
 - b. Maximum Number - No more than two (2) such signs per property, unless the property is situated on a corner, in which case two (2) signs may be erected on each frontage.
5. Directional Signs: Signs directing persons or motorists to the location of churches, schools, non-profit or civic organizations, or residential developments may be permitted as follows:
 - a. Maximum Size 6 square feet.
 - b. Maximum Number - As needed; not exceeding four (4) per facility in the Township.
6. Artisan's Signs: Signs of mechanics, painters, or other artisans performing work on the premises may be permitted temporarily while such work is on-going as follows:
 - a. Maximum Size - 12 square feet.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.
7. Residential Development Identification Signs: Signs which identify the name of the residential development upon which they are located may be permitted as follows:
 - a. Maximum Size - 20 square feet.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.

B. Institutional or Civic Signs

Non-illuminated, non-advertising institutional or civic signs may be permitted in the Rural Residential and Suburban Residential Districts as indicated below. Such signs may be designed as either free-standing or parallel wall signs.

Signs which display the name of a school, church, group home, park or playground, or any other institutional building or use may be permitted as follows:

1. Maximum Size - 24 square feet.
2. Maximum Number- No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.

C. Business Identification Signs

The following types of externally illuminated, business identification signs may be permitted in the Rural Residential and Suburban Residential Districts as indicated below. Such signs may be designed as either **free-standing or parallel wall signs**.

1. Existing Nonconforming Uses: Signs which identify the name of an existing non-conforming use (whether a new sign or a replacement for an existing sign) may be permitted as follows:
 - a. Maximum Size - 24 square feet for new signs; 24 square feet or the size of the existing sign, whichever is greater, for replacement signs.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.
2. New Commercial Uses: Signs which identify the name of an approved commercial use or activity, including bed and breakfast establishments, day care facilities, horticultural nurseries or greenhouses, animal hospitals and/or kennels, roadside stands, or other uses set forth in the District Regulations, Sections 302 and 303, may be permitted as follows:
 - a. Maximum Size - 24 square feet.
 - b. Maximum Number - No more than one (1) such sign per property, unless the property is situated on a corner, in which case one (1) sign may be erected on each frontage.

704 SIGNS IN THE URBAN RESIDENTIAL AND VILLAGE DISTRICTS

Signs may be placed or located in the Urban Residential and Village Districts subject to the specified requirements.

A. General Signs

Those signs permitted in Section 703 A., General Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the Urban Residential and Village Districts at the same size, in the same quantity, and in the same style.

B. Institutional and Civic Signs

Those signs permitted in Section 703 B., Institutional and Civic Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the Urban Residential and Village Districts at the same size, in the same quantity, and in the same style. Such signs in these zones may also be **externally or internally illuminated**.

C. Business Identification Signs

Where proposed in conjunction with an approved commercial use or activity, externally or internally illuminated business identification signs may be permitted in the Urban Residential or Village Districts as indicated below. Such signs may be designed as either free-standing, or parallel or projecting wall signs.

1. Business identification signs in the UR and V Districts may identify the name and/or logo or trademark of the business, service, or activity which is situated or is occurring on the premises where the sign is located. There shall be no specific product pricing or advertising associated with such sign, except gas prices.
2. There shall be no more than one (1) free-standing business identification sign OR one (1) parallel or projecting business identification wall sign per property in these zones.
3. Maximum sign area shall not exceed 50 square feet per business, regardless of the type of sign utilized. Where however, a business is situated on a corner, or has frontage on two (2) streets, one (1) business identification sign may be erected on each frontage, in which case the total sign area for all signs on the site shall not exceed 75 square feet.

705 SIGNS IN THE GENERAL COMMERCIAL, LIGHT INDUSTRIAL, AND MINERAL EXTRACTION DISTRICTS

Signs may be placed or located in the General Commercial, Light Industrial, and Mineral Extraction Districts subject to the specified requirements.

A. General Signs

Those signs permitted in Section 703 A., General Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the General Commercial, Light Industrial, and Mineral Extraction Districts at the same size, in the same quantity, and in the same style.

B. Institutional and Civic Signs

Those signs permitted in Section 703 B., Institutional and Civic Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the General Commercial, Light Industrial, and Mineral Extraction Districts at the same size, in the same quantity, and in the same style. Such signs in these zones may also be **externally or internally illuminated**.

C. Business Identification Signs

Where proposed in conjunction with an approved commercial or industrial use or activity, externally or internally illuminated business identification signs may be permitted in the General Commercial, Light Industrial, and Mineral Extraction Districts as indicated below. Such signs may be designed as freestanding signs, or parallel or projecting wall signs.

1. Business identification signs in the C, LI and ME Districts may identify the name and/or logo or trademark of the business, service, activity, or industry which is situated or is occurring on the premises where the sign is located, and may also identify the pricing or availability of specific products.
2. There shall be no more than one (1) free-standing business identification sign AND one (1) parallel or projecting business identification wall sign per property in these zones.
3. Total sign area shall not exceed 100 square feet per business, regardless of the type of sign utilized or the number of frontages available.

D. Advertising Sign Boards (Billboards)

Non-illuminated advertising sign boards or billboards may be permitted in the General Commercial District, but only as a Special Exception, and only as indicated below. Such signs may only be designed as **free-standing signs**.

1. Advertising sign boards located in the General Commercial District may identify the name and/or logo or trademark of a business, service, or activity which is located or occurs on a premises other than the location upon which the sign is situated and may advertise the pricing or availability of specific products.
2. There shall be no more than one (1) advertising sign board per property in these zones.
3. Maximum sign area shall not exceed 100 square feet per face. Advertising sign boards may have two (2) parallel faces, but may not be vertically or horizontally doubled, nor multiplied further in any fashion. (See also Section 702 8.2 for further sign area details.).
4. Advertising sign boards shall be located no closer than 1,000 feet (measured on the same side of the street) to any other advertising sign board, and no closer than 150 feet to any residence.
5. No advertising sign board shall exceed 30 feet in height above the average grade of the proposed site, nor be located closer to the ground than 15 feet (measured from the lowest part of the sign) when located in a parking, vehicular or pedestrian circulation area.

706 SIGNS IN THE AGRICULTURAL AND WOODLAND/CONSERVATION DISTRICTS

Signs may be placed or located in the Agricultural and Woodland/Conservation Districts subject to the specified requirements.

A. General Signs

Those signs permitted in Section 703 A., General Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the Agricultural and Woodland/Conservation Districts at the same size, in the same quantity, and in the same style.

B. Institutional and Civic Signs

Those signs permitted in Section 703 B., Institutional and Civic Signs in the Rural Residential and Suburban Residential Districts, may also be permitted in the Agricultural and Woodland/Conservation Districts at the same size, in the same quantity, and in the same style.

C. Business Identification Signs

Where proposed in conjunction with an approved commercial use or activity, the following types of non-illuminated business identification signs may be permitted in the Agricultural and Woodland/Conservation Districts as indicated below. Such signs may be designed as either free-standing or parallel wall signs.

1. Business identification signs in the A and W /C Districts may identify the name and/or logo or trademark of the business, service, or activity which is situated or is occurring on the premises where the sign is located. There shall be no specific product pricing or advertising associated with such sign.
2. There shall be no more than one (1) free-standing business identification sign OR one (1) parallel business identification wall sign per property in these zones.
3. Maximum sign area shall not exceed 24 square feet per business, regardless of the type of sign utilized. Where however, a business is situated on a corner, or has frontage on two (2) streets, one (1) business identification sign may be erected on each frontage, in which case the total sign area for all signs on the site shall not exceed 48 square feet.

707 PERMIT REQUIREMENTS

The following requirements shall apply to all permanent signs.

- A. A Zoning Permit shall be required for the placement, erection, or alteration of all permanent signs, except as may exempted in Section 707 C. below. All applications for signs being erected on property other than that owned by the applicant shall also include notarized permission from the property owner.
- B. Fees for the issuance of Zoning Permits for signs shall be paid to the Township upon filing of an application for such use. All such fees shall be in accordance with the schedule of fees established by Resolution of the Township Supervisors. There shall be no fee for the erection of any sign necessary to the public welfare.

C. No Zoning Permits shall be required for the following types of signs, although the requirements of Sections 702 and 703 A. shall remain applicable.

1. Property posting signs;
2. Name plates or personal identification signs;
3. Property sale or rental signs;
4. Temporary signs; and
5. Directional or public service signs, including those advertising the availability of rest rooms, public telephones, or other public conveniences, provided that such signs do not advertise any commercial establishment, activity, product, or goods.

Article 8. OFF-STREET PARKING, LOADING AND ACCESS DRIVES REQUIREMENTS

800 OFF-STREET PARKING REQUIREMENTS

In all districts, except the Village District, in connection with every use, there shall be provided, at the time any new building or structure is erected or any existing building is converted to a new use or is increased in capacity, off-street parking spaces in accordance with the requirements of this Section. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which they are provided.

- A. All off-street vehicle parking spaces shall contain a minimum of 180 square feet of usable area and shall have a width of not less than ten (10) feet.
- B. Off-street parking spaces for residential uses shall be located on the same lot or contiguous lot as the dwelling unit(s) being served, either inside or outside of a building. Off-street parking for non-residential uses may be located on a lot other than that containing the principal use, but shall be situated within 250 feet of the use being served. Such remote parking shall however remain under the control and care of the owner or operator of the use to which it is accessory, and applications involving such parking areas shall include documentation which authorizes the use of said area for parking in connection with the proposed use and sets forth appropriate maintenance responsibilities for the parking area.
- C. All off-street parking areas shall be designed to provide for the orderly and safe parking or storage of vehicles, shall be clearly marked to facilitate movement and efficiency of use, and shall be maintained in good condition.
- D. All off-street parking spaces and parking areas shall be graded for proper drainage and shall be provided with a durable, all-weather wearing surface. Further, parking areas serving five (5) or more vehicles, shall be surfaced with asphalt or concrete pavement.
- E. All lighting which is used to illuminate off-street parking areas shall be mounted and shielded so as to avoid creating safety problems for motorists on public streets and to avoid causing direct glare on adjacent properties.
- F. All non-residential parking areas, regardless of the number of vehicles served, shall be set back a minimum of ten (10) feet from all side and rear property lines when such parking is proposed to be located adjacent to another lot in a non-residential district. Where however, such parking abuts a

residential district or residential use, a setback of not less than 25 feet shall be required. Screening, as provided in Section 506 of this Ordinance, shall be used to effectively screen non-residential parking areas from residential uses.

- G. Adequate provision shall be made for ingress and egress to all off-street parking spaces and parking areas. Specifically, access to residential off-street parking spaces shall be limited to one (1) drive or point of intersection and access to non-residential off-street parking areas shall be limited to two (2) drives or intersection points. When however, a residential lot's frontage exceeds 100 feet or a non-residential lot's frontage exceeds 300 feet, or other exceptional circumstances exist, the Zoning Hearing Board may authorize additional access intersections. (See also Table 3.) Except in the case of single- and two-family residences, off-street parking spaces and parking areas shall be designed so there will be no need for motorists to back over public walkways or street rights-of-way.
- H. As provided in Article 3, the District Regulations, a strip of ground, at least 25 feet in width, shall be reserved as open space between any street right-of-way line and any non-residential off-street parking area in the General Commercial and Light Industrial Districts.
- I. Required parking spaces for any number of separate uses may be combined in one lot, but the required spaces assigned to one use may not be assigned to another use at the same time, except as may be recommended otherwise by the Township Planning Commission.
- J. Off-street parking shall be provided as set forth in TABLE 1 below. In the case of any building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use so mentioned and to which said use is similar, in the opinion of the Zoning Officer, shall apply. In the case of mixed uses or multiple uses of one building, the total number of required parking spaces shall be the sum of the number of spaces required for each use.

Off-street parking spaces for handicapped persons shall be provided as per the requirements of the Americans with Disabilities Act.

Applicants proposing development in the **Village District** are encouraged to provide as much off-street parking as possible. The Township Planning Commission shall review each proposal in this district and recommend an appropriate number of spaces. Township Supervisors shall ultimately determine the number of spaces that must be provided.

| TABLE 1 | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <u>OFF-STREET PARKING SCHEDULE</u> | |
| <u>USE CLASSIFICATION</u> | <u>SPACES REQUIRED</u> |
| <u>Residential Uses</u> | |
| 1. Single & two-family dwelling units. (Attached or detached) | 2 for each dwelling unit. |
| 2. Multi-family dwelling units, including conversion apartments, & multi-family or cluster residential developments. | 2 for each dwelling unit; 1 for each dwelling unit for elderly housing |
| 3. Mobile home parks. | 2 for each mobile home lot. |
| 4. Boarding or rooming homes. | 2 for the dwelling unit + 1 for each boarding unit or room. |
| <u>Institutional Uses</u> | |
| 5. Day care facilities. | |
| a. Family day care homes or accessory group day care homes. | 2 for the dwelling unit + 1 for each 3 students/clients. |
| b. Day care centers or group day care homes. | 1 for each 3 students/clients + 1 for each employee. |
| 6. Schools. (Public or private) | |
| a. Elementary schools. | 5 for each classroom + 1 for each employee. |
| b. Middle or high schools or post- secondary education facilities. | 1 for each 3 seats of auditorium or gymnasium capacity, whichever is greater. |
| 7. Places of public or private assembly, such as churches, government or community buildings, or clubs & fraternal organization facilities. | 1 for each 3 seats of total facility capacity. |

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| 8. Public service or non-profit facilities not primarily intended for public assembly, such as police or fire stations, libraries, museums, & cultural facilities. | 1 for each 800 sq. ft. of gross floor area + 1 for each employee. |
| 9. Nursing or personal care homes. | 1 for each 3 beds + 1 for each employee in the maximum work shift. |
| 10. Group homes or institutional residences. | 1 for each 2 residents + 1 for each employee in the max. work shift. |
| 11. Cemeteries. | 5 visitor spaces + 1 per employee. |
| <u>Commercial/Retail Uses</u> | |
| 12. Retail stores or personal service business establishments, except as provided below. | 1 for each 300 sq.ft. of gross floor area + 1 for each employee in the maximum work shift. |
| 13. Home occupations. | 2 for the dwelling unit + 2 customer spaces. |
| 14. Farm-related businesses & cottage industries. | 4 for each operation + 1 for each employee. |
| 15. Bed & breakfast establishments. | 2 for the dwelling unit + 1 for each guest room. |
| 16. Restaurants; bars or taverns. | 1 for each 200 sq.ft. of gross floor area + 1 for each employee in the maximum work shift. |
| 17. Furniture stores, agri-businesses, automotive sales facilities, & automotive service stations & repair shops. | 1 for each 400 sq.ft. of gross floor area + 1 for each employee. |
| 18. Business, professional or financial offices & office bldgs. | 1 for each 400 sq.ft. of gross floor area + 1 for each employee. |
| 19. Medical, dental or veterinary clinics; veterinary hospitals. | 5 for each service provider + 1 for each employee. |

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|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 20. Commercial lodging facilities. | 1 for each guest room + 1 for each employee in the maximum work shift. |
| 21. Public or adult entertainment establishments. | 1 for each 3 persons of total facility capacity + 1 for each employee in the maximum work shift. |
| 22. Funeral homes. | 1 for each 50 sq.ft. of assembly Area + 1 for each employee. |
| Industrial Uses | |
| 23. Industrial or manufacturing operations; warehousing or storage facilities, except as provided below. | 1.25 for each employee in the maximum work shift + 5 visitor spaces. |
| 24. Sawmills; lumber yards; machine shops. | 1 for each employee + 3 customer spaces. |
| 25. Mineral extraction operations; junk yards or auto salvage operations. | 1 for each employee in the maximum work shift + 3 visitor spaces. |
| 26. Distribution or freight terminals; moving companies or parcel delivery transfer stations. | 1 for each employee + 1 for each vehicle maintained on the premises. |
| Recreational or Open Space Uses | |
| 27. Parks or playgrounds. | 1 for each 5 persons of total facility capacity. |
| 28. Outdoor commercial recreation uses. | 1 for each 3 persons of total facility capacity + 1 for each employee in the maximum work shift. |
| 29. Campgrounds or RV parks. | 1 for each camping space + 1 additional space for every 5 camping spaces. |
| 30. Seasonal dwellings. | 2 for each seasonal unit. |

801 OFF-STREET LOADING REQUIREMENTS SPACES REQUIRED

Off-street loading space shall be provided in connection with every commercial, industrial or institutional building or use hereafter erected containing 5,000 square feet or more of gross floor area which requires the delivery or shipment of merchandise or materials. Such accommodations shall meet the following requirements.

- A. Each off-street loading space shall be of sufficient size to adequately accommodate the use being served and shall be located entirely on the subject lot. At a minimum, each loading space shall be 12 feet in width, 45 feet in length, and have a vertical clearance of 14 feet, exclusive of drives or maneuvering area. Where possible, such spaces shall be designed so that there will be no need for drivers to back over public walkways or street rights- of-way.
- B. Loading spaces shall be graded for proper drainage and shall be designed and constructed in accordance with the standards established in Section 800 D. for parking areas.
- C. All lighting used to illuminate off-street loading spaces shall be mounted and shielded in such a manner to avoid creating safety problems for motorists on public streets and to avoid causing glare on adjacent properties.
- D. No off-street loading space or loading dock may extend into any required buffer yard or setback area. (See Section 505.)
- E. Off-street loading spaces shall be set back a minimum of ten (10) feet from all side and rear property lines when such loading is proposed to be located adjacent to another lot in a non-residential district. Where however, such loading abuts a residential district or residential use, a setback of not less than 25 feet shall be required. Screening, as provided in Section 506 of this Ordinance, shall be used to effectively screen non-residential loading areas from residential uses.

| TABLE 2 | |
|------------------------------------|---------------------------------------------------------------------------|
| <u>OFF-STREET LOADING SCHEDULE</u> | |
| <u>Gross Floor Area</u> | <u>Minimum Number of Spaces Required</u> |
| 5,000 sq.ft. - 20,000 sq.ft. | One (1) |
| 20,001 sq.ft. - 40,000 sq.ft. | Two (2) |
| 40,001 sq.ft. - 100,000 sq.ft. | Three (3) |
| over 100,000 sq.ft. | Three (3) + one (1) for each additional 50,000 sq.ft. of gross floor area |

- F. Applicants proposing non-residential development in the Village District should be encouraged to provide as much off-street loading space as possible. The Township Planning Commission shall review each such proposal for this district and recommend an appropriate number of loading spaces. Township Supervisors shall ultimately determine the number of spaces that must be provided.

802 DRIVEWAY AND ACCESS DRIVE REQUIREMENTS

To minimize traffic congestion and control street access in the interest of public safety, and to encourage the appropriate development of street and road access, the following standards shall apply to the construction or creation of all new driveways and access drives.

- A. Every building or lot shall have access to a public street or an approved private street. Where possible, residential lots shall access onto a local street rather than a collector road. Access onto State roadways shall require a Highway Occupancy Permit in accordance with PADOT standards and access onto a Township road shall require a Driveway or Access Permit in accordance with municipal requirements.
- B. All new driveways or access drives proposed for construction shall adhere to the clear sight triangle requirements set forth in Section 504 D. of this Ordinance and shall meet or exceed the design standards established in Table 3. In addition, all such driveways or access drives should be located where street alignment and profiles are favorable, and should avoid sharp curves and steep grades where possible.

- C. Where a driveway or access drive is to be installed in conjunction with a proposed use, the Zoning Permit application for such use shall include a scaled drawing showing the location, construction material(s), and the sight distance proposed for the driveway or access drive.
- D. Driveways or access drives for residential development shall be limited to one (1) point of intersection, and access for non-residential development shall be limited to two (2) drives or intersections. When however, a residential lot's frontage exceeds 100 feet or a non-residential lot exceeds 300 feet in width, or other exceptional circumstances exist, the Zoning Hearing Board may authorize additional access intersections. (See also Table 3.)
- E. Except in the case of single- and two-family dwellings, all driveways and access drives shall be designed so that there will be no need for motorists to back over public walkways or street rights-of-way.
- F. No driveway shall be closer than five (5) feet to a side or rear property line, unless the two adjoining property owners mutually agree to a common driveway. In such an instance, a written agreement shall be prepared by the property owners and submitted to the Township for review by the Township Solicitor. If determined acceptable, a copy of the agreement shall be recorded in the Office of the County Recorder of Deeds, and a receipt verifying such recording shall be submitted to the Zoning Officer prior to the issuance of a Driveway or Access Permit or Zoning Permit, where applicable.
- G. Driveways and access drives shall be designed and constructed in such manner to avoid impairing drainage within a street right-of-way or any adjacent area. Where determined necessary by the appropriate Township official(s), a drainage pipe shall be installed under the driveway or access drive by the property owner. The length and diameter of such pipe shall be as established and approved by the Township.
- H. In addition to the requirements set forth above, the Driveway and Access Drive Design Standards contained in Table 3 (next page) shall be utilized in the design and construction of such facilities.

| TABLE 3 | | | | | |
|----------------------------------------------------------|----------------------|-----------------------------------|----------------------------------------|--------------------------------------|-------------------------------|
| <u>DRIVEWAY AND ACCESS DRIVE DESIGN STANDARDS</u> | | | | | |
| Type of Development | Minimum Width | Maximum Grade ¹ | Minimum Curb Radius² | Minimum Intervals³ | Minimum Sight Distance |
| Single-Unit Residential | 8 ft. | 15% | 10 ft. | 40 ft. | 150 ft. |
| Multi-Unit Residential ¹ | 20 ft. | 12% | 15 ft. | 75' | 200 ft. |
| Non-Residential Uses | 15 ft per lane | 8% | 15 ft. | 100 ft. | 300 ft. |

¹ All driveways and access drives shall provide a stopping or leveling area having a grade of 5% or less for a distance of 25 feet from the edge of the cartway or paved surface of the intersecting street. This leveling area shall intersect the street at an angle of no less than 60 degrees, preferably 90 degrees.

² Where dropped curbs are used to provide driveway access, the minimum width of the dropped curb shall be 20 feet for single-family residential uses and 35 feet for multi-unit and non-residential uses. The transition from the normal driveway width to the width of the dropped curb shall begin ten (10) feet back from the edge of the curb for single-family residential and 15 feet back for multi-unit and non-residential uses.

³ Minimum intervals for single-family residential units shall apply between a street intersection and the first driveway only. Minimum intervals for other types of uses shall be measured between any two points of access, including driveways and public streets.

⁴ Minimum sight distance shall be measured from the point of intersection of the driveway or access drive centerline and the street right-of-way line to a point at the specified distance on the cartway centerline. No significant obstructions or plantings measuring higher than 30 inches or hanging lower than ten (10) feet above road grade shall be permitted within this area.

⁵ For the purposes of driveway or access drive design, the multi-unit residential design criteria all be used for driveways or access drives serving five (5) or more lots or dwelling units.

Article 9. NONCONFORMITIES

900 NONCONFORMING USES AND STRUCTURES

Any nonconforming use or structure legally existing at the effective date of this Ordinance or which is created whenever a district is changed by amendment hereafter, may be continued, altered, reconstructed, changed, sold or maintained even though it does not conform to the regulations of the district in which it is located, except as provided below. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, discontinued or abandoned. (See Section 901 for nonconforming lots.)

A. General Application of Provisions

Nothing contained herein shall require any change in plans, construction, or designated use of a building or structure which complies with existing laws or for which a Zoning Permit was granted and/or where the construction shall have started before the date of adoption of this Ordinance or applicable amendment thereto.

B. Abandonment

If any nonconforming use, or building or structure occupied by a nonconforming use, is abandoned for a period of one (1) year, the more use of such building, structure or land shall be in conformity with the District Regulations of this Ordinance. A nonconforming use shall be judged to be abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of one (1) year from the date of cessation or discontinuance.

C. Repairs, Restoration and Reconstruction

1. Exterior repairs, non-structural alterations, and other general maintenance adjustments may be made to a nonconforming building or structure or to a building or structure occupied by a nonconforming use. Such adjustments shall however be subject to all applicable Zoning Permit requirements. (See Section 1202.)
2. Where less than 50% of the volume or gross floor area of a nonconforming use or building or structure occupied by a nonconforming use is damaged by fire, flood or other natural cause, that building or structure may be reconstructed, restored and used as before provided that:

- a. the Zoning Officer approves the application for restoration as meeting the requirements of this Ordinance;
 - b. the proposed restoration does not exceed the size, bulk, height and area of the structure which existed prior to the damage;
 - c. the location of the restoration is not a safety hazard;
 - d. the restoration will comply with all floodproofing requirements of Section 604 of this Ordinance where the nonconformity is located in a General Floodplain District; and
 - e. said restoration will be completed within the time limits allotted for a Township Zoning Permit.
3. Where 50% or more of the volume or gross floor area of a nonconforming use or building or structure occupied by a nonconforming use is damaged or destroyed by fire, flood, or other natural cause, that building or structure may be reconstructed, restored and used as before provided that:
- a. the Zoning Hearing Board approves said reconstruction or restoration;
 - b. said reconstruction commences within one (1) year of the damage, or within such additional time as may be authorized by the Zoning Hearing Board for due cause;
 - c. said reconstruction shall not exceed the size, bulk, height and area that existed prior to the damage, unless approved by the Zoning Hearing Board;
 - d. the location of such reconstruction does not create a safety hazard, as determined by the Zoning Hearing Board; and,
 - e. where the nonconformity is located in a General Floodplain District, all new construction shall comply with the floodproofing requirements contained in Section 602 of this Ordinance.

D. Extensions and Enlargements

- 1. A nonconforming use of a building or structure may be extended throughout the interior of the building provided that no structural alterations are made therein. Prior to the initiation of any such extension however, a Zoning Permit shall be obtained from the Township Zoning Officer.

2. Exterior structural alterations proposed to extend or enlarge a nonconforming building or structure or a building or structure occupied by a nonconforming use may be approved by the Zoning Hearing Board provided that:
 - a. the extension or enlargement does not extend the structure or use beyond the remainder of the lot or parcel as it existed at the effective date of this Ordinance, nor extend the structure or use by an aggregate total of more than 25% of the gross floor area occupied by the use at the time it became nonconforming;
 - b. the extension or enlargement conforms to the yard, height, and other requirements of the district in which it is located; and,
 - c. in the case of a nonconforming use, the extension is attached or contiguous to the existing nonconforming use.

In reviewing applications for extension or enlargement, the Zoning Hearing Board shall give due consideration to the welfare of the community in its entirety and may attach such reasonable conditions and safeguards as they deem appropriate to implement the purposes of this Ordinance.

3. For nonconforming uses whose normal operations involve non-structural expansion (i.e. quarries, junk yards, cemeteries, etc.), expansion shall be permitted by right up to 25% of the volume or area of the nonconformity which existed at the effective date of this Ordinance. For expansion beyond 25%, approval must be obtained from the Zoning Hearing Board. Prior to the initiation of any expansion however, a Zoning Permit shall be obtained from the Township Zoning Officer.
4. Any nonconforming building or structure, or building or structure occupied by a nonconforming use, which is moved for any reason, must meet all requirements of the district in which it is to be located.

E. Change of Use

1. The change of a nonconforming use of a building, structure or land to a nonconforming use of the same or a more restricted classification may be approved by the Zoning Hearing Board provided that the applicant can show that the proposed change will be no more objectionable in external effect than the existing nonconforming use with respect to:
 - a. traffic generation and congestion, including truck, passenger car and pedestrian movement;
 - b. noise, smoke, dust, fumes, vapor, gases, heat, odor, glare, or vibration;

- c. outside, unenclosed storage, and waste collection and disposal; and,
 - d. appearance, character, and nature of the neighborhood or area.
2. Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed back to a nonconforming use.

F. Application to Agricultural Structures

The regulations governing nonconformities set forth in this Section shall not apply to agricultural structures when such structures are part of an active agricultural use. It is not the intent of these regulations to create hardships for on-going agricultural activities.

G. Certification

Upon receipt of evidence from a property owner or occupant which documents the existence of a nonconforming use or structure on or before the effective date of this Ordinance, the Zoning Officer shall issue a Certificate of Nonconformance for such nonconformity. Any applicant aggrieved of the process for obtaining said Certificate or of any decision rendered therefrom, may file an appeal with the Township Zoning Hearing Board.

901 NONCONFORMING LOTS

Any nonconforming lot legally existing at the time of adoption of this Ordinance or which is created whenever a district is changed by amendment hereafter, may be continued and/or maintained even though it does not conform to the regulations of the district in which it is located. It is not the intent of this Ordinance to be overly restrictive or to cause a hardship for any property owner, but rather to allow these nonconforming lots to continue until they are eliminated as single entities, possibly through the addition of such lots to adjacent property.

A. Discontinuance/Lot Changes

Any nonconforming lot which is discontinued or becomes conforming through its addition to adjacent land, shall not hereafter be changed back to a nonconforming lot.

B. Existing Undeveloped Lots of Record

In the case of an undeveloped lot of record which existed at the effective date of this Ordinance which cannot accommodate a principal structure and meet the standards of the district where it is located, a permitted structure may be placed on the parcel provided that:

1. the owner does not own adjoining land which could be combined to form a conforming lot;
2. each side yard is not less than 20 feet in the Light Industrial and Mineral Extraction Districts; not less than ten (10) feet in the Rural Residential, Suburban Residential, General Commercial, Agricultural, and Woodland/Conservation Districts; and not less than five (5) feet in the Urban SR, UR, V, C, or LI Districts where fireproof common walls are used);
3. the rear yard is not less than 25 feet in the C, LI, and ME Districts, nor less than ten (10) feet in all other Districts;
4. the front yard conforms to the minimum distance required;
5. where needed, the site has an approved sewage disposal system or an appropriate sewage permit; and,
6. provided that the site and its intended use complies with all other applicable provisions of this Ordinance.

C. Certification

Upon receipt of evidence from a property owner or occupant which documents the existence of a nonconforming lot on or before the effective date of this Ordinance, the Zoning Officer shall issue a Certificate of Nonconformance for such nonconformity. Any applicant aggrieved of the process for obtaining said certificate or any decision rendered therefrom, may file an appeal with the Township Zoning Hearing Board.

Article 10. RESPONSIBILITIES OF THE ZONING HEARING BOARD

1000 ORGANIZATION AND PROCEDURE

A. Establishment

Pursuant to the provisions of the Pennsylvania Municipalities Planning Code (P.L. 1329, Act 170, as reenacted December 21, 1988, and as subsequently amended), a Zoning Hearing Board is hereby established in Walker Township

B. Appointment and Membership

The Zoning Hearing Board shall consist of three (3) residents of Walker Township to be appointed by Resolution of the Township Board of Supervisors. The terms of the initial appointees shall be for one, two and three years from the date of appointment. Their successors shall be appointed for the term of three (3) years after the expiration of the terms of their predecessors in office. Members of the Zoning Hearing Board shall hold no other office in the municipality.

The Township Supervisors may also appoint, by Resolution, two (2) alternate members to the Zoning Hearing Board to serve in the event of absence or conflict of interest of a regular member. The term of office of an alternate shall be three (3) years. For each case, the Chairman of the Zoning Hearing Board shall designate as many alternates as necessary to provide a quorum. Designation shall be made on a case-by-case basis, in rotation, according to declining seniority. Alternates shall hold no other office in the municipality.

A Zoning Hearing Board member may be removed by majority vote of the appointing authority for just cause only after the member has received 15 days' advance notice of the Township's intent to take such a vote. A Hearing shall be held in connection with the vote if requested in writing by the member.

C. Appointment to Fill Vacancies

Appointments to fill vacancies shall be for the unexpired term of the member or members whose term or terms become vacant. Appointments to fill such vacancies shall be made in the same manner as the original appointment.

D. General Grant of Power

The Zoning Hearing Board shall perform all the duties and have the powers prescribed by the Pennsylvania Municipalities Planning Code, as amended, and as herein described.

1001 POWERS AND DUTIES

The Zoning Hearing Board shall hear and decide appeals pursuant to the provisions of the PA Municipalities Planning Code, as amended, and shall have the following powers.

A. To Hear and Decide Appeals

1. The Zoning Hearing Board shall hear and decide appeals from any order, requirement, decision or determination made by the Zoning Officer administering this Ordinance, including but not limited to the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order, or the issuance or refusal to issue a Certificate of Nonconformance for any nonconforming use, structure or lot.
2. The Zoning Hearing Board shall hear and decide appeals from a determination of the Zoning Officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving the provisions regulating subdivision or Planned Residential Development contained in Articles V and VII of the PA Municipalities Planning Code.
3. The Zoning Hearing Board shall hear and decide appeals from a determination by the Zoning Officer or municipal engineer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
4. The Zoning Hearing Board shall hear and decide upon appeal from a determination of the Zoning Officer, any questions involving the interpretation of any provision of this Ordinance, including determination of the exact location of any district boundary where there is uncertainty with respect thereto.

B. To Hear and Decide Challenges to the Validity of any Land Use Ordinance

1. The Zoning Hearing Board shall hear and decide substantive challenges to the validity of any land use ordinance, except those for Landowner Curative Amendments, which shall be brought before the governing body pursuant to Sections 609.1 and 916.1 (a) (2) of the PA Municipalities Planning Code, as amended.

2. The Zoning Hearing Board shall hear and decide challenges to the validity of any land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption. Such challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.

C. To Hear and Decide Requests for Variances

The Zoning Hearing Board shall hear requests for variances and may vary or adapt the strict application of any of the requirements of this Ordinance in the case of exceptionally irregular, narrow or shallow lots or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case. The sole purpose of any variance shall be to prevent discrimination and no variance shall be granted which would have the effect of granting a special privilege not shared by other property owners in the same vicinity and district and under the same conditions.

The Board's decision to approve a variance request shall be made only after public notice and hearing. (See Section 1002.) (See also Section 609 for additional information regarding variances in the General Floodplain District and Appendix D for an illustration of the variance procedure.)

No variance in the strict application of any provisions of this Ordinance shall be granted by the Zoning Hearing Board unless it finds:

1. that there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;
2. 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 the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. that such unnecessary hardship has not been created by the appellant;
4. that the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and,

5. 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 Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

D. To Hear and Decide Request for Special Exceptions

The Zoning Hearing Board may grant Special Exceptions only for such uses as are provided for in Article 3, the District Regulations, and pursuant to express standards and criteria outlined in Article 4. The Board's decision to approve a Special Exception shall be made only after public notice and public hearing. (See Section 1002.) Such approval shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent changes or additions shall be subject to further review and public hearing by the Zoning hearing Board as a separate Special Exception request. (see Section 610 for additional information regarding Special Exceptions in the General Floodplain District and Appendix E for a chart illustrating the Special Exception procedure.)

In reviewing applications for Special Exceptions, the Zoning Hearing Board shall take into account the following requirements, in addition to the standards set forth in Article 4, and in other applicable sections of this Ordinance.

1. that the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected; that
2. that the use will not cause substantial injury to the value of other property in the neighborhood where the use is to be located;
3. that the use will be compatible with adjoining development and the proposed character of the zoning district where it is to be located;
4. that adequate landscaping and screening is provided as required herein;
5. that adequate off-street parking and loading is provided and ingress and egress is designed to cause minimum interference with traffic on abutting streets; and,
6. that the use conforms with all applicable regulations governing the district where it is to be located, except as may otherwise be determined for large-scale developments.

In approving a Special Exception, the Zoning Hearing Board may attach whatever reasonable conditions and safeguards it deems necessary in order to insure that the proposed development is consistent with the purposes of this Ordinance.

1002 HEARING PROCEDURES

A. Parties Appellant Before Zoning Hearing Board

Appeals from a decision of the Zoning Officer and proceedings to challenge the validity of the Ordinance may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the Township, or by any person aggrieved. Requests for a variance or special exception must be filed with the Zoning Hearing Board by the landowner or an authorized agent of such landowner.

B. Time Limitations

No person shall be allowed to file any proceeding with the Zoning Hearing Board later than 30 days after an application for development, whether preliminary or final, has been approved by an appropriate municipal officer, agency, or body if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given.

C. Applications Required

All requests and appeals made to the Zoning Hearing Board shall be in writing and in such form as may be prescribed by the Zoning Officer. Every appeal or request shall refer to a specific provision of this Ordinance and shall exactly set forth the interpretation that is claimed or shall include the plans or the details of the variance or special exception that is applied for, in addition to the following information:

1. the name and address of the applicant or appellant;
2. the name and address of the owner of the parcel to be affected by such proposed change or appeal;
3. the name and address of all adjacent property owners;
4. a brief description and location of the parcel to be affected by such proposed change or appeal;

5. a statement of the present zoning classification of the parcel in question, the improvements thereon and the present use thereof; and,
6. a reasonably accurate description of any existing buildings, structures or improvements located on the site and the additions or changes intended to be made under this application, indicating the size of such proposed improvements. In addition, the applicant shall provide the Zoning Hearing Board with an accurate plot plan, drawn to scale, of the property to be affected, indicating the location and size of the lot and the size and location of all existing buildings, structures, trees, or other physical features thereon and those additional improvements proposed to be erected.

D. Procedure for Zoning Officer

1. The notice of appeal in any case where a Permit has been granted or denied by the Zoning Officer shall be prescribed by the Zoning Hearing Board under general rule after notice of such action granting or denying the Permit has been mailed to the applicant. The Zoning Officer shall then immediately transmit to the Zoning Hearing Board all papers constituting the record from which the appealed action was taken or in lieu thereof, certified copies of said papers.
2. It shall be acceptable for the Zoning Officer to recommend to the Zoning Hearing Board a modification or reversal of his action in cases where he believes substantial justice requires the same but where he does not have sufficient authority to grant the relief sought.

E. Hearings Required and Notice of Hearings

The Zoning Hearing Board, before rendering a decision, shall hold hearings on any appeal, interpretation, variance, special exception, challenge or other matter requiring the Zoning Hearing Board's decision or other official action. Within 60 days of the date of receipt of an applicant's application for such hearing, the Board shall fix a reasonable time and place for and commence the first hearing thereon, giving notice as follows:

1. Publish Public Notice in accordance with the definition of "Public Notice" in Article 13 of this Ordinance;
2. Post in a conspicuous place on the property involved a written notice of the pending hearing and action; such notice shall take place at least seven (7) days prior to the public hearing; and
3. Give written notice to the applicant, the Zoning Officer, the Township Secretary, Secretary of the Township Planning Commission, and to any

person who has made a timely request for the same, at least seven (7) days prior to the hearing.

Each subsequent hearing on the application shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record.

F. Rules of Conduct

The Zoning Hearing Board shall adopt rules consistent with the provisions of this Ordinance and shall commence, conduct, and complete all hearings in accordance with the requirements of the PA Municipalities Planning Code, as amended. Meetings of the Zoning Hearing Board shall be held at the call of the chairman and at such other times as the Zoning Hearing Board may determine. Such chairman or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. Irrelevant, immaterial or unduly repetitious evidence may be ruled out of order and excluded from the hearing record.

All hearings and meetings of the Zoning Hearing Board shall be open to the public. The Zoning Hearing Board shall keep a stenographic record of the hearing proceedings. Minutes shall be kept of all other meetings and shall show the vote of each member upon each question or if absent or failing to vote, indicate such fact. Such records shall be public and shall be kept on file with the Township Secretary. A report of the Zoning Hearing Board's activities shall be submitted to the Township Supervisors once each year.

A quorum of two (2) Board Members shall be required for the Zoning Hearing Board to take action. Alternates may be utilized as necessary to provide such a quorum.

G. Decisions

The Zoning Hearing Board shall render a written decision or, when no decision is called for, make written findings on any application brought before them within 45 days after the date of the last hearing on said application. Every decision of the Zoning Hearing Board shall be based on stated findings of fact and every finding of fact shall be supported in the record of the hearing. The enumerated conditions required to exist for the authorization of a variance shall be construed as limitations of the power of the Zoning Hearing Board to act. A mere finding or recitation of the enumerated conditions, unaccompanied by findings of specific fact, shall not be deemed findings of fact and shall not be deemed compliance with this Ordinance.

In exercising the above-mentioned powers, the Zoning Hearing 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 it feels appropriate.

A copy of the final decision or findings must be delivered to the applicant personally or must be mailed to him not later than the day following its date. All other persons interested in the result, who filed their name and address with the Board not later than the last day of the hearing, shall be provided with a brief notice of the decision or findings and a statement indicating where the full decision may be examined.

H. Expiration of Appeal Decision

Unless otherwise specified by the Zoning Hearing Board, a decision on any appeal or request shall expire if the applicant fails to obtain any necessary Zoning Permit or comply with the conditions of said authorized permit within six (6) months from the date of authorization thereof.

I. Required Interval for Hearings on Applications and Appeals after Denial

Whenever the Zoning Hearing Board, after hearing all the evidence presented upon an application or appeal under the provisions of this Ordinance, denies the same, the Zoning Hearing Board shall refuse to hold further hearings on the same or substantially similar application or appeal by the same applicant, his successor or assign for a period of one (1) year, except and unless the Zoning Hearing Board shall find and determine from the information supplied by the request for a rehearing, that changed conditions have occurred relating to the promotion of the public health, safety, convenience, comfort, prosperity and general welfare and that a reconsideration is justified. Such rehearing would be allowable only upon a motion initiated by a member of the Zoning Hearing Board and adopted by the unanimous vote of the members present, but not less than a majority of all members.

J. Failure to Hold Required Hearing or Render Decision

Where the Board fails to commence, conduct, or complete the required hearing or fails to render a decision within the prescribed time periods (except for challenges filed under Section 916.1 of the PA Municipalities Planning Code), 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 is rendered in favor of the applicant due to a violation of the established time requirements, the Zoning Hearing Board must give public notice of this decision within ten (10) days from the last day it could have

met to render a timely decision. If the Board shall fail to provide such notice, the applicant may do so.

K. Stay of Proceedings

An appeal to the Zoning Hearing Board shall automatically stop all affected land development. However, if the Zoning Officer or other appropriate agency certifies to the Zoning Hearing Board that such a halt could cause an imminent danger to life or property, then development may only be stopped by a restraining order granted by the Zoning Hearing Board or by the court having jurisdiction, on petition, after notice to the Zoning Officer and any other appropriate agency.

L. Appeals

Any person aggrieved by any decision of the Zoning Hearing Board may appeal therefrom within 30 days to the Court of Common Pleas of Centre County pursuant to the procedures established in Article X-A of the PA Municipalities Planning Code, or as may hereafter be amended.

Article 11. RESPONSIBILITIES OF THE TOWNSHIP SUPERVISORS

1100 AMENDMENTS TO THE ZONING ORDINANCE OR MAP

The municipality may on its own motion or by petition amend, supplement, change, modify or repeal this Ordinance, including the Zoning Map, by proceeding in the following manner. (See Appendix F of this Ordinance for an illustration of the amendment procedure.) For Curative Amendments see Section VI of the PA Municipalities Planning Code, P.L. 1329, Act 170 of 1988, as reenacted December 21, 1988.

A. Public Hearing and Notice Requirements

The Township Supervisors shall, at a public meeting, establish a date, time and place for a public hearing on the proposed amendment. Notice of such hearing shall be published once each week for two (2) successive weeks in a newspaper of general, local circulation. The first notice shall be published not more than 30 days and the second publication shall appear no less than seven (7) days prior to the hearing date. The notice shall state the time and place of the hearing and the general nature of the proposed amendment in such reasonable detail as will give adequate notice of its contents and shall name the place(s) where copies of the proposed amendment may be examined.

In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the affected tract at least seven (7) days prior to the date of the hearing. Further, where a proposed amendment involves a change, other than a comprehensive municipal rezoning, the Township shall notify all property owners within the area proposed for rezoning (by first class mail) of the date, time and location of the hearing at least 30 days prior to the hearing.

If after said public hearing, the proposed amendment is changed substantially or is revised to include land not previously affected by it, the Supervisors shall hold another public hearing and give notice thereof as set forth above, before proceeding to vote on the amendment.

B. Review by Planning Commissions

Every such proposed amendment or change, whether initiated by the Township Supervisors or by petition, shall be referred to the Township Planning Commission and the County Planning Commission at least 30 days before the public hearing for report thereon. If the Planning Commission(s) shall fail to file such a report before the public hearing it shall be presumed that the Planning Commission(s) have no comments or concerns regarding the proposed amendment, supplement or change.

C. Opportunity to be Heard

At the public hearing, any citizen and all parties in interest shall be given the opportunity to be heard.

D. Notice of Enactment

Prior to taking action on the amendment, the Township Supervisors shall give notice of proposed enactment by publishing the entire amendment or the title and a brief summary in a newspaper of general, local circulation. Such notice shall include the time and place of the meeting at which passage will be considered and shall name the place where copies of the proposed amendment may be examined. The notice shall be published one time, not more than 60 days nor less than seven (7) days prior to passage. If the full text is not published, a copy of the amendment shall be supplied to the newspaper at the time of publication of the notice, and an attested copy of the proposed amendment shall be filed in the County Law Library or other county office designated by the County Commissioners.

E. Enactment of Amendment

The adoption of an amendment shall be by simple majority vote of the Township Supervisors. The vote of the Supervisors shall be within 90 days after the last public hearing on the amendment. If the Supervisors fail to take action within 90 days, the proposed amendment shall be deemed to have been denied.

Within 30 days after enactment, a copy of the amendment shall be forwarded to the County Planning Commission.

1101 CONDITIONAL USES

The Township Supervisors may grant Conditional Use approval for only those uses set forth in Article 3 of this Ordinance, the District Regulations, pursuant to the express standards and criteria outlined in Article 4, the Supplementary Use Regulations. In addition, the Supervisors may attach such reasonable conditions and safeguards as they deem appropriate to protect the public welfare and implement the purposes of this Ordinance. (See Appendix G of this Ordinance for a chart illustrating the Conditional Use procedure.)

A. Application Procedure

Applications for any Conditional Use permitted by this Ordinance shall be made to the Zoning Officer who shall refer such applications to the Secretary of the Township Supervisors. Upon receipt of a Conditional Use application, the Secretary of the Township Supervisors shall forward a copy of the application to the Township Planning Commission for their review and recommendation. The Planning Commission shall conduct its review and make its recommendations within 45 days of receipt of such request.

B. Written Statement

All applications for Conditional Uses shall include a written statement describing the tract of land and its intended use. Such statement shall include the following information:

- 1 . the location of the tract of land;
2. the present use of the tract for which the conditional use is requested;
3. the present use of adjoining tracts;
4. the type of conditional use for which the application is made;
5. a brief description of the type and extent of the proposed activities;
6. an estimate of the total development cost of the conditional use; and,
7. the names of the applicant, the owner of the tract, the developer of the conditional use and the person or organization who will operate the conditional use.

C. Site Plan

All applications for Conditional Uses shall include at least six (6) copies of a site plan of the proposed development as set forth below.

The site plan shall be drawn to a scale not more than 50 feet to the inch and shall be on a sheet no smaller than 18" x 24" and no larger than 24" x 36". If the site plan is drawn in two (2) or more sections, a key map showing the locations of the sections shall be placed on each sheet. The site plan shall include:

1. title block containing the name of the developer or landowner, date, scale, north arrow and the name and profession of the preparer of the plan;

2. tract boundaries showing bearings and distances;
3. existing significant natural or man-made features of the site;
4. existing and proposed streets, rights-of-way, easements, means of access and setback lines;
5. existing buildings, sewers, water mains, culverts, transmission lines, and fire hydrants on or adjacent to the site;
6. existing contours at vertical intervals of five (5) feet or less and the datum to which the elevations refer;
7. proposed grading and drainage plan;
8. proposed plan of any landscaping of the tract showing all paved and planted areas, screens or fences and erosion control measures;
9. plans of any proposed sanitary sewer or storm sewer systems and water supply systems; and,
10. location, size and floor plan of all proposed buildings or structures and proposed use of all buildings or structures and open or unenclosed areas of the tract.

In cases where little site improvement or development is required or proposed for a conditional use, the Township Supervisors may waive the requirement for submittal of certain information that they deem unnecessary for their review of the application. In all cases however, the information submitted shall be adequate for review of the conditional use request.

D. Hearing Requirements

Within 60 days of the date of receipt of the applicant's application for a Conditional Use, the Supervisors shall select a date, advertise (pursuant to the definition of Public Notice), and hold the first public hearing on the proposal. Hearings shall be conducted in accordance with the procedures set forth in Section 1002 F. of this Ordinance for Zoning Hearing Board hearings. The burden of presentation of the Conditional Use request at the hearing shall rest with the applicant

E. Criteria for Conditional Uses

The Supervisors shall, in making decisions on each application for a Conditional Use, consider the following general criteria, in addition to the special criteria established elsewhere in this Ordinance:

1. the purpose of the zone in which the requested conditional use is to be located and the compatibility of the requested conditional use with existing and potential land uses on adjacent tracts of ground;
2. whether the specific site is an appropriate location for the use, structure or condition;
3. whether the use developed will adversely affect the neighborhood;
4. whether the use will create undue nuisance or serious hazard to vehicles or pedestrians;
5. whether adequate and appropriate facilities and services will be provided to ensure the proper operation of the proposed use;
6. the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district; and,
7. whether satisfactory provision and arrangement has been made concerning the following:
 - a. ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergency;
 - b. off-street parking and loading areas;
 - c. waste collection, storage and disposal;
 - d. utilities, with reference to location, availability and compatibility;
 - e. screening and buffering with reference to type, dimensions and character;
 - f. signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; and,
 - g. required yards and open spaces.

F. Decisions

The Supervisors shall render a decision or, when no decision is called for, make written findings on the Conditional Use application within 45 days after their last hearing on the proposal. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based

thereon, together with any reasons therefor. Conclusions based on any provisions of the PA Municipalities Planning Code, this Ordinance, or other ordinance, rule or regulation shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

A copy of the final decision or, where no decision is called for, the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.

G. Failure to Hold Required Hearing or Render Decision

Where the Supervisors fail to commence, conduct, or complete the required hearing or fail to render their decision within the prescribed time periods (except for challenges filed under Section 916.1 of the PA Municipalities Planning Code), 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 a violation of the prescribed time periods, the Township Supervisors shall give public notice (in the same manner as is done for the public hearing) of the decision within ten (10) days from the last day they could have met to render a timely decision. If the Supervisors fail to provide such notice, the applicant may do so.

H. Expiration of Decision

Unless otherwise specified by the Supervisors at the time of their action, a Conditional Use authorization shall expire if the applicant fails to obtain any necessary Zoning Permit or comply with the conditions of said authorization within six (6) months from the date of authorization.

I. Appeals

Nothing in this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

Article 12. ADMINISTRATION AND ENFORCEMENT

1200 DUTIES OF THE ZONING OFFICER

The provisions of this Ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the Board of Supervisors and who shall hold no elective office in the Township. Said Officer shall be able to demonstrate to the satisfaction of the Supervisors a working knowledge of municipal zoning, and shall meet such other qualifications as the Supervisors may, from time to time, deem necessary for the effective implementation of the provisions of this Ordinance. The Zoning Officer may be compensated for his work and shall have the following duties:

- A. to receive and process applications for permits, certificates, variances, special exceptions, conditional uses, appeals and other applications required under the terms of this Ordinance;
- B. to prescribe the form of all applications, permits and certificates required under the terms of this Ordinance;
- C. to issue or deny applications for Zoning Permits in accordance with the procedure set forth in Section 1202 of this Ordinance. In cases involving a request for a Conditional Use, a Special Exception, or a variance, Zoning Permits shall be issued only upon written order of the appropriate approving agency. (It shall be the responsibility of the Zoning Officer to process requests for such hearings before the Board of Supervisors and Zoning Hearing Board, as applicable.);
- D. to issue or deny requests for Certificates of Compliance in accordance with the procedure set forth in Section 1203 of this Ordinance;
- E. to examine land, buildings and structures to determine their consistency with the Zoning Ordinance at the time of application filing, during the work and upon completion of the work;
- F. to issue written enforcement notices as specified in Section 1204 A. of this Ordinance where it appears that there has been a violation, and to institute civil enforcement proceedings with the appropriate District Justice on behalf of the Township as a means of enforcing the zoning regulations. (Duplicate copies of such notices shall be referred to the Township Solicitor, Zoning Hearing Board and to the Board of Supervisors);
- G. to maintain and update, as authorized, the official Zoning Map;
- H. to maintain a log of all applications, permits or certificates issued, variances granted, inspections made, reports rendered and notices or orders issued;

- I. to post notice of pending Zoning Hearing Board hearings in accordance with the procedures established in Section 1002 E.2. and to post notice of proposed zoning district boundary changes as per the requirements of Section 1100 A.;
- J. to present facts, records, and other information to the Township Supervisors and/or Planning Commission, upon request of such body, as will assist them in their deliberations of specific applications;
- K. to present to the Zoning Hearing Board, in each case before the Board, relevant facts and arguments to support the Township's position, interpretation and procedures in application of the provisions of this Ordinance;
- L. to issue Certificates of Nonconformance as requested (See also Sections 900 G. and 901 C.); and
- M. to perform such other duties as may be made necessary by the terms of this Ordinance.

1201 GENERAL PROCEDURE FOR ZONING & BUILDING PERMIT APPLICATIONS

All persons desiring to undertake any new construction, structural alteration, or change in the use of a building, structure or land shall apply to the Zoning Officer for a Zoning Permit by completing the appropriate application form and by submitting the required fee. The Zoning Officer shall then either issue or deny the Zoning Permit or refer the application to the Zoning Hearing Board or Board of Supervisors for their consideration, as applicable. After the applicant has received a Zoning Permit, he shall contact the Township Building Code official and make application for a Building Permit. Following completion of his project, the applicant shall apply to the Zoning Officer for a Certificate of Compliance. If the Zoning Officer finds that the project has been completed in accordance with the terms of the Zoning Permit, he shall issue a Certificate of Compliance, after which the Building Code official shall inspect the premises and issue or deny an Occupancy Permit allowing the premises to be occupied or used. (The specifics of each step of the zoning procedure are presented in Sections 1202 and 1203 below.) **Nothing in this Ordinance shall exempt the applicant from obtaining any permits which may be required by such regulations or codes in effect in Walker Township.**

1202 ZONING PERMITS

A. Requirements for Zoning Permits

A Zoning Permit shall be required prior to the placement, erection, construction, addition, or alteration of any building or structure or portion thereof; prior to the use or change in use of a building, structure **or land**; prior to the erection or alteration of signs, except as specified in Article 7; prior to the change or extension of a nonconforming use; prior to the demolition of a building or structure; and prior to development in any Floodplain District; except as listed below. It shall be unlawful for any person to commence work for the erection or alteration of any building or structure, **or for a change in land use**, until a Zoning Permit has been duly issued therefor. (In some instances, additional permits may also need to be obtained prior to beginning construction or alterations.)

Exemptions

Zoning Permits shall **not** be required for the following activities **unless they are proposed within a floodplain district**:

1. interior alterations when there is no increase in ground floor exterior dimension and no change in use;
2. general exterior maintenance and repair to existing buildings or structures; including siding, roofing, painting, the addition or replacement of storm windows, and similar activities;
3. demolition of buildings or structures containing less than 100 square feet in gross floor area;
4. agricultural activities, including crop or tree farming, and agricultural pasture fencing;
5. landscaping and fencing;
6. construction or erection of land terraces, steps or similar features; or
7. placement or location of utility distribution lines.

B. Application for Zoning Permits

Each request for a Zoning Permit shall be made by completing the appropriate application form obtained from the Zoning Officer and submitting it, along with the required fee, to the Township. 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, it shall be accompanied by a written authorization from the owner. The full names and addresses of the owner, lessee, applicant or other responsible parties shall be stated in the application.

The Zoning Officer shall have 30 days after receipt of an application to issue or deny the Permit. Any denial shall be in writing and shall state the reason(s) for such action.

C. Description of Work and Plan Requirements

All applications for Zoning Permits shall be accompanied by a sketch or plans, drawn to scale, which show the actual shape and dimensions of the lot, the exact size and location of any buildings existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or dwelling units the building is designed to accommodate and such other information as may be necessary to determine compliance with this Ordinance and all other pertinent regulations, including building floor plans where appropriate. No application shall be considered complete until all necessary documents have been filed and all fees have been paid to the Township.

All applications and accompanying plans and documents shall become a matter of public record once a permit has been either issued or denied.

D. Proof of Compliance

It shall be the responsibility of the applicant in all cases to furnish adequate information and to certify that the proposed use will comply with the requirements of this Ordinance and all other applicable Federal, State or local regulations. Such required documentation may include copies of sewage permits, Highway Occupancy Permits, Department of Labor and Industry or Public Welfare approvals, or other regulatory agency reviews, where such permits, approvals or reviews are appropriate.

D. 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, specifications or other documents submitted with the application without the written approval of the Zoning Officer. Requests for any such change shall be made in writing and shall be submitted to the Zoning Officer for consideration.

E. Display of Permit Placard

In addition to the Zoning Permit, the Zoning Officer shall issue a Permit placard which shall be displayed or posted on the premises during the time construction is in progress. The Permit placard shall remain posted until completion of the project and final inspection has been made by the Zoning Officer. Said placard shall bear the number of the Zoning Permit, the date of its issuance, and the signature of the Zoning Officer.

G. Time Limitations

Work on the approved construction shall commence within six (6) months after the date of issuance of the Zoning Permit and shall be completed within 24 months following Permit issuance. A time extension may however be granted by the Zoning Officer if a written request is submitted by the applicant prior to expiration of the original Permit. Such request shall set forth sufficient and reasonable cause for granting the extension. When granted, extensions shall not exceed 18 months from the expiration date of the original Permit. Any extension shall require the payment of appropriate Permit fees.

For the purposes of this Section, construction and/or development shall be considered to have started with the preparation of land, including land clearing, grading, filling, excavation for basement, footers, piers or foundations, erection of temporary forms, the installation of pilings under proposed subsurface footers, or the installation of sewer, gas, and water pipes, or electrical or other service lines from the street.

H. Inspections

During construction, the Zoning Officer shall inspect the premises to determine that the work is progressing in compliance with the information provided on the Permit application and with all other applicable Township laws. He shall make as many inspections as necessary to determine this compliance. In the discharge of his duties, the Zoning Officer shall have the authority to enter any building, structure, premises, or development located in any zoning district, upon presentation of proper credentials, at any reasonable hour, to enforce the provisions of this Ordinance.

I. Revocation of Permits

The Zoning Officer may revoke a Zoning Permit at any time if it appears that the application or accompanying plan is in any material respect false or misleading or that work being done upon the premises differs materially from that called for in the application. In such case, the person holding the Permit shall immediately surrender it to the Zoning Officer. A report of such revocation shall also be

submitted to the Township Supervisors for whatever action they may deem necessary.

J. Temporary Zoning Permits

A Temporary Zoning Permit shall be required for those temporary uses or activities as identified in Section 428 of this Ordinance. Permits for said activities shall be valid for such time as specified in Section 428 and shall require all structures used in conjunction with the activity to be removed from the site upon expiration of the Permit, without cost to the Township. In addition, a Temporary Zoning Permit may be authorized by the Zoning Officer for a non-permanent structure or use not generally permitted where it is deemed beneficial to the public health or general welfare (i.e. a construction trailer or portable bathroom facilities associated with a construction project), or necessary to promote the proper development of the community.

1203 CERTIFICATES OF COMPLIANCE

A. Requirements for Certificates of Compliance

No land shall be occupied or used and no building hereafter erected, altered, or extended shall be used in whole or in part, or shall be changed in use until a Certificate of Compliance has been issued by the Zoning Officer. In the case of residential construction, such Certificate shall not be issued until the exterior walls of the building are complete and all essential or vital utilities have been installed, including sewage facilities, water supply, and electric service. **The issuance of a Certificate of Compliance is not intended to guarantee or warranty, either stated or otherwise, the soundness of any construction nor the habitability of any building or structure.** The purpose of the Certificate is only to certify that all work authorized by the Zoning Permit has been satisfactorily completed and that the building or proposed use thereof complies with the provisions of this Ordinance.

B. Issuance and Effect

The applicant shall notify the Zoning Officer in writing upon completion of the permitted activity and the Certificate of Compliance shall be issued or denied by the Zoning Officer within 15 days after the activity has been inspected and approved as complying with the provisions of this Ordinance and the issued Zoning Permit. Once granted, the Certificate of Compliance shall continue in effect so long as there is no change of use, regardless of change in ownership, tenants or occupants. If any part of the construction is found in violation, then the applicant shall be notified in writing of the deficiencies found or the reasons for denial of the Certificate.

1204 VIOLATIONS AND ENFORCEMENT

Failure to secure a Zoning Permit when required hereunder; failure to secure a Certificate of Compliance; or failure to carry out the provisions of this Ordinance, shall be considered a violation of this Ordinance.

A. Enforcement Notice

Whenever it appears to the Zoning Officer that there has been a violation of any provision of this Ordinance, the Zoning Officer, on behalf of the Township, shall give notice of such alleged violation as hereinafter provided. Such enforcement notice shall:

1. be in writing;
2. be served upon the owner of record of the parcel upon which the violation has occurred or be sent to him by certified mail (return receipt requested), and be sent to any person who has filed a written request to receive enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record;
3. state the name of the owner of record and any other person against whom the Township intends to take action;
4. indicate the location of the property in violation;
5. identify the specific violation(s) with a description of the requirements which have not been met, citing in each instance the applicable provision(s) of the Ordinance;
6. contain an outline of remedial action which, if taken, will effect compliance;
7. specify the date before which the steps for compliance must be commenced and the date before which the steps must be completed;
8. notify the recipient of his right to appeal to the Township Zoning Hearing Board prior to the expiration of the time period provided in the enforcement notice; and,
9. indicate that failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, shall constitute a violation and will be prosecuted or remedied as provided in this Section.

In any appeal of an enforcement notice to the Township Zoning Hearing Board, the Township shall have the responsibility of presenting its evidence first.

B. Causes of Action

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 this Ordinance, the Township Zoning Officer may institute in the name of the Township, any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping or land, or to prevent any action, conduct, business, or use in or about such premises constituting a violation.

Any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation may also institute an appropriate corrective action or proceeding. Such action must be preceded however by serving a copy of the complaint on the Township Supervisors at least 30 days prior to being instituted. No such action may be maintained until such notice has been given.

C. Enforcement Remedies

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance, whether enacted under current law or prior law, shall, upon being found liable therefore in a civil enforcement proceeding commenced by Walker 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 be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, Walker Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid over to Walker Township.

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.

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

1205 FEES

Fees for the issuance of Zoning Permits, Certificates of Compliance, ordinance amendments, Conditional Uses, Special Exceptions, variances and other zoning actions shall be paid to the Township upon filing of an application. Such fees shall be in accordance with the schedule of fees established by separate Resolution of the Township Supervisors. (A copy of the current Fee Schedule can be obtained from the Township Secretary or Zoning Officer.)

Further, any fees paid by a party for appeal of an enforcement notice to the Township 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 favor of the appealing party.

Article 13. Article 13. DEFINITIONS

1300 INTERPRETATIONS

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this Ordinance. Words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "person" shall include a corporation, partnership, trust, company, organization, firm and association as well as an individual; the word "lot" shall include the words "plot and "parcel"; the term "shall" is mandatory, the word "may" permissive; and 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".

1301 DEFINITIONS

ABANDONED: The visible or otherwise apparent discontinuance of a nonconforming use of a building or premises, or the removal of the characteristic equipment or furnishings used in the performance of a nonconforming use without its replacement by similar equipment or furnishings, or the replacement of the nonconforming use or structure.

ACCESS DRIVE: A means, other than a street, which provides vehicular access from a street or public road to a lot; e.g. a driveway or private right-of-way.

ACCESSORY RESIDENTIAL USE: For the purposes of this Ordinance, an accessory residential use shall be defined as a residential dwelling unit which is accessory to the principal commercial use of a lot in the Urban Residential, Village, and General Commercial Districts; i.e. an apartment(s) located above or adjoining a retail establishment. (See also Section 426.)

ACCESSORY STRUCTURE: See STRUCTURE, ACCESSORY.

ACCESSORY WAREHOUSING AND STORAGE FACILITIES: See WAREHOUSING FACILITY.

ACCESSORY USE: See USE, ACCESSORY.

ADJACENT: Physically touching or bordering another lot, use, or district boundary.

ADULT BOOK STORE: An establishment having a substantial or significant portion of its stock or trade in books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities, or an establishment with a segment or section devoted to the sale or display of such material.

ADULT ENTERTAINMENT ESTABLISHMENT: Adult book stores, adult cabarets (which may or may not include live entertainment), adult drive-in picture theaters, adult mini-motion picture theaters, adult motion picture theaters, adult walk-in picture theaters, adult amusement arcades, massage parlors, and similar establishments providing entertainment of a sexual nature. (See also Section 413.)

AGENT: Any person, other than the landowner of a lot, who, acting under specific authorization of the landowner, submits plans, data and/or applications to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof.

AGRI-BUSINESS: For the purposes of this Ordinance, an agri-business shall be defined as an independent commercial use, related to agriculture or an agricultural activity, which may or may not be associated with an agricultural operation located on the same tract of ground. (See also Section 425.).

AGRICULTURAL BUILDING OR STRUCTURE: Any farm building or structure used for storing agricultural equipment or farm produce, housing livestock or poultry, or processing dairy products. Such buildings shall not be used for residential purposes.

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, aquaculture, forestry, animal and poultry husbandry, and the accessory buildings or structures for packing, treating, or storing that which is produced; provided however, that the operation of any such accessory use shall be secondary to that of the agricultural activities. (See also AGRI-BUSINESS and FARM-RELATED BUSINESS.)

ALLEY: A permanent, public or private serviceway providing a secondary means of access to lots, not intended for general traffic circulation.

ALTERATION: As applied to a building or structure, an alteration shall be defined as a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or increasing in height, or the moving from one location or position to another. For the purposes of this Ordinance, alteration shall not be defined to include maintenance or repair activities.

AMENDMENT: 1) The process set forth by the PA Municipalities Planning Code for changing or altering the provisions of this Ordinance or the boundary of any zoning district shown on the zoning map. (See also Section 1100.) 2) The actual change or alteration proposed for the Zoning Ordinance text or map.

AMUSEMENT ARCADE: A retail establishment whose principal business is offering to patrons mechanical, electrical or video amusement devices or games such as pinball machines, ping pong, darts, rides, shooting galleries or similar devices and games.

ANIMAL EQUIVALENT UNIT: One thousand pounds live weight of livestock or poultry animals, regardless of the actual number of individual animals comprising the unit. (See Appendix C for a listing of standard animal weights from the PA Nutrient Management Act.)

ANIMAL HOSPITAL: An establishment where animals are given medical or surgical treatment and may be boarded for short-term care incidental to their treatment.

ANIMAL HUSBANDRY: For the purposes of this Ordinance, animal husbandry shall be defined as the raising or keeping of livestock and/or poultry for capital gain or profit or with the intent of selling any livestock or poultry products as a commercial enterprise, including custom butchering. (the boarding or raising of livestock or poultry as farm animals or household pets pursuant to the regulations of this Ordinance shall not be considered animal husbandry. See also Section 417.)

APPLICANT: Any property owner, lessee, or authorized agent who submits plans, data and/or applications to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof.

AREA: The surface included within a set of lines.

- a. Area, Lot: The area contained within the property lines of individual parcels of land shown on a plan, excluding any area within a street right-of-way, but including the area of any easement.
- b. Area, Buildable: That portion of a lot bounded by the required front, side and rear yards.
- c. Area, Building: The total area of a lot covered by buildings, excluding uncovered porches, terraces and steps.
- d. Area, Site: The total area of a proposed development, regardless of interior lot lines or proposed lots, streets, or easements.

AUTOMOTIVE REPAIR SHOP: A building or structure used primarily for making major repairs to motor vehicles (automobiles, motorcycles, trucks, farm equipment or machinery, and/or snowmobiles), including overhauling, body work, painting, refinishing and upholstering, as well as incidental servicing and maintenance. (See also Section 412.)

AUTOMOTIVE SALES FACILITY: Any building or land area used for the display and sale of new or used automobiles or other motor vehicles, including warranty repair or service associated work.

AUTOMOTIVE SERVICE STATION: A building or place of business where gasoline or any motor vehicle fuel or oil or other lubricating substance, batteries, tires, and other automotive accessories are supplied and dispensed to the motor vehicle trade, at retail, and where minor repair service may be offered. (See also Section 412.)

AUTO SALVAGE OPERATIONS: See JUNK YARD.

BAR: A building or structure, or portion thereof, used primarily for the sale or dispensing of liquor or alcohol by the drink. For the purposes of this Ordinance, a bar shall include those facilities selling bottled goods, either as principal or accessory use. (See also TAVERN.)

BASEMENT: 1) That portion of a building partly underground but having less than half of its clear height below the average lot grade. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if it is used for business or dwelling purposes. 2) For floodplain management purposes, a basement shall be that area of a building or structure having its floor subgrade (below ground level) on all sides.

BED AND BREAKFAST ESTABLISHMENT: An establishment, dwelling, or part thereof, in which individual rooms are offered for temporary lodging purposes by the owner or operator for limited periods of time. Breakfast or other meals may also be offered for overnight guests as a part of the lodging fee. (See also Section 410.)

BOARDING OR ROOMING HOME: A single-family owner-occupied dwelling or part thereof, where lodging is provided for a fee by the owner thereof. Such lodging may be provided for no more than six (6) persons unrelated to the owner and shall be for periods of time exceeding one (1) week, whether or not arrangements are made for meals.

BOARD OF SUPERVISORS: The elected governing body of Walker Township, Centre County, PA.

BOARD OR ZONING HEARING BOARD: The Zoning Hearing Board of Walker Township, Centre County, PA.

BUFFER YARD: Yard space, either landscaped or planted, provided between high intensity activities and other uses. (See also Section 505.)

BUILDING: A structure having walls and a roof which is used for the shelter, housing or enclosure of persons, animals, or property. The word "building" shall include any part thereof. Included shall be all mobile or manufactured homes and, trailers to be used for human habitation.

- a. Building, Accessory: A detached, subordinate building located on the same lot as the principal building, serving a purpose customarily incidental to the use of the principal building.

- b. Building, Principal: A building in which the principal use of the site is conducted.
- c. Building, Attached: A building which has one (1) or more walls in common with an adjacent building.
- d. Building, Detached: A building which has no common walls and is surrounded by open space on the same lot.

BUILDING COVERAGE: That percentage of the plot or lot area covered by the total ground floor area of all principal and accessory buildings, including porches, patios and decks, carports, and breezeways, but excluding unenclosed parking or loading areas.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the ground surrounding the building to the highest point of the roof, excluding chimneys, spires, towers, tanks and similar projections which may be attached to the building.

BUILDING LINE: The required setback (front, side, or rear) of a building from a property line.

BUILDING SETBACK LINE: The line established by the required minimum front yard setback from the street right-of-way or front lot line for buildings and/or structures. The building setback line shall be the point at which minimum lot width shall be measured.

BUSINESS OFFICE: See PROFESSIONAL OFFICE.

CAMPGROUND: A tract or tracts of ground, or portion thereof, used for the purpose of providing space for two (2) or more recreational vehicles or tents for camping purposes, with or without a fee charged for the leasing, renting, or occupancy of such space. Such facility may also include a recreational vehicle park. (See also Section 419.)

CARPORT: A roofed structure providing space for the parking or storage of motor vehicles which is enclosed on not more than three (3) sides.

CARTWAY: The area of a street or alley within which vehicles are permitted, including travelled lanes and on-street parking spaces, but excluding shoulders, curbs, sidewalks, or drainage swales.

CELLAR: A portion of a building partly underground, having half or more than half of its clear height below grade. A cellar shall not be considered in determining the permissible number of stories.

CEMETERY: Property used for interring the dead.

CERTIFICATE OF COMPLIANCE: A certificate issued by the Zoning Officer stating in cases not involving construction, a proposed new use is in compliance with the terms of this Ordinance.

CERTIFICATE OF NONCONFORMANCE: A certificate issued by the Zoning Officer which acknowledges the existence of a nonconforming use, structure or lot as of the effective date of this Ordinance, thereby authorizing its right to continue until it is eliminated or abandoned.

CHANGE OF USE: An alteration of a building or a change of use existing within a building or on a lot to a new use which imposes other provisions of the Zoning Ordinance.

CHURCH OR PLACE OF WORSHIP: A building or structure, or group of buildings or structures, which by design and construction are primarily intended for conducting organized religious or worship services, and uses customarily accessory and incidental thereto. For the purposes of this Ordinance, uses such as schools, child nursery or day care facilities, social halls or similar places of assembly associated with the church, or other place of worship shall require separate consideration and approval by Township officials.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street or driveway intersections defined by lines of sight between points at a given distance from the intersection of the street and/or driveway centerlines.

CLINIC, MEDICAL OR DENTAL: For the purposes of this Ordinance, a medical or dental clinic shall be defined as an establishment housing more than three (3) physicians, dentists, psychologists, or social workers, where patients are received for examination or treatment, but where no patients are lodged overnight. (See also CLINIC, VETERINARY.)

CLINIC, VETERINARY: For the purposes of this Ordinance, a veterinary clinic shall be defined as an establishment housing more than three (3) veterinarians where animals are examined and treated, but where no boarding is provided. (See also ANIMAL HOSPITAL.)

CLUB, LODGE OR FRATERNAL ORGANIZATION: An organization catering exclusively to members and their guests in premises or buildings for social, recreational, or administrative purposes, which are not conducted for profit. Clubs shall include but need not be limited to service organizations, fraternal organizations, as well as social, athletic or similar groups.

CLUSTER RESIDENTIAL DEVELOPMENT: See RESIDENTIAL CLUSTER DEVELOPMENT.

COMMERCIAL LODGING FACILITY: See LODGING FACILITY, COMMERCIAL; HOTEL; OR MOTEL.

COMMON WALL: A wall on an interior lot line or a wall adapted for joint service between two (2) buildings; i.e. a party wall.

COMMUNICATIONS ANTENNAE, TOWERS, AND/OR EQUIPMENT BUILDINGS: All forms of antennae, dishes, or devices, and the poles, masts, towers, or other structures which support them, as well as any equipment buildings which may be necessary for the operation or maintenance of such uses, except that those communications facilities utilized by governmental agencies or those regulated by applicable public utility laws shall be exempt. Privately-owned and operated supermarket or grocery store. In some cases, communications antennae, including residence-mounted satellite dishes and television reception devices, and ham or citizen band radio antennae, shall also be exempt from the regulations of this Ordinance. (See also Section 420.)

COMMUNITY CENTER: A structure designed or intended to provide space for neighborhood or community gatherings or assemblies, including grange halls or similar facilities.

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.

COMPREHENSIVE PLAN: The complete plan for future development of Walker Township, Centre County, PA, as adopted by the Board of Township Supervisors in 1991, and amended by Resolution of the Township Supervisors, dated December 10, 2003.

CONCENTRATED ANIMAL FEEDING OPERATIONS: Agricultural operations where the animal density exceeds two (2) animal equivalent units (AEU) per acre on an annualized basis. (See also Section 417.)

CONDITIONAL USE: A principal use allowed in certain districts, as provided for in Article 3, which may only be authorized by the Township Supervisors as set forth in Section 1101 of this Ordinance, after review and recommendation of the Township Planning Commission.

CONDOMINIUM: A building or group of buildings in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

CONSTRUCTION: See NEW CONSTRUCTION.

CONTRACTOR'S SHOP AND YARD: A building or buildings and space used for the storage of construction equipment and/or building materials. Such uses may also include equipment repair facilities and office space.

CONVENIENCE MARKET: A retail establishment selling a limited range of food products and some household or other consumer goods. Such facilities generally offer fewer items and maintain a smaller inventory of merchandise than a gasoline and related automotive supplies are also offered on a self-service basis.

CONVERSION APARTMENT: A dwelling or other building existing at the effective date of this Ordinance which is converted for residential occupancy by one (1) or more families. The specific number of permitted dwelling units shall be as set forth in Section 403 of this Ordinance.

CORRECTIONAL FACILITY: An establishment, regardless of ownership or operation, whether private, non-profit, or public, engaged in the confinement and correction of offenders sentenced by the court. Such facilities shall include, but are not limited to, detention centers, halfway houses, honor camps, houses of correction, jails, juvenile detention centers, penitentiaries, prison farms, reformatories, training schools for delinquents, offenders, or other adjudicated individuals.

COTTAGE INDUSTRY: For the purposes of this Ordinance, a cottage industry shall be defined as a commercial or industrial use of a residential or agricultural tract which is clearly secondary to the use of the premises as a residence or farm. (See also Section 424.)

COUNTRY INN: A. building providing lodging facilities for overnight guests for limited periods of time. Dining facilities may also be included for lodgers and/or the general public. (See also BED AND BREAKFAST ESTABLISHMENT.)

COUNTY: Centre County, PA.

CREMATORIUM: A building or structure containing a furnace used for cremation.

CULTIVATION: See LAND CULTIVATION.

CULTURAL FACILITIES: Art galleries, auditoriums, libraries, museums, community centers, botanical gardens, adult education centers, or other similar facilities, open to the public or connected with a permitted educational, institutional, philanthropic, service or religious use.

DAY CARE CENTER: A private facility enrolling more than 12 young children where tuition, fees, or other forms of compensation for the care of the children is charged and which is licensed, inspected and approved to operate as a child day care center by the PA Department of Public Welfare. For the purposes of this Ordinance, such facilities may also provide care for adult, elderly, or handicapped persons.

DENSITY: The number of families, individuals, dwelling units, or housing structures permitted to be constructed or situated on a specific unit of land.

DENTAL CLINIC: See CLINIC, MEDICAL OR DENTAL.

DEVELOPER: Any landowner, agent of such landowner, or tenant with the permission of the landowner, who makes or causes to be made a subdivision or land development.

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

DISTRIBUTION OR FREIGHT TERMINAL: For the purposes of this Ordinance, a distribution or freight terminal shall be defined as a building or group of buildings containing more than 10,000 square feet of gross floor area and/or more than four (4) loading berths where merchandise is stored for ultimate distribution to specific wholesale operators. (See also WAREHOUSE FACILITY.)

DISTRICT: A zoning district as laid out on the Zoning Map, along with the regulations pertaining thereto.

DRIVEWAY: A minor vehicular access between a street and a parking area or garage within a lot or property.

DWELLING: A building, structure, or shelter designed for or occupied exclusively as the residence or sleeping place of one or more persons.

- a. Dwelling, Single-Family Detached: A dwelling structure containing one (1) dwelling unit from ground to roof, having independent outside access and open space on all sides, except for a mobile home as defined below. (See MOBILE HOME.)
- b. Dwelling, Single-Family Attached: A single dwelling unit from ground to roof with independent outside access and a portion of one or two walls in common with an adjoining dwelling unit(s); i.e. a townhouse unit. For the purposes of this Ordinance, a single-family attached dwelling structure shall contain a minimum of three (3) dwelling units.
- c. Dwelling, Two-Family: A dwelling structure containing two (2) independent dwelling units which are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or a common basement or cellar; i.e. a duplex.
- d. Dwelling, Multi-Family: A dwelling structure containing three (3) or more dwelling units, with or without independent outside access, excluding single-family attached dwelling structures as defined above; i.e. an apartment building.

For the purposes of this Ordinance, the placement of more than one (1) multi-family dwelling structure or more than one (1) single-family attached dwelling structure, or a combination thereof, on a single tract of ground shall be considered to be a MULTI-FAMILY HOUSING DEVELOPMENT.

DWELLING UNIT: One or more rooms in a dwelling structure designed for use by one or more individuals living as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities. Recreational vehicles, lodging facilities, boarding or rooming homes, personal care or nursing homes shall not be considered as dwelling units for the purposes of this Ordinance.

EASEMENT: A defined right of use or privilege granted for a limited use of land, usually for a public or quasi-public purpose.

ENCLOSED USE: A use which is located entirely within a building or structure.

ENCLOSED STORAGE FACILITY: See WAREHOUSING FACILITY.

ENTERTAINMENT FACILITY, PUBLIC: - An indoor facility operated as a business for profit, open to the public, for the purpose of providing entertainment, including but not limited to bowling alleys, roller skating rinks, amusement arcades, motion picture theaters, health clubs, and similar types of establishments, but excluding adult entertainment facilities as defined herein.

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.

FAMILY: One or more persons related by blood, marriage, adoption or guardianship occupying a single dwelling unit and living as a single household unit, using common living, cooking, sanitary and sleeping facilities. (See also GROUP FAMILY HOUSEHOLD.)

FAMILY DAY CARE HOME: A family residence where care is provided for no more than six (6) children unrelated to the resident household and which is registered by the PA Department of Public Welfare to provide such care. For the purposes of this Ordinance, a family day care home may also provide for care of up to six (6) adult or elderly persons.

FARM: For the purpose of this Ordinance, a farm shall be defined as a parcel of land containing ten (10) or more acres which is used for agricultural purposes or activities. (See also AGRICULTURE.)

FARM BUILDING: See AGRICULTURAL BUILDING.

FARM-RELATED BUSINESS: For the purposes of this Ordinance, a farm-related business shall be defined as a commercial enterprise conducted on a farm parcel which is related to or supportive of an on-going agricultural operation located on the same tract. (See also Section 423.)

FEED AND GRAIN MILL: For the purposes of this Ordinance, a feed and grain mill shall be defined as an agri-business establishment containing machinery for grinding or crushing grain into flour or feed for animals and/or the facilities for wholesale or retail sale of such products.

FENCE: Any combination of materials creating an enclosure or barrier to prevent intrusion from outside or straying from within. For the purposes of this Ordinance, a fence shall not be considered a structure and shall therefore not require the issuance of a Zoning Permit prior to its placement or erection, although the standards of Section 504 C. of this Ordinance shall be met.

FILL: 1) Any act by which earth, sand, gravel, rock or other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of a stripped surface and shall include the conditions resulting therefrom; 2) The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; and 3) The material used to make a fill which is in turn used to elevate or flood proof a building or structure. (See also Section 602 C.1.)

FINANCIAL OFFICE: For the purposes of this Ordinance, a financial office shall include, but need not be limited to, a bank, credit union, loan company, or other lending institution, including drive-in windows, automated teller machines, and similar night deposit facilities.

FLOOD: A temporary inundation of normally dry land areas.

FLOOD FRINGE: That portion of the 100 year floodplain outside of the floodway, excluding areas shown as approximate 100 year flood zones on the Township's Flood Boundary and Floodway Maps.

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

FLOODPLAIN: 1) A relatively flat or low land area adjoining a river, stream or other watercourse which is subject to partial or complete inundation. 2) An area subject to the unusual and rapid accumulation of runoff of surface waters from any source.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures or their contents. (See Section 602 for flood damage control provisions.)

FLOODWAY: The designated area of a floodplain required to carry and discharge the flood waters of a 100 year flood.

FLOOR AREA: The area of a structure covered by floors.

- a. Floor Area, Gross: The sum of the gross horizontal areas of all of the floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, excluding interior parking spaces for motor vehicles, basement or cellar floor areas where this area is not used for business or dwelling purposes, but including the area of covered or enclosed porches, decks, patios and terraces.

For the purposes of applying the requirements for off-street parking and loading, floor area in the case of office, merchandising, or service-type uses shall mean the gross floor area used or intended to be used by tenants, or for service to the public or customers, patrons, clients or patients, including areas occupied by fixtures or equipment used for display or sale of merchandise.

- b. Floor Area, Habitable: Any floor area within a dwelling unit which is useable for living purposes, including area for working, sleeping, eating, cooking and recreation, or a combination thereof. Stairways, hallways and floor area used only for storage purposes, such as closet, attic or unimproved basement space shall not be considered habitable floor area, nor shall any space where the floor-to-ceiling height is less than five (5) feet.

FOREST MANAGEMENT ACTIVITIES: See FORESTRY.

FORESTRY: The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (See also TIMBER HARVESTING and Section 418.)

FREEBOARD: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNERAL HOME: A building used for the preparation of the deceased for burial the display of the deceased and ceremonies connected therewith before burial or cremation.

GARAGE: A building or structure used for the parking and storage of vehicles.

- a. Garage, Private: An accessory building or an accessory portion of a principal building designed or used for the parking or storage of motor vehicles which is not a commercial enterprise available to the general public, provided however that no more than one space therein may be leased to a nonresident of the premises.

- b. Garage, Public: A building or group of buildings used primarily for the parking or storage of motor vehicles available to the general public for compensation.
(See also AUTOMOTIVE REPAIR SHOP.)

GARDEN SHOP: A retail business establishment specializing in the sale of seeds, plants, flowers, shrubs, or small or ornamental trees, and related products and utensils.

GENERAL FLOODPLAIN: That portion of the floodplain area for which no specific flood profiles exist and which is designated as approximated 100 year floodplain area on the Township's Flood Boundary and Floodway Maps.

GENERAL STORE: See CONVENIENCE MARKET.

GOVERNMENT OR MUNICIPAL BUILDING: A facility housing governmental agencies, including State, County and municipal operations.

GRADE: The degree of rise or descent of a sloping surface.

- a. Grade, Street: The elevation of the centerline of an existing or proposed street; the percentage of slope.
- b. Grade, Finished: The final elevation of the ground surface after development.

GREENHOUSE: A building whose sides and roof are made largely of glass or other transparent or translucent material, and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or personal enjoyment. (See also NURSERY.)

GROCERY STORE: A retail establishment primarily selling food or groceries as well as other household goods or merchandise; i.e. a supermarket.

GROUP DAY CARE HOME: A residence where day care is provided for between seven (7) and 12 children unrelated to the resident household, which is licensed and inspected by the PA Department of Welfare to provide such care. For the purposes of this Ordinance, such use may be either a principal or accessory use (see applicable District Regulations) and may also provide for care of adult or elderly persons.

GROUP FAMILY HOUSEHOLD: A group of individuals not related by blood, marriage, adoption or guardianship living together in one dwelling unit as a single housekeeping unit under a common housekeeping plan based on an intentionally structured relationship providing organization and stability.

GROUP HOME: A residence occupied by eight (8) or fewer persons unrelated by blood, marriage, adoption or guardianship which live together as a single housekeeping unit; i.e. a group family household. Such homes include, but are not limited to, homes for orphans, foster children, the elderly, mentally or physically handicapped or challenged persons, battered children and women, and specialized treatment facilities providing less than primary health care. Group homes of eight or fewer residents, excluding staff, shall be permitted in all districts which permit single-family residential use. (See also Section 409 and INSTITUTIONAL RESIDENCE.)

HISTORIC STRUCTURE: Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the 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 the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- c. Individually listed in a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior;
or
- 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 the Interior;
or,
 - 2) Directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION: An accessory use or service-oriented occupation operated for gain or profit conducted entirely within the residents dwelling or a building accessory thereto which is carried on by the inhabitants thereof and is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. (See also Section 422.)

HORTICULTURE: The growing of fruits, vegetables, flowers or ornamental plants, shrubs, or trees for profit.

HOTEL: A building or structure containing rooms intended or designed to be used, rented or occupied for sleeping purposes by overnight guests, where such rooms have no independent outside access and where provision may be made for dining room or restaurant facilities, or meeting or conference rooms within the building.

IDENTIFIED FLOODPLAIN AREA: Those floodplain areas specifically identified in this Ordinance as being inundated by the 100 year flood

IMPERVIOUS SURFACE: 1) Any surface which reduces or prevents the absorption of stormwater into previously undeveloped land; and 2) The percentage of a lot that does not absorb precipitation. For the purposes of this Ordinance, all buildings, structures, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, or similar materials shall be considered impervious surfaces.

INDUSTRIAL OPERATIONS: For the purposes of this Ordinance, industrial operations shall be defined as those manufacturing, assembly and processing activities itemized in Article 3, the District Regulations, and meeting the supplementary regulations set forth in Section 414. (See also MANUFACTURING.)

INDUSTRIAL PARK: A tract of land which has been planned, developed and is operated as an integrated facility for a three. (3) or more individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics and compatibility.

INSTITUTIONAL RESIDENCE: Establishments primarily engaged in the provision of residential, social and personal care for children, the elderly, and other special categories of persons with some limits on their ability for self-care, but where medical care is not a major element. These uses include, but are not limited to, group foster homes; residential alcohol and drug rehabilitation centers with incidental health care; children's boarding homes; halfway homes for persons with social or personal problems, except halfway homes for delinquents, offenders and other adjudicated-individuals, and not including training schools for delinquent and other adjudicated individuals; homes for destitute individuals; homes for the deaf or blind; homes for emotionally disturbed or mentally or physically handicapped persons, with health care incidental; and group homes for nine (9) or more residents, excluding staff. Residents of these facilities would be treated by staff in an institutional setting rather than living independently. Institutional housing where there is commercial rental or condominium ownership is also included in this category, with the exception of personal care homes as defined herein. Such facilities may also require licensing by the PA Department of Public Health or other State agencies. (See also Section 409.)

INTERSTATE HIGHWAY SYSTEM: That portion of the national system of interstate highways located within the Commonwealth as officially designated by the State and/or U.S. Departments of Transportation.

JUNK: Any discarded article or material not ordinarily disposed of as rubbish, garbage, or refuse and including, but not limited to, scrap metal, scrapped, abandoned or junked automobiles, machinery, equipment, paper, rags, glass containers and other salvageable materials. For purposes of this Ordinance, the term "junk" shall not include hazardous wastes or materials, industrial residual wastes, or municipal wastes as defined in the PA Solid Waste Management Act.

JUNKED MOTOR VEHICLE: Any unsheltered motor vehicle which is inoperable or unable to meet the vehicle equipment and inspection standards under the PA Vehicle Code to the extent that repairs would exceed the value of the repaired vehicle; except that any operable but unregistered or uninspected vehicle which is to be restricted to operation upon the property where it is located shall not be considered a junked vehicle.

JUNKYARD: Any outdoor establishment, place of business, or use of land which is maintained, used or operated for storing, keeping, buying or selling junk or salvage, with or without dismantling, processing, sale, or other use or disposition of the same. For the purposes of this Ordinance, such facilities may also be referred to as auto salvage operations. (See also Section 416.)

KENNEL: For the purposes of this Ordinance, a kennel shall be defined as an establishment where five (5) or more dogs or domesticated animals in excess of six months old are housed, groomed, bred, boarded, trained or sold. (House pets maintained in a private home are excluded.) In addition, all requirements of the PA Dog Law, administered by the PA Department of Agriculture, shall be met before establishing a kennel in the Township.

LAND CONSERVATION ACTIVITIES: Land uses including game lands, wildlife or nature preserves, or similar activities.

LAND CULTIVATION: The tilling or cultivation of soil for crop or tree farming.

LAND DEVELOPMENT: Any of the following activities: (1) the improvement of one lot, or two or more contiguous lots, tracts or parcels of land for any purpose involving: (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (ii) 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; or (2) a subdivision of land.

LANDOWNER: The legal or beneficial owner(s) of land, including the holder of an option or contract to purchase (whether or not such option is subject to any condition), a lessee, if he is authorized under the lease to exercise the right of the land owner or other person having a proprietary interest in the land.

LANDSCAPING: Grass and other plantings such as trees, shrubs and/or bushes.

LIBRARY: See CULTURAL FACILITIES.

LITTER: When associated with a timber harvesting operation, litter shall be defined as discarded items not naturally occurring on the site, such as tires, oil cans, equipment parts, or other rubbish.

LIVESTOCK: For the purposes of this Ordinance, livestock shall be defined to include cows, pigs, horses, sheep, llama□, and other similar types of farm animals.

LOADING SPACE: An off-street space accessible from a street or alley in a building or on a lot, for the temporary use of vehicles while loading or unloading merchandise or materials.

LODGING FACILITY, COMMERCIAL: A building or structure arranged or used for sheltering, sleeping, and/or feeding of overnight guests for limited periods of time, including hotels, motels, inns and other similar types of commercial lodging establishments. Dining facilities associated with such uses may also be open or available to the public if authorized by the proper Township officials. (See also BED AND BREAKFAST ESTABLISHMENTS and COUNTRY INN.)

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

- a. Lot Area: See "AREA".
- b. Lot, Corner: A lot with two adjacent sides abutting on streets. 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 degrees.
- c. Lot Depth: The distance measured from the front lot line to the rear lot line.
- d. Lot, Double Frontage: A lot which extends from one street along its front lot line to another street along its rear lot line, with frontage on both streets.
- e. Lot, Reverse Frontage: A double frontage lot extending between and having frontage on an arterial or collector street and on a local street or alley, with vehicular access restricted to the latter, usually due to topographic constraints or safety considerations.
- f. Lot Width: The distance measured between the side lot lines at the required building setback line; in a case where there is only one side lot line, between such lot line and the opposite lot line.

LOT LINES: The property lines bounding the lot.

- a. Lot Line, Front: The line separating the lot from a street right-of-way; or where a lot has no road frontage, the lot line opposite the rear lot line.
- b. Lot Line, Rear: The lot line opposite and most distant from the front lot line.
- c. Lot Line, Side: Any lot line other than a front or rear lot line.

LOT OF RECORD: A lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds of Centre County, PA.

LOWEST FLOOR: The lowest floor of the lowest fully enclosed area of a building or structure (including basement or cellar). 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 or cellar area is not considered a building's lowest floor, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this Ordinance and the National Flood Insurance Program.

LUMBER YARD: A business establishment primarily engaged in the sale of lumber and related products to contractors or the general public.

MACHINE SHOP: A workshop, manufacturing facility, or other industrial operation where machines are built, repaired or assembled. For the purposes of this Ordinance, such facilities shall include tool and die making, engine rebuilding, and similar types of activities.

MANUFACTURING: The act of producing, preparing or assembling finished products or goods from raw materials or component parts through the repetitious use of an established or set process.

MANUFACTURING OPERATIONS: See INDUSTRIAL OPERATIONS.

MARKET VALUE: The fair market price of a structure or property as determined by an appraiser or insurance adjuster; the price at which both buyer and seller are willing to do business.

MASSAGE PARLOR: 1) An adult entertainment establishment where services of a sexual nature may be offered or furnished; or 2) The office of a professional offering massage or physiotherapy as an alternative to or in conjunction with traditional medical treatments.

MEDICAL CLINIC: See CLINIC, MEDICAL OR DENTAL.

MINERAL BATCHING OR MIXING PLANT: For the purposes of this Ordinance, a mineral batching or mixing plant shall be defined as an operation where extracted minerals are amassed, sorted, mixed, and/or crushed, ground or otherwise treated for distribution or use.

MINERAL EXTRACTION OPERATION: The commercial extraction of sand, gravel, clay, shale, rock or other natural mineral deposits from the earth, but excluding the extraction of oil or gas reserves. (See also Section 415.)

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

MINOR REPAIR: The replacement of existing work with equivalent materials for the purpose of routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall any 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, electrical wiring or mechanical or other work affecting public health or general safety.

MOBILE HOME: A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two 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 is constructed so that it may be used without a permanent foundation. For floodplain management purposes, the term shall also include manufactured housing, and park trailers, travel trailers, recreational vehicles, and other similar types of units which are placed on a site for a period of time exceeding 180 consecutive days.

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 PAD OR STAND: That part of an individual mobile home lot which has been reserved for the placement of a mobile home and appurtenant structures and connections.

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. For floodplain management purposes, the term shall also include facilities for the placement of two (2) or more manufactured homes, or park trailers, travel trailers, recreational vehicles, or other similar units for a period of time exceeding 180 consecutive days. (See also Section 408.)

MOTEL: A building or structure arranged or used for sheltering, sleeping, and/or feeding of overnight guests, where each unit has independent outside access and where provision may be made for limited cooking in individual rooms.

MULTI-TENANT INDUSTRIAL FACILITIES: See INDUSTRIAL PARK.

MULTI-TENANT SHOPPING OR SERVICE COMPLEX: See SHOPPING OR SERVICE COMPLEX.

MUNICIPALITY: Walker Township, Centre County, PA.

MUSEUM: See CULTURAL FACILITIES.

NEIGHBORHOOD RETAIL ACTIVITIES: For the purposes of this Ordinance neighborhood retail activities shall be defined as retail stores, shops, or establishments of a limited scale designed to provide service to a local neighborhood or be oriented to pedestrian or limited vehicular traffic, including general stores or corner markets; coffee, tea or pastry shops; cafes; sandwich or pizza shops; or banks or financial offices.

NEW CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration, location or relocation of a building including mobile and manufactured homes), structure, and/or improvements (such as streets, utilities, etc.). For floodplain management purposes, the term shall pertain to structures for which the start of construction commenced on or after November 7, 1984, and includes any subsequent improvements thereto.

NO-IMPACT HOME-BASED BUSINESS: A business or commercial activity administered or conducted as an accessory use in a residential dwelling located in a Residential District which is clearly secondary to the use of the residence as a dwelling and which meets the no-impact criteria set forth in Section 422 A. of this Ordinance.

NONCONFORMING LOT: A lot which does not conform to the minimum width, depth, or other dimensional requirements specified for the district in which it is located (Article 3), including those lots which existed prior to the enactment of this Ordinance. (See Section 901 for applicable provisions.)

NONCONFORMING STRUCTURE: A structure or part of a structure not designed or built to comply with the use or extent of use provisions of this Ordinance, including those structures which lawfully existed prior to the enactment of this Ordinance or amendment. Such nonconforming structures include, but shall not be limited to, nonconforming signs. (See Section 900 for applicable provisions.)

NONCONFORMING USE: A use of a building or land which does not comply with the applicable use regulations (Article 3) of this Ordinance or amendment, including those uses which lawfully existed prior to the enactment of this Ordinance or amendment. (See Section 900 for applicable provisions.)

NURSERY: Land and/or greenhouses used to raise flowers, shrubs, trees, and plants for sale.

NURSERY SCHOOL: A school for children primarily between the ages of three and five, providing preparation for kindergarten or elementary school; i.e pre-school. For the purposes of this Ordinance, a nursery school may also provide day care services.

NURSING HOME: A state-licensed institutional establishment which provides fulltime convalescent or chronic nursing and/or medical care. Such facilities shall not provide surgical, obstetrical or other services generally provided by a hospital.

OBSTRUCTION: Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure or other matter in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of water, either by itself or by catching or collecting debris carried down-stream to the damage of life or property.

OFFICE: See PROFESSIONAL OFFICE.

OFFICE BUILDING: A building used primarily for conducting of the affairs of a business, service, industry, government or like activity, which may include ancillary services for office workers, such as food services, and newspaper or candy stands.

OFF-STREET LOADING AREA: See LOADING SPACE.

OFF-STREET PARKING SPACE: See PARKING AREA and PARKING SPACE.

OPEN SPACE: Space not occupied by a structure, open to the sky, and on the same lot with the building or structure.

- a. Open Space, Public: Any land area set aside, dedicated, designated or reserved for public enjoyment.
- b. Open Space, Common: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use and enjoyment of the residents of the development and which may include complementary structures and improvements as are necessary and appropriate, but shall not include streets, off-street parking areas, and areas set aside for public facilities or utilities.

ORCHARD: Land used for growing fruit and/or nut trees where the fruit or nuts produced are sold on a wholesale or retail basis.

OUTDOOR COMMERCIAL RECREATION USE: See RECREATION USE, OUTDOOR COMMERCIAL.

OUTDOOR STORAGE: See STORAGE, OUTDOOR.

PARKING AREA: An open area, other than a street or other public way, used for the parking of automobiles which is available to the public whether for a fee, free, or as an accommodation for clients or customers.

PARKING SPACE: An off-street area on a lot available for the parking of one (1) motor vehicle and having direct, useable access to a street or road. For the purposes of this Ordinance, parking space shall include uncovered lot space located off of any right-of-way and enclosed garage space. (See also Article 8.)

PARK OR PLAYGROUND: A public, semi-public or private park or park-type facility which provides for outdoor recreational enjoyment and activity, either for free or on a fee basis. Such facilities may include tennis or basketball courts, baseball or other athletic fields, swimming, hiking and picnic areas, and playgrounds and may also include buildings and accessory structures. Activities may be organized to include day camps, leagues or other groups or may be strictly independent.

PERMITTED USE: A principal use allowed in a zoning district, subject to the applicable district regulations, and approved by the Zoning Officer.

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.

PERSONAL CARE HOME: A state-licensed institutional facility providing supervised care services, including meals and less than full-time skilled or intermediate nursing care, for individuals, usually the elderly. (See also Section 412.)

PERSONAL SERVICE BUSINESS: For the purposes of this Ordinance, a personal service business shall be defined as a small-scale retail business providing direct service or care to a patron or client, including, but need not limited to, a barber or beauty shop, a tailor or dress-making shop, a music or art studio, upholstery or shoe repair facility, a fitness center, or similar establishment of a related nature.

PERSONAL STORAGE WAREHOUSE: A warehouse facility where separate storage spaces, of varying sizes, are available for lease or rental to the general public, usually on a self-service basis. For the purposes of this Ordinance, there shall be no residential occupancy of nor commercial sales conducted from such storage areas.

PLANNING COMMISSION: The Planning Commission of Walker Township, Centre County, PA.

POOL: See SWIMMING POOL.

POULTRY: Domesticated birds kept for eggs or meat.

PRIMARY HIGHWAY SYSTEM: That portion of connected main highways located within the Commonwealth as officially designated by the State or U.S. Departments of Transportation.

PRINCIPAL USE: See USE, PRINCIPAL.

PROFESSIONAL OFFICE: The office of a member of a recognized profession, including but not limited to, a real estate or insurance agent, a physician or dentist, an attorney, accountant, architect, or engineer. A professional office may be considered a home occupation when conducted from a residence, by a member of the resident family and when the office is clearly secondary to the residential use of the dwelling. (See also Section 422.)

PUBLIC ENTERTAINMENT FACILITY: See ENTERTAINMENT FACILITY, PUBLIC.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the Township Supervisors, Township Planning Commission, or Township Zoning Hearing Board, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC MEETING: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84) known as the Sunshine Act.

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

RECREATIONAL VEHICLE: A vehicle which is i) built on a single chassis; ii) not more than 400 square feet, measured at the largest horizontal projections; iii) designed to be self-propelled or permanently towable by a light-duty truck; iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, 6r seasonal use. Such vehicles are permitted to be used in campground areas in the municipality or on private independent parcels.

RECREATIONAL VEHICLE PARK: Any site upon which two (2) or more recreational vehicles are, or intended to be located. (See also CAMPGROUND).

RECREATION USE. OUTDOOR COMMERCIAL: A commercial, outdoor recreation facility, including a golf course, golf driving range, a miniature golf course, campground or recreational vehicle park, ski area or resort, church or service club affiliated camp, a shooting preserve or sporting clays range, and similar facilities. (See also Section 419.)

RECYCLABLE MATERIALS: For the purposes of this Ordinance, recyclable materials shall be defined as those designated waste products which are collected at approved recycling drop-off centers in the Township for transformation into new and/or different products at another location.

RECYCLING DROP-OFF CENTER: For the purposes of this Ordinance, a recycling drop-off center shall be defined as a facility intended for the collection of recyclable materials, not including municipal, residual, or hazardous waste transfer stations.

REGULATORY FLOOD: The flood that has been selected to serve as the basis upon which the Floodplain Management provisions of this Ordinance have been based; the 100 year flood.

REGULATORY FLOOD ELEVATION: The 100 year flood elevation.

RESIDENTIAL CLUSTER DEVELOPMENT: A large scale residential development in which individual dwelling units or buildings are grouped together. Modification or reduction of the minimum yard and lot size requirements are permitted in exchange for an equivalent amount of land in open space to be preserved for scenic, recreation, or conservation purposes. The type and overall density of dwelling units shall be as set forth in Section 407 of this Ordinance.

RESTAURANT: A retail establishment where food and drink is prepared and served, primarily within the principal building. In some instances, the food is consumed on-site and in other cases, it is taken out.

RETAIL BUSINESS: A place - of business engaged in selling goods and merchandise to the general public for personal or household use and rendering services incidental to the sale of such goods. (See also Section 411.)

RIDING ACADEMY: An establishment where horses are kept for riding, jumping, or showing for compensation or incidental to the operation of a club, association, or similar group.

RIGHT-OF-WAY: 1) A specific type of easement being limited to use for passage over another person's land; i.e. an easement for vehicular or public utility passage; or 2) A strip of land acquired by reservation, dedication, prescription, or condemnation which is occupied or intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary sewer or storm sewer line, or other similar use.

ROADSIDE STAND: A temporary or permanent booth, stand or shelter located along a roadway (but off the road right-of-way) from which farm, nursery or greenhouse products or other merchandise is offered for sale to the general public. (See also Section 423 and Section 428 A.10.)

ROOF: The outside cover of a building or structure other than its walls, including all of the materials and construction necessary to maintain the cover upon its walls or other support.

SATELLITE DISH: For the purposes of this Ordinance, a satellite dish antenna shall be defined as an accessory structure capable of receiving radio or television signals from a transmitter or transmitter relay located in planetary orbit.

SAWMILL: A business establishment equipped with machinery for cutting lumber or timber into boards.

SCHOOL: An establishment or facility, or part thereof, which is designed, constructed, or used for public or private education or instruction in any branch of knowledge. For the purposes of this Ordinance, such facilities shall not include halfway homes or training facilities for delinquents, offenders, and other adjudicated individuals, nor other detentional facilities providing residential or "live-in" services. (See INSTITUTIONAL RESIDENCE.)

SCREENING: The provision of a visual shield or barrier between adjacent properties, structures, or uses, which may consist of vegetative plantings, fences, or the placement or utilization of natural or man-made berms or landforms, or any combination thereof.

SCREEN PLANTING: The use of vegetative plants, such as trees or shrubs, as a barrier to visibility, glare and noise between adjacent properties. Such plantings shall adhere to the requirements of Section 506 of this Ordinance and shall be broken only at points of vehicular or pedestrian access or utility easements.

SEASONAL DWELLING: A permanent building or structure intended for occupancy only occasionally during the year, including buildings intended as camps, cottages, lodges, hunting cabins, vacation homes and similar seasonally-used dwellings. For purposes of this Ordinance, a recreational vehicle shall not be considered to be a seasonal dwelling, but may be used on a temporary or seasonal basis.

SEWAGE FACILITY: A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other wastes.

SEWAGE SYSTEM, COMMUNITY: A sewage facility, whether publicly or privately owned, for the collection of sewage from two (2) or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one (1) or more of the lots or at another site.

SEWAGE SYSTEM, INDIVIDUAL: A sewage facility, whether publicly or privately owned, located on a single lot and serving one (1) equivalent dwelling unit and collecting, treating, and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth or by means of conveyance of retaining tank wastes to another site for final disposal.

SHOPPING OR SERVICE COMPLEX: For the purposes of this Ordinance, a shopping or service complex shall be defined as a group of three (3) or more commercial establishments which have been planned, developed and managed as a unit, whether contained in one (1) building or in several buildings on the same tract. This definition shall also include shopping centers, malls, and multi-service convenience plazas.

SIGHT DISTANCE: 1) The length of street, measured along the centerline, which is continuously visible from any point four (4) feet above the centerline; 2) That area of unobstructed vision at street intersections formed by lines of sight between points which are a specified distance from the intersection of the street centerlines; or 3) The amount of distance required to be provided at a street or driveway intersection which is considered adequate for a driver to be able to see in order to proceed in a safe manner. (See also Section 504 D.)

SIGN: Any device, structure or object used for visual communication or for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge, or insignia of any government. (See Section 701 for definitions of specific types of signs.)

SIGN AREA: The entire face of a single side of a sign, including all advertising surface and any framing, trim, molding, or border area, but excluding any supporting framework or bracing.

SIGN HEIGHT: The vertical distance measured from the highest point of the sign to the average finished grade of the proposed sign site.

SKIDDING: When associated with a timber harvesting operation, skidding shall be defined as the dragging of trees on the ground from the stump to the landing area by any means.

SLASH: The woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

SLAUGHTER HOUSE: A building or structure where animals are butchered. Such a facility may be associated with an animal husbandry operation or may be an independent, principal use in an Agricultural District. (See also CONCENTRATED ANIMAL FEEDING OPERATIONS.)

SLOPE: 1) The face of an embankment or cut section; or 2) The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees, i.e. a ratio determined by dividing the vertical distance between two (2) points (change in elevation) by the horizontal distance measured between the same two (2) points.

SOLID WASTE: Any waste, including but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semi-solid or contained gaseous materials.

SPECIAL EXCEPTION USE: A use permitted in a certain zoning district as provided for in Article 3, the District Regulations, which must be approved by the Zoning Hearing Board as set forth in Section 1001 D. of this Ordinance. Special exception approval may not be granted for uses Other than those expressly listed in Article 3.

SPECIAL PERMIT: A special approval needed for specific types of development being proposed to be located in any portion of the designated floodplain. (See Section 607 for a listing of the activities requiring Special Permits and details for submission of applications for such activities.)

STABLE: A building in which one or more horses are boarded, whether or not for compensation, hire or sale, not including the boarding of horses for personal use.

STORAGE: 1) A place or space for storing goods, articles of personal property, materials, etc., for more than 24 hours; or 2) The accumulation or storing of items or personal property.

STORAGE FACILITIES, ENCLOSED: See WAREHOUSING FACILITY.

STORAGE, OUTDOOR: For the purposes of this Ordinance, outdoor storage shall be defined as unenclosed storage of personal property, materials, equipment or other items on a lot occupied by the owner of the item(s). The unenclosed storage of products or equipment used in the performance of agricultural activities may also be permitted on a lot or land not occupied by the owner of the item(s). (See also Section 427.)

STORY: That portion of a building included between the surface of any floor and the surface of the floor or ceiling next above it.

STREET: Any thoroughfare, whether public or private, located in whole or in part within Walker Township, excluding alleys. The word "road" may be used interchangeably with the word "street".

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

STRUCTURAL ALTERATION: Any change or adjustment made to a building affecting the overall area occupied by that structure or that will change the supporting members, bearing walls, beams, girders, or interior walls of the structure. Such alterations generally require a Zoning Permit.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including buildings, sheds, telecommunications antennae and towers, signs, and parking lots, but excluding fences, poles, playground equipment, mailboxes, lawn ornaments and other similar objects. For floodplain management purposes, the term shall also include a gas or liquid storage tank, that is principally above ground, as well as a mobile or manufactured home.

- a. Structure, Accessory: A structure detached from a principal structure located on the same lot and customarily incidental and subordinate to the principal building, structure or use.
- b. Structure, Principal: The main or primary structure on a given lot.

STUDIO: A place where a musician, photographer, dancer, or artist does his work or gives lessons.

SUBDIVISION: The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts or 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 ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

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

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either a) before the improvement or repair or b) if the structure has been damaged and is being restored, before the damage occurred. The term also includes structures which have incurred substantial damage regardless of the actual work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not include either 1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or 2) any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

SUPERVISORS OR TOWNSHIP SUPERVISORS: The Board of Supervisors of Walker Township, Centre County, PA; the elected governing body of the municipality.

SWIMMING POOL: A body of water in an artificial container, whether located in or above the ground, having a depth at any point of more than two (2) feet or a surface area of more than 250 square feet, used or intended to be used for swimming by children and/or adults, excluding "kiddy" or wading pools.

TAVERN: An establishment used primarily for the serving of liquor or alcohol by the drink to the general public, and where food or packaged liquors may be sold only as accessory to the principal use. (See also BAR.)

TEMPORARY ZONING PERMIT: A Zoning Permit authorized by the Zoning Officer for a non-permanent building, structure or use where such structure or use is deemed to be beneficial to the public health or general welfare or necessary to promote the proper development of the Township, or for temporary uses. (See also Section 428 and Section 1202 J.)

TEMPORARY STRUCTURE: A non-permanent structure or building which is located on a lot in the Township for a specified duration. (See also Section 428.)

TEMPORARY USE: A short-term use or special activity which occurs in the Township and exceeds more than a single day in duration. Although such a use may be held periodically, in order to retain its temporary status, it may not be an on-going operation or use. (See also Section 428.)

TIMBER HARVESTING: That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

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

- a. Use, Accessory: A use subordinate to the principal use of a building or structure, or land located on the same lot and serving a purpose customarily incidental to the principal use. If no principal use exists on a lot with a lawful accessory use, then such accessory use shall be considered a principal use.
- b. Use, Principal: The primary purpose for which a lot is occupied or utilized.

UTILITY DISTRIBUTION SERVICES: Utility services provided by public utility companies, governmental agencies, or public service corporations which are accessory to an approved, principal use and are necessary for the preservation of the public health and safety. Such services shall include, but need not be limited to, the placement, construction, alteration, use, and maintenance of underground or overhead electrical, telephone, television, natural gas, water or sewage disposal systems, and may include the use of poles, wires, lines, mains, drains, sewers, pipes, conduits, cables, hydrants, traffic signals or other similar equipment not requiring enclosure in a building. (See also UTILITY SUPPLY FACILITIES.)

UTILITY SUPPLY FACILITIES: Facilities, buildings and/or structures constructed and maintained by public utility companies, municipal or governmental agencies, or public service corporations, which are necessary for the provision of utility services to the general public. Such facilities shall include, but need not be limited to, electrical substations, water or sewage treatment plants, reservoirs, pump stations, or other similar facilities. For the purposes of this Ordinance however, utility supply facilities shall not include commercial communications facilities. (See also COMMUNICATIONS ANTENNAE, TOWERS, AND/OR EQUIPMENT BUILDINGS.)

VARIANCE: A modification of the provisions of this Ordinance which the Zoning Hearing Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought. (See Section 1001 C. for additional details and criteria to be utilized when a variance is requested.)

VETERINARY CLINIC: See CLINIC, VETERINARY.

WALL: A vertical architectural structure that serves to define and divide space, especially the sides of a building that connects the foundation to the roof.

WAREHOUSING FACILITY: A building used primarily for the storage of goods and materials, including facilities handling freight for a specific commercial or industrial operation, and those facilities available to the general public. (See also PERSONAL STORAGE WAREHOUSE.)

WATER FACILITY: Any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

WATER SYSTEM: A water facility providing potable water to individual lots or the public for human consumption.

- a. Water System, Non-Public: All water systems which are not public water systems.
- b. Water System, Off-Lot: An approved system in which potable water is supplied to a dwelling or other building from a central water source which is not located on the lot with the dwelling or building.
- c. Water System, On-Lot: A well or other approved system designed to provide potable water to a dwelling or other building located on the same lot as the source.
- d. Water System, Public: A water system as defined by the PA Department of Environmental Protection which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

WETLANDS: Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. The term includes, but is not limited to, the United States Forest Service Wetlands Inventory of PA, the PA Coastal Zone Management Plan, the United States Fish and Wildlife National Wetland Inventory, and a wetland area designated by a river basin commission.

YARD: An open space which lies on the same lot with a building or structure, unoccupied and unobstructed from the ground upward.

- a. Yard, Front: An open space extending the full width of the lot between the principal building or structure and the street right-of-way line or front lot line, unoccupied and unobstructed from the ground upward.
- b. Yard, Rear: An open space extending the full width of the lot between the principal building or structure and the rear lot line, unoccupied and unobstructed from the ground upward.

- c. Yard. Side: An open space extending from the front yard to the rear yard between the principal building or structure and the side lot line, unoccupied and unobstructed from the ground upward.
- d. Yard, Required: The minimum area or open space required by this Ordinance to be provided between any front, side or rear lot line and a principal or accessory building(s) or structure(s) on the lot.

ZONING HEARING BOARD: The Zoning Hearing Board of Walker Township, Centre County, PA; appointed by the Township Supervisors.

ZONING MAP: The official Zoning Map of Walker Township, Centre County, PA, together with all notations, references and amendments which may hereafter be enacted. Said map is made a part of this Ordinance as set forth in Section 202.

ZONING OFFICER: The administrative officer duly appointed by the Township Supervisors and charged with the duty of enforcing the provisions of this Ordinance, the Walker Township Zoning Ordinance.

ZONING PERMIT: The permit required by this Ordinance which states the purpose for which a building, structure, or land is proposed to be used is in conformity with the use regulations, the dimensional requirements, and all other applicable provisions of this Ordinance. (See also TEMPORARY ZONING PERMIT and Section 1202.)

Article 14. MISCELLANEOUS PROVISIONS AND ENACTMENT

1400 INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Ordinance, such provisions shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare of the Township. The Ordinance is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township provided that where this Ordinance imposes a greater restriction upon the use of land or premises or upon the construction of a building or requires larger open spaces than are imposed by such other rules, regulations or ordinance, the provisions of this Ordinance shall control.

1401 REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, including the Walker Township Zoning Ordinance enacted in September 1995. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights accrued, or liability incurred or any cause or causes of action accrued or existing under any Ordinance repealed by this Ordinance. Nor shall any right or remedy of any character be lost, impaired or affected by this Ordinance.

1402 SEVERABILITY AND VALIDITY


The provisions of this Ordinance are severable and if any provisions, sentence, clause, section, part or application thereof shall be held illegal, invalid or unconstitutional, by a court of competent jurisdiction, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining provisions, sentences, clauses, sections or applications. It is hereby declared to be the legislative intent of the Township Supervisors, that this Ordinance would have been adopted had such illegal, invalid or unconstitutional provision, sentence, clause, section or part not been included therein and if such illegal, invalid or unconstitutional application had been specifically exempted therefrom.

1403 ENACTMENT AND EFFECTIVE DATE

ENACTED AND ORDAINED into an Ordinance this 10th day of December, 2003,
by the Board of Supervisors of. Walker Township, Centre County, Pennsylvania.

TO BECOME EFFECTIVE on the 15th day of December

WALKER TOWNSHIP SUPERVISORS





Supervisor



Supervisor

ATTEST: 

Walker Township Secretary

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APPENDIX A

Table of Uses

USES

DISTRICTS

| <u>Residential</u> | <u>RR</u> | <u>SR</u> | <u>UR</u> | <u>V</u> | <u>C</u> | <u>LI</u> | <u>ME</u> | <u>A</u> | <u>W/C</u> |
|-------------------------------------|-----------|-----------|-----------|----------|----------|-----------|-----------|----------|------------|
| Bed & breakfast establishments | SE | SE | P | P | - | - | - | SE | SE |
| Boarding or rooming homes | - | - | SE | SE | - | - | - | - | - |
| Conversion apartments | SE | P/SE | P/SE | P/SE | - | - | - | SE | - |
| Group homes | SE | SE | SE | SE | - | - | - | SE | SE |
| Mobile homes on individual lots | P | P | P | P | - | - | - | P | P |
| Mobile home parks | - | - | C | - | - | - | - | - | - |
| Multi-family dwellings (apartments) | - | SE | SE | - | - | - | - | - | - |
| Multi-family housing developments | - | C | C | - | - | - | - | - | - |
| Residential cluster developments | C | C | - | - | - | - | - | - | C |
| Single-family attached (townhouses) | - | SE | SE | - | - | - | - | - | - |
| Single-family detached dwellings | P | P | P | P | - | - | - | P | P |
| Two-family dwellings | SE | P | P | P | - | - | - | - | - |

USES

DISTRICTS

| <u>Institutional</u> | <u>RR</u> | <u>SR</u> | <u>UR</u> | <u>V</u> | <u>C</u> | <u>LI</u> | <u>ME</u> | <u>A</u> | <u>W/C</u> |
|--------------------------------------------|-----------|-----------|-----------|----------|----------|-----------|-----------|----------|------------|
| Animal hospitals | SE | SE | - | - | - | - | - | P | SE |
| Cemeteries | SE | SE- | - | SE | - | - | - | SE | SE |
| Churches or places of worship | P | P | P | P | - | - | - | SE | SE |
| Clubs or fraternal organization facilities | - | - | P | P | - | - | - | - | - |
| Community centers or grange halls | - | P | P | P | - | - | - | SE | - |
| Correctional facilities | - | - | - | - | - | - | - | C | - |
| Day care centers | SE | SE | SE | SE | SE | - | - | - | - |
| Government or municipal buildings | - | P | P | P | - | - | - | - | - |
| Group day care homes | SE | SE | SE | SE | SE | - | - | - | - |
| Institutional residences | - | - | SE | C | - | - | - | - | - |
| Medical or dental offices or clinics | - | - | P | SE | P | - | - | - | - |
| Libraries, museums, & cultural facilities | - | - | P | P | - | - | - | - | - |
| Nursery schools | SE | SE | SE | SE | - | - | - | - | - |
| Nursing homes | - | - | SE | C | - | - | - | - | - |
| Personal care homes | - | - | SE | SE | - | - | - | - | - |
| Police or fire stations | - | - | P | P | P | - | - | - | - |
| Recycling drop-off centers | - | - | - | - | SE | - | - | - | - |
| Schools, public or private | C | C | C | C | - | - | - | C | - |
| Utility supply facilities | C | C | C | C | C | C | C | C | C |
| Veterinary clinics | - | - | - | - | P | - | - | P | - |

P – Permitted Use
SE- Special Exception Use
C- Conditional Use

USES

DISTRICTS

| Commercial | RR | SR | UR | V | C | LI | ME | A | W/C |
|-------------------------------------------------------|-----------|-----------|-----------|----------|----------|-----------|-----------|----------|------------|
| Adult entertainment establishments | - | - | - | - | C | - | - | - | - |
| Automotive sales facilities | - | - | - | - | P | - | - | - | - |
| Auto service stations or repair shops | - | - | - | - | SE | - | - | - | - |
| Bars or taverns | - | - | - | - | P | - | - | - | - |
| Business & professional offices | - | - | P | SE | P | - | P | - | - |
| Coffee shops, tea rooms, or cafes | - | - | - | SE | P | - | - | - | - |
| Communications antennae, towers & equipment buildings | - | - | - | - | - | - | - | - | C |
| Commercial lodging facilities | - | - | - | - | P | - | - | - | - |
| Country inns | - | - | - | SE | P | - | - | - | - |
| Crematoriums | - | - | - | - | C | - | - | - | - |
| Financial offices | - | - | - | SE | P | - | - | - | - |
| Funeral homes | - | - | P | SE | P | - | - | - | - |
| Garden shops | - | - | - | - | P | - | - | - | - |
| Grocery stores or convenience markets | - | - | - | - | P | - | - | - | - |
| Kennels | SE | - | - | - | - | - | - | P | SE |
| Lumber yards | - | - | - | - | - | P | - | - | SE |
| Multi-tenant shopping complexes | - | - | - | - | C | - | - | - | - |
| Neighborhood retail activities | - | - | SE | C | P | - | - | - | - |
| Office buildings | - | - | - | - | - | - | P | - | - |
| Personal service businesses | - | - | SE | C | P | - | - | - | - |
| Personal storage warehouses | - | - | - | - | SE | - | - | - | - |
| Public entertainment establishments | - | - | - | - | P | - | - | - | - |
| Restaurants | - | - | - | - | P | - | - | - | - |
| Retail business establishments | - | - | - | - | P | - | - | - | - |
| Sawmills | - | - | - | - | - | SE | - | - | SE |
| | | | | | | | | | |

USES

DISTRICTS

| Industrial | RR | SR | UR | V | C | LI | ME | A | W/C |
|-------------------------------------|-----------|-----------|-----------|----------|----------|-----------|-----------|----------|------------|
| Contractor's shops & yards | - | - | - | - | - | P | P | - | - |
| Distribution centers | - | - | - | - | - | C | - | - | - |
| Enclosed manufacturing operations | - | - | - | - | - | - | - | - | - |
| Freight terminals | - | - | - | - | - | - | - | - | - |
| Industrial parks | - | - | - | - | - | - | - | - | - |
| Junk yards/auto salvage operations | - | - | - | - | - | - | C | - | - |
| Machine shops | - | - | - | - | - | P | - | - | - |
| Mineral batching & mixing plants | - | - | - | - | - | - | C | - | - |
| Mineral extraction operations | - | - | - | - | - | - | C | - | - |
| Moving companies | - | - | - | - | - | SE | - | - | - |
| Multi-tenant industrial facilities | - | - | - | - | - | C | C | - | - |
| Parcel delivery transfer stations | - | - | - | - | - | SE | - | - | - |
| Printing, binding or publishing | - | - | - | - | - | P | - | - | - |
| Research & development facilities | - | - | - | - | - | P | - | - | - |
| Unenclosed manufacturing operations | - | - | - | - | - | C | - | - | - |
| Warehousing or enclosed storage | - | - | - | - | - | P | P | - | - |
| | | | | | | | | | |

P – Permitted Use
SE- Special Exception Use
C- Conditional Use

USES**DISTRICTS**

| <u>Agricultural</u> | <u>RR</u> | <u>SR</u> | <u>UR</u> | <u>V</u> | <u>C</u> | <u>LI</u> | <u>ME</u> | <u>A</u> | <u>W/C</u> |
|-----------------------------------|------------------|------------------|------------------|-----------------|-----------------|------------------|------------------|-----------------|-------------------|
| Agri-businesses | - | - | - | - | - | - | - | SE | - |
| Animal husbandry | - | - | - | - | - | - | - | P | P |
| Concentrated animal operations | - | - | - | - | - | - | - | C | - |
| Conservation areas/game preserves | - | - | - | - | - | - | - | P | P |
| Forestry or forest management | P | P | P | P | P | P | P | P | P |
| Horticultural activities | P | P | - | - | - | - | - | P | P |
| Land cultivation | P | P | P | P | P | P | P | P | P |
| Nurseries or greenhouses | P | P | - | - | P | P | - | P | P |
| Raising of livestock or poultry | P | - | - | - | - | - | - | P | P |
| Stables or riding academies | SE | - | - | - | - | - | - | P | P |
| | | | | | | | | | |

USES**DISTRICTS**

| <u>Recreational</u> | <u>RR</u> | <u>SR</u> | <u>UR</u> | <u>V</u> | <u>C</u> | <u>LI</u> | <u>ME</u> | <u>A</u> | <u>W/C</u> |
|------------------------------------|------------------|------------------|------------------|-----------------|-----------------|------------------|------------------|-----------------|-------------------|
| Outdoor commercial recreation uses | C | - | SE | C | C | - | - | C | C |
| Parks or playgrounds | P | P | SR | P | | - | - | C | P |
| Seasonal dwellings/hunting camps | SE | - | - | - | - | - | - | SE | P |
| | | | | | | | | | |

USES**DISTRICTS**

| <u>Accessory</u> | <u>RR</u> | <u>SR</u> | <u>UR</u> | <u>V</u> | <u>C</u> | <u>LI</u> | <u>ME</u> | <u>A</u> | <u>W/C</u> |
|-----------------------------------|------------------|------------------|------------------|-----------------|-----------------|------------------|------------------|-----------------|-------------------|
| Accessory administrative offices | - | - | - | - | P | P | P | - | - |
| Accessory group day care homes | P | P | P | P | P | - | - | P | - |
| Accessory outdoor storage | P | P | P | P | P | P | P | P | P |
| Accessory residential uses | - | - | P | P | P | - | - | - | - |
| Accessory sales or retail outlets | - | - | - | - | - | P | - | - | - |
| Accessory warehousing or storage | - | - | - | - | P | P | P | - | - |
| Cottage Industries | - | - | - | - | - | - | - | SE | SE |
| Family day care homes | P | P | P | P | P | - | - | P | P |
| Farm-related businesses | - | - | - | - | - | - | - | P | P |
| Home occupations | P | P | P | P | P | - | - | P | P |
| Incidental uses & structures | P | P | P | P | P | P | P | P | P |
| No-impact home-based businesses | P | P | P | P | - | - | - | - | - |
| Off-street parking & loading | P | P | P | P | P | P | P | P | P |
| Roadside stands (permanent) | - | - | - | - | P | - | - | P | P |
| Roadside stands (temporary) | P | P | - | - | P | - | - | P | P |
| Signs | P | P | P | P | P/SE | P | P | P | P |
| Stabling of horses (personal use) | P | P | - | - | - | - | - | P | P |
| Swimming pools | P | P | P | P | P | - | - | P | P |
| | - | - | - | - | - | - | - | | - |

P – Permitted Use
SE- Special Exception Use
C- Conditional Use

APPENDIX B

TABLE OF GENERAL DIMENSIONAL REQUIREMENTS *

| Zone | Minimum Lot Area | Minimum Lot Width ¹ | Minimum Yard Setbacks | | | Maximum Height ⁴ | Max. Bldg. Coverage |
|-------------------|--------------------------------------------|--------------------------------|------------------------|--------------------------|-------------------|-----------------------------|------------------------|
| | | | Front ² | Side (each) ³ | Rear ³ | | |
| <u>RR</u> | On-Lot Septic- 1 acre (43,560 sq.ft.) (SF) | 150 ft. | 30/55 ft | 15/25 ft. | 15/25 ft. | 40/25 ft. | 20% |
| | Public Sewer - ½ acre (21,780 sq.ft.) (SF) | 100 ft. | 30/55 ft | 15/25 ft. | 15/25 ft. | 40/25 ft. | 20% |
| <u>SR</u> | On-Lot Septic - 30,000 sq.ft. (SF) | 100 ft. | 30/55 ft. ⁵ | 15/25 ft. | 15/50 ft. | 40/25 ft. | 30% |
| | Public Sewer - 15,000 sq.ft. (SF) | 80 ft. | 30/55 ft | 15/25 ft. | 15/50 ft. | 40/25 ft. | 30% |
| <u>UR</u> | On-Lot Septic - 30,000 sq.ft. (SF) | 100 ft. | 20/45 ft ⁵ | 10/15 ft. | 15/35 ft. | 40/25 ft. | 35% / 50% ⁶ |
| | Public Sewer - 12,000 sq.ft. (SF) | 80 ft. | 20/45 ft | 10/15 ft. | 15/35 ft. | 40/25 ft. | 35% / 50% |
| <u>V</u> | On-Lot Septic - 30,000 sq.ft. (SF) | 100 ft. | 20/45 ft ⁵ | 5/10 ft. | 15/25 ft. | 40/25 ft. | 30% / 70% ⁶ |
| | Public Sewer - 10,000 sq.ft. (SF) | 60 ft. | 20/45 ft | 5/10 ft. | 15/25 ft. | 40/25 ft. | 30% / 70% |
| <u>C</u> | No minimum | 150 ft. | 50/75 ft | 15/25 ft. ⁷ | 50 ft | 45/30 ft. | 40% / 70% ⁸ |
| <u>LI</u> | No minimum | 150 ft. | 50/75 ft | 15/25 ft. ⁷ | 50 ft | 45/30 ft. | 50%/80% ⁸ |
| <u>ME</u> | No minimum | 300ft. | 150 ft. | 125 ft. | 150 ft | 45/30 ft. | 50%/80% ⁸ |
| <u>A</u> | 1 acre (43,560 sq.ft.) (SF) | 150 ft. | 30/55 ft ⁵ | 15/25 ft. | 15/50 ft. | 40/25 ft. | 15% |
| <u>W/C</u> | 1 acre (43,560 sq.ft.) (SF) | 150 ft. | 30/55 ft | 15/25 ft. | 15/50 ft. | 35/25 ft. | 15% |

* **NOTE:** See also Lot, Yard, & Open Space Requirements in Article 3 for each zoning District and the Supplementary Use Regulations in Article 4 for dimensional standards for specific uses.

¹ Measured at minimum building setback line.

² Measured from edge of road right-of-way/road centerline.

³ Residential uses/All other uses.

⁴ Principal structures/Accessory structures.

⁵ 50 ft. from edge of road R/11, or 75 ft. from centerline when adjacent to PA 64.

⁶ Residential uses - Building coverage/Non-residential uses - Impervious surface.

⁷ Abutting non-residential use/Abutting residential use.

⁸ Building coverage/Impervious surface.

S – Sewer

SF- Single Family

APPENDIX C

STANDARD ANIMAL WEIGHTS *

| TYPE OF ANIMAL | STANDARD WEIGHT IN POUNDS DURING PRODUCTION (RANGE) |
|------------------------------|--------------------------------------------------------|
| <u>SWINE</u> | |
| Nursery Pig | 30 (15-45) |
| Finishing Pig | 145 (45-245) |
| Gestating Sow | 400 |
| Sow & Litter | 470 |
| Boar | 450 |
| <u>BEEF</u> | |
| Calf - 0-8 Months | 300 (100-500) |
| Cow | 1150 |
| <u>VEAL</u> | |
| Calf - 0-16 Weeks | 250 (100-400) |
| <u>POULTRY</u> | |
| Layer - 18-65 Weeks | 3.25 (2.75 - 3.76) |
| Layer - 18-105 Weeks | 3.48 Weighted Average |
| Layer Brown Egg 20-105 Weeks | 4.63 Weighted Average |
| Pullets - 0-18 Weeks | 1.42 (0.08 - 2.75) |
| Broiler, Large- 0-57 Days | 3.0 (0.09 - 5.9) |
| Broiler, Medium- 0-43 Days | 2.3 (0.09 - 4.5) |
| Roaster, Male- 0-8 weeks | 3.54 (0.09-7) |
| Roaster, Female- 0-10 weeks | 3.54 (0.09-7) |
| Turkey, Tom - 0-18 Weeks | 14.1 (0.12 - 28) |
| Turkey, Hen - 0-14 Weeks | 7.1 (0.12-14) |
| Duck - 0-43 Days | 3.56 (0.11-7) |
| Guinea- 0-14 to 24 Weeks | 1.9 (0.06 - 3.75) |
| Pheasant- 0-13 to 43 Weeks | 1.53 (0.05-3) |
| Chukar- 0-13 to 43 Weeks | 0.52 (0.04-1) |
| Quail- 0-13 to 43 Weeks | 0.26 (0.02-0.5) |

* **NOTE:** from PA Nutrient Management Regulations (effective 10/01/97)

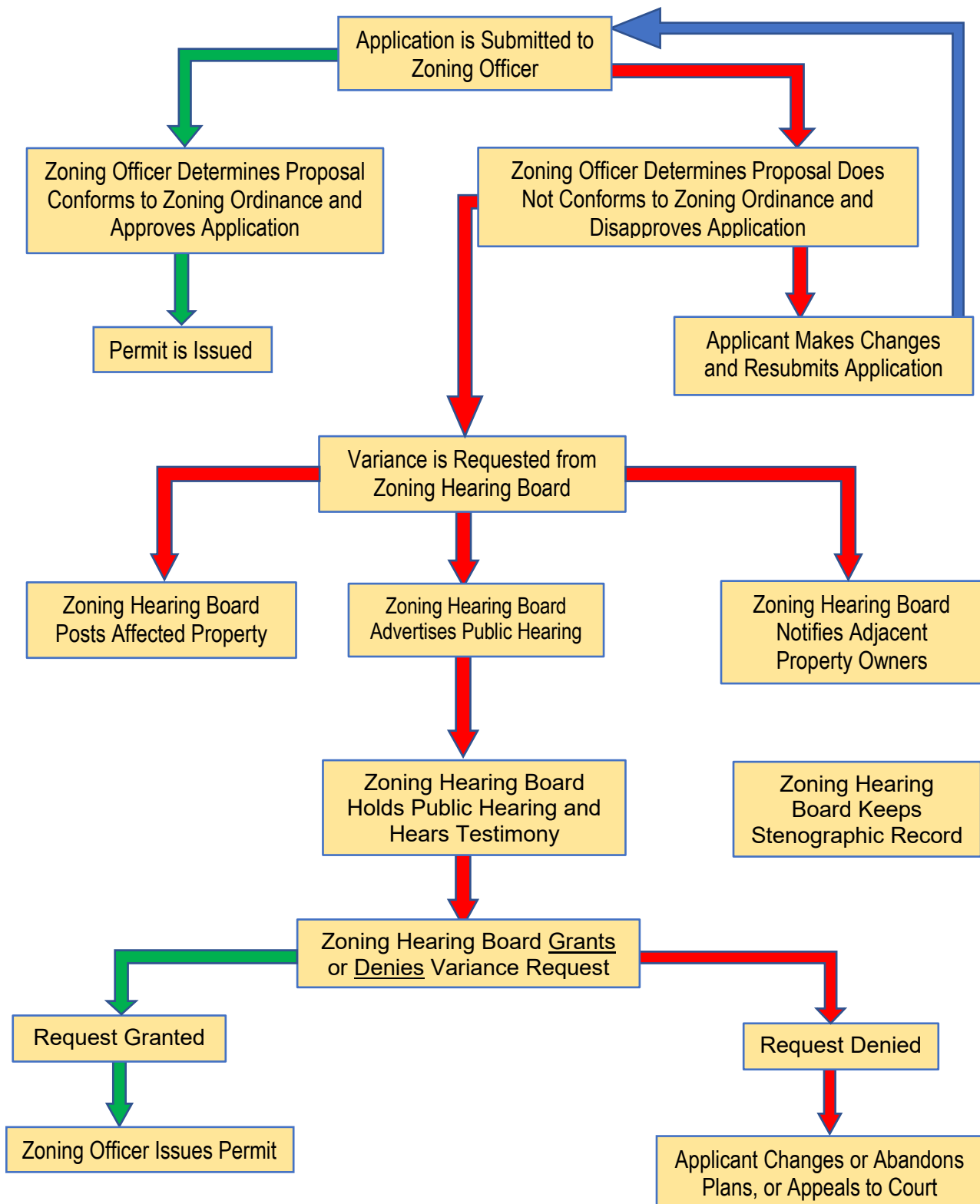
STANDARD ANIMAL WEIGHTS *

| | |
|--------------------------------------|----------------|
| <u>DAIRY</u> | |
| <u>Holstein / Brown Swiss</u> | |
| Cow | 1300 |
| Heifer - 1-2 Year | 900 (650-1150) |
| Calf - 0-1 Year | 375 (100-650) |
| Bull | 1500 |
| | |
| <u>Ayrshire / Guernsey</u> | |
| Cow | 1100 |
| Heifer - 1-2 Year | 800 (575-1025) |
| Calf - 0-1 Year | 338 (100-575) |
| Bull | 1250 |
| | |
| <u>Jersey</u> | |
| Cow | 900 |
| Heifer - 1-2 Year | 600 (400-800) |
| Calf - 0-1 Year | 225 (50-400) |
| Bull | 1000 |
| | |
| <u>SHEEP</u> | |
| Lamb - 0-26 weeks | 50 (10-90) |
| Ewe | 150 |
| Ram | 185 |
| | |
| <u>GOAT</u> | |
| Kid - 0-10 Months | 45 (5-85) |
| Doe | 125 |
| Buck | 170 |
| | |
| <u>HORSE</u> | |
| Foal - 0-6 Months | 325 (125-625) |
| Yearling | 750 (625-875) |
| Non-Draft Breeds, Mature | 1000 |
| Draft Breeds, Mature | 1700 |
| | |
| | |

* **NOTE**: from PA Nutrient Management Regulations (effective 10/01/97)

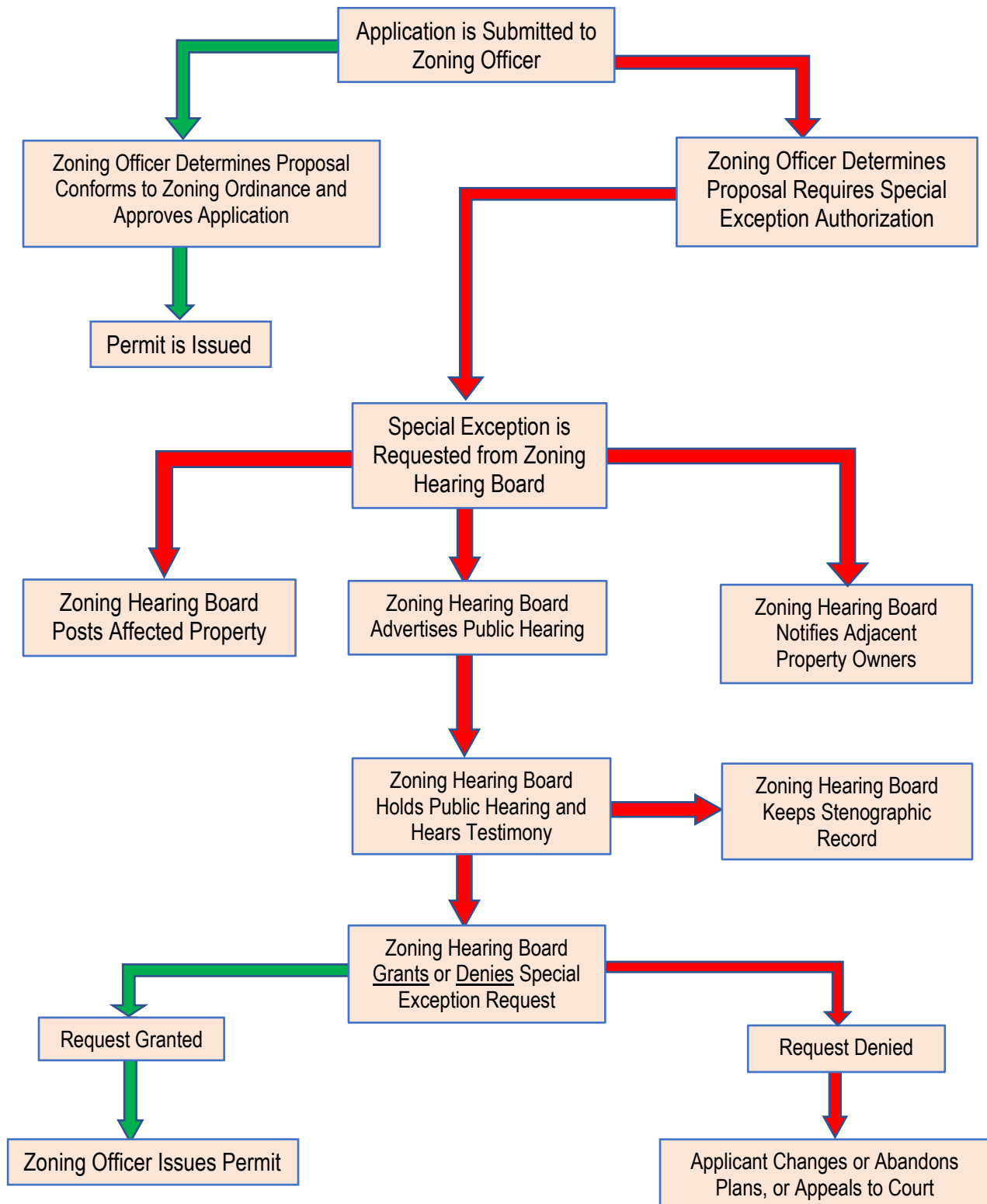
Appendix D

VARIANCE PROCEDURE



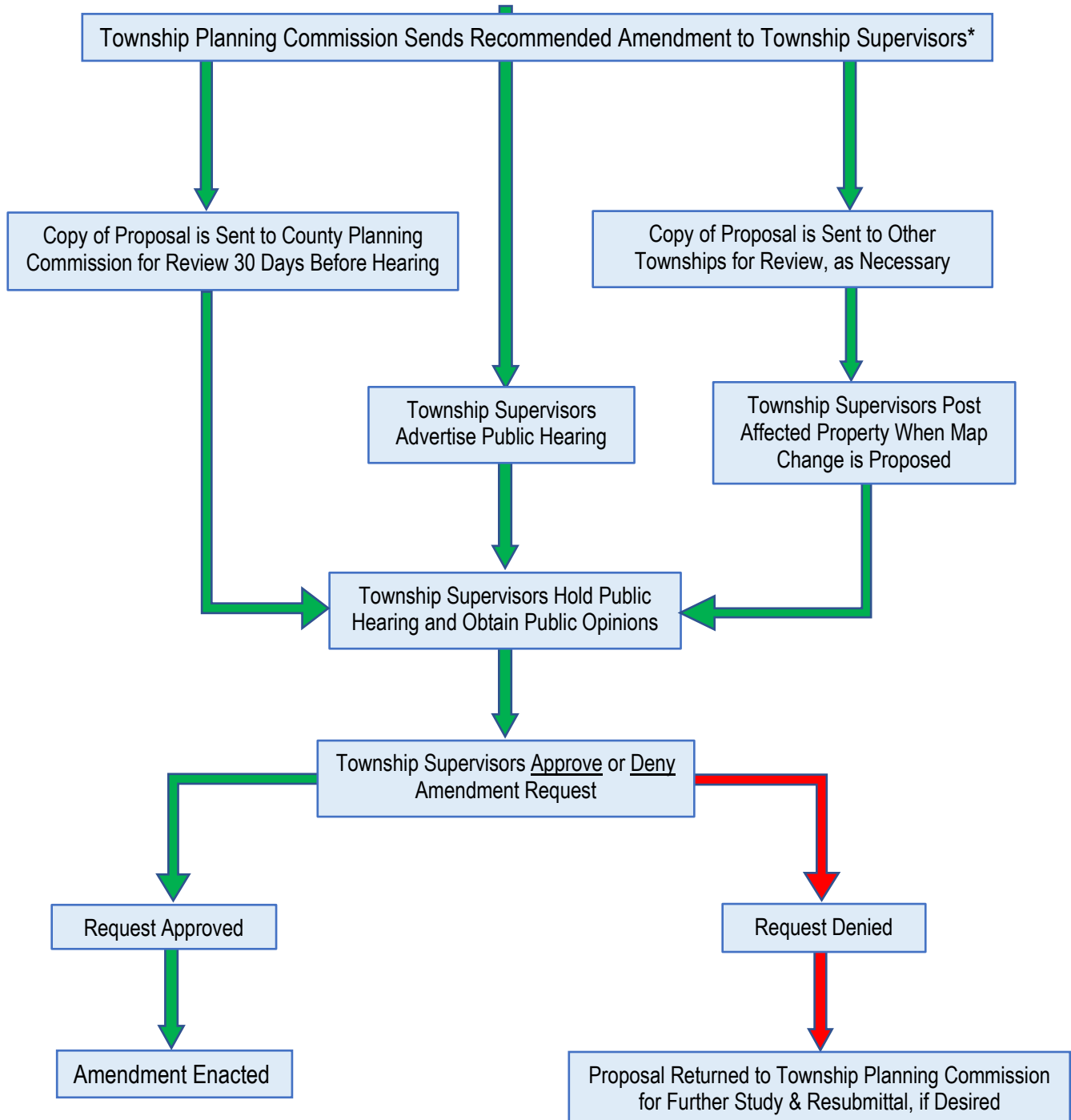
Appendix E

SPECIAL EXCEPTION PROCEDURE



Appendix F

PROCEDURE FOR AMENDING THE ZONING ORDINANCE



* if the amendment is prepared by a party other than the Township Planning Commission, then the Township Supervisors must send the proposal to the Planning Commission for their review and recommendations at least 30 days prior to the public hearing.

Appendix G

CONDITIONAL USE PROCEDURE

