

ARTICLE VI

CONDITIONAL USE Specific Standards and Procedures

117.601. CONDITIONAL USE Intent, General Regulations, Procedure.

117.601.1. Intent. To allow certain AUTHORIZED USES in the TOWNSHIP to be permitted by CONDITIONAL USE procedure so that the TOWNSHIP can provide specific criteria and standards for important DEVELOPMENTS.

117.602. Procedure for CONDITIONAL USES.

117.602.1. The SUPERVISORS shall hear and decide requests for CONDITIONAL USES in accordance with the provisions of this CHAPTER. However, it shall not approve a CONDITIONAL USE unless and until:

117.602.1.1. A written APPLICATION FOR DEVELOPMENT for a CONDITIONAL USE is submitted to the office of the ZONING ADMINISTRATOR no less than ten (10) days prior to the regular monthly meeting of the PLANNING COMMISSION. The APPLICATION shall indicate the section of this CHAPTER under which the CONDITIONAL USE is sought and shall state the grounds upon which it is requested. In addition, the application for a CONDITIONAL USE shall include the following: **[Amended 8-23-99 by Ord. No. 285]**

117.602.1.1.1. Five (5) copies of a CONDITIONAL USE SITE PLAN; an assessment of the impact of the proposed DEVELOPMENT on the natural environment (geology, topography, soils, hydrology, vegetation, wildlife, air quality) and cultural environment [LOT USE, utilities, population, economics, services, historic assets]; and a landscaping plan. **[Amended 2-12-92 by Ord. No. 209]**

117.602.1.1.2. A map showing and identifying with Tax Parcel numbers all LOTS within

two hundred (200) feet of the LOT for which the CONDITIONAL USE is requested.

117.602.1.1.3. Complete lists of the Tax Parcel numbers of all LOTS adjacent to and all LOTS otherwise within two hundred (200) feet of the LOT for which the CONDITIONAL USE is requested and the names and addresses of the OWNERS thereof from the most current records of the Allegheny County Tax Assessment Office.

117.602.1.1.4. The required fees are paid.

117.602.1.1.5. The PLANNING COMMISSION makes a written recommendation to the SUPERVISORS.

117.602.1.1.6. A PUBLIC HEARING is held in conformance with the laws of the Commonwealth of Pennsylvania.

117.602.1.2. In considering any CONDITIONAL USE, the SUPERVISORS may prescribe appropriate conditions and safeguards in conformity with the spirit and intent of this CHAPTER. A violation of such conditions and safeguards, when made a part of the terms under which the CONDITIONAL USE is granted, shall be deemed a violation of this CHAPTER.

117.602.1.3. If the SUPERVISORS determine that the APPLICATION for CONDITIONAL USE meets all requirements of this CHAPTER and receives assurances that any additional conditions deemed necessary shall be fulfilled and that the application is in conformity with the spirit and intent of this CHAPTER, it shall direct the ZONING ADMINISTRATOR to issue ZONING APPROVAL for such CONDITIONAL USE.

117.602.1.4. APPLICATIONS for CONDITIONAL USE under Article VIII of this CHAPTER shall follow the procedure for PLANNED DEVELOPMENTS under Article VIII.

117.602.1.5. CONDITIONAL USE approval, with the exception of CONDITIONAL USE approval granted under the procedure for PLANNED DEVELOPMENTS under Article VIII, shall expire automatically without written notice to the APPLICANT if no application for SUBDIVISION, ZONING APPROVAL for OCCUPANCY and USE or a GRADING or BUILDING

PERMIT to undertake the work described in the CONDITIONAL USE approval has been submitted within twelve (12) months of said approval, unless the SUPERVISORS, in their sole discretion, extends the CONDITIONAL USE approval upon written request of the APPLICANT received prior to its expiration. The maximum extension permitted shall be one (1) twelve-month extension.

117.602.1.6. CONDITIONAL USE approval, granted prior to the effective date of this ORDINANCE, with the exception of CONDITIONAL USE approval granted under the procedure for PLANNED DEVELOPMENTS under Article VIII, shall expire automatically without written notice to the APPLICANT if no application for SUBDIVISION, ZONING APPROVAL for OCCUPANCY and USE, GRADING permit or BUILDING PERMIT to undertake the work described in the CONDITIONAL USE approval has been submitted within twelve (12) months of the effective date of this ORDINANCE or as specified in the approval, unless the SUPERVISORS, in its sole discretion, extends the CONDITIONAL USE approval upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one (1) twelve-month extension.

117.602.1.7. The SUPERVISORS shall consider whether proposed modifications in any of the requirements of this ORDINANCE for each ZONING DISTRICT (except the provisions of Section 117.602.1.7.4. and 602.1.7.5.), contained in an APPLICATION FOR DEVELOPMENT for a CONDITIONAL USE will make for a more efficient, attractive and harmonious CONDITIONAL USE. If such modifications, in the judgment of the SUPERVISORS constitute a more beneficial USE of the SITE than provided for under the requirements of the ZONING DISTRICT in which the SITE of the CONDITIONAL USE is located, the SUPERVISORS in its sole discretion, may grant the modifications for less strict requirements. However, no modification shall be granted for the following:

117.602.1.7.1. DENSITY for the CONDITIONAL USE shall not exceed that DENSITY permitted in the ZONING DISTRICT in which the CONDITIONAL USE SITE is located.

117.602.1.7.2. All COMMON AREAS shall be reserved as permanent OPEN SPACE, except where STRUCTURES are required to fulfill the educational,

cultural, recreational or civic pursuits of the residents of the CONDITIONAL USE.

117.602.1.7.3. AUTHORIZED USES shall be limited to those specified for the given ZONING DISTRICT in Article IV.

117.602.1.7.4. No modification shall be granted for any CONSTRUCTION, DEVELOPMENT, USE or activity within any Floodway ZONING DISTRICT (FW) that would cause any increase in the ONE-HUNDRED-YEAR FLOOD elevation.

117.602.1.7.5. Under no circumstances shall a modification be granted to the prohibitions of § 507.4.3 which may endanger human life.

117.602.1.7.6. Whenever a modification is granted to construct a STRUCTURE below the ONE-HUNDRED-YEAR FLOOD elevation, the TOWNSHIP shall notify the APPLICANT in writing that:

117.602.1.7.6.1. The granting of the modification will result in increased premium rates for FLOOD insurance.

117.602.1.7.6.2. Such modification increases the risk to life and property.

117.602.1.7.7. All provisions of the TOWNSHIP SUBDIVISION Ordinance, which are not specifically modified by the SUPERVISORS in approving a CONDITIONAL USE, shall apply to any CONDITIONAL USE involving SUBDIVISION.

117.603. General Requirements and Standards for all CONDITIONAL USES. The SUPERVISORS shall grant a CONDITIONAL USE only if it finds adequate evidence that any proposed DEVELOPMENT will meet all of the following general requirements as well as any specific requirements and standards listed in Section 117.604. The SUPERVISORS shall among other things require that any proposed USE and location be:

117.603.1. In accordance with the COMPREHENSIVE PLAN and is consistent with the spirit, purposes, and the intent of this ORDINANCE;

117.603.2. In the best interests of the TOWNSHIP, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity;

117.603.3. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;

117.603.4. In conformance with all applicable requirements of this ORDINANCE, including but not limited to all of the provisions of Articles III, IV and V and all of the TOWNSHIP Ordinances;

117.603.5. Suitable in terms of effects on highway traffic and safety with adequate ACCESS arrangements to protect STREETS from undue congestion and hazard;

117.603.6. The DEVELOPER shall have the burden of providing evidence to the TOWNSHIP of compliance with the General Requirements of this Section and the Specific Requirements of this Article;

117.603.7. The SUPERVISORS may impose whatever reasonable conditions it deems necessary to insure that any proposed DEVELOPMENT will secure substantially the objectives in this ORDINANCE.

117.604. Express Standards and Criteria for Each USE Authorized by CONDITIONAL USE Procedure.

117.604.1. AMUSEMENT ARCADES. AMUSEMENT ARCADES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.1.1. AMUSEMENT ARCADES which are the PRINCIPAL USE on a LOT shall only be permitted as part of a planned SHOPPING CENTER development.

117.604.1.2. Noise levels from AMUSEMENT DEVICES within an AMUSEMENT ARCADE shall not exceed fifty (50) decibels, measured along the property boundary of the AMUSEMENT ARCADE.

117.604.1.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties

so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.2. AUTO SALVAGE/JUNKYARDS. JUNKYARDS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.2.1. The minimum SITE size shall be five (5) acres;

117.604.2.2. The SITE shall be maintained so as to not constitute a nuisance or a menace to public health and safety;

117.604.2.3. No garbage, organic waste, petroleum products or hazardous waste shall be stored, buried or disposed of on the SITE;

117.604.2.4. The manner of storage of junk shall be arranged in such a fashion that aisles of a minimum width of twenty-five (25) feet between rows of junk are maintained in order to facilitate ACCESS for fire fighting and prevent the accumulation of stagnant water. The proposed layout of the JUNKYARD shall be indicated on the SITE PLAN submitted with the application;

117.604.2.5. No junk shall be stored or accumulated and no STRUCTURE shall be constructed within fifty (50) feet of any DWELLING UNIT or within twenty-five (25) feet of any other PARCEL line or right-of-way line of a PUBLIC STREET;

117.604.2.6. The SITE shall be enclosed by a metal chain-link FENCE not less than eight (8) feet in height supported on steel posts with self-latching gate;

117.604.2.7. The FENCE shall be supplemented with screening material which creates a visual barrier that is at least 80% opaque;

117.604.2.8. All SITE lines adjoining residential USE or ZONING DISTRICTS classification shall provide a BUFFERYARD. All SITE lines adjoining NONRESIDENTIAL USES or ZONING DISTRICTS shall provide a BUFFERYARD as required by Subsection 316.7 of this ORDINANCE;

117.604.2.9. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.2.10. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.3. AUTOMOTIVE REPAIR. AUTOMOTIVE REPAIR services may be permitted as a CONDITIONAL USE subject to the following specific standards and criteria:

117.604.3.1. All USE and equipment for automotive repair shall be conducted entirely within a BUILDING;

117.604.3.2. The SUPERVISORS may require a traffic impact study and impose restrictions upon ACCESS to the repair facility, storage of vehicles on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the ZONING DISTRICT or adjacent PARCELS;

117.604.3.3. No derelict, damaged or unlicensed vehicles shall be stored on the premises for more than forty-eight (48) hours. Vehicles awaiting auto body repair or painting shall be kept behind a FENCE at least four (4) feet high surrounding the vehicles and obscuring a view of them from adjacent properties and roads;

117.604.3.4. Additional dimensional standards for an AUTOMOTIVE REPAIR shall be as follows:

LOT AREA	20,000 sq. ft. min.
LOT WIDTH	150 ft. min.
SIDE and REAR YARD depth	
ABUTTING non-residential property	15 ft. min.
Curb cut length	25 ft. max.
Clear distance between curb cuts	20 ft. max.
Clear distance between curb cuts and LOT LINE	20 ft. max.

117.604.3.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties

so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.4 Beverage Distributor. Beverage distributor may be permitted as CONDITIONAL USE, subject to the following specific standards and criteria:

117.604.4.1. ACCESS to and circulation through the SITE shall be obvious to motorists;

117.604.4.2. Location shall not cause undue congestion on adjacent STREETS;

117.604.4.3. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the ZONING DISTRICT or adjacent PARCELS;

117.604.4.4. If the operation includes a DRIVE-IN SERVICE, the standards specified in Section 117.604.52 shall also apply and there shall be ample space on the SITE to accommodate at least five (5) cars in each lane waiting for service. Approval of a DRIVE-IN SERVICE in conjunction with a Beverage Distributor shall be granted by the SUPERVISORS;

117.604.4.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.5. BILLBOARDS. BILLBOARDS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.5.1. Location.

117.604.5.1.1. BILLBOARDS shall not be erected within 500 feet of the boundary line of an AG, LDR, or MDR ZONING DISTRICT or within 500 feet of any public or private school, CHURCH or cemetery. Required spacing shall be measured along the roadway frontage from the center-most point of the BILLBOARD STRUCTURE along a line which is parallel to the centerline of the roadway to which the BILLBOARD is oriented.

117.604.5.1.2. BILLBOARDS shall maintain a lateral minimum spacing between any existing or proposed BILLBOARD STRUCTURE of 750 feet. Required spacing shall be measured along both sides of the roadway frontage from the center-most point of the BILLBOARD STRUCTURE along a line which is parallel to the centerline of the roadway to which the BILLBOARD is oriented.

117.604.5.1.3. The dimensional standards listed in Article IV applying to a PRINCIPAL USE within the ZONING DISTRICT in which the BILLBOARD is located shall apply to each BILLBOARD STRUCTURE.

117.604.5.1.4. No BILLBOARD shall be erected in such a manner as to block the view from the road or street of any existing SIGN, residential or non-residential STRUCTURE, or limit or reduce the light and ventilation requirements under the TOWNSHIP BUILDING CODE.

117.604.5.1.5. No BILLBOARD shall be constructed within the clear sight triangle at the intersection of the public street or road on which it is situated and shall not in any case obstruct or impede traffic safety.

117.604.5.1.6. No BILLBOARD shall be erected over any sidewalk or PUBLIC right-of-way.

117.604.5.1.7. BILLBOARDS shall not be mounted on the roof, wall, or other part of a BUILDING or any other STRUCTURE.

117.604.5.2. Size and Height.

117.604.5.2.1. A BILLBOARD shall have a maximum allowable gross surface area of three hundred (300) square feet per SIGN FACE. A BILLBOARD shall have a maximum of two (2) SIGN FACES per STRUCTURE which may be placed back to back or in a V-shaped configuration on a single BILLBOARD STRUCTURE.

117.604.5.2.2. The dimensions of a BILLBOARD's SIGN FACE shall not exceed twenty (20) feet in total height or twenty-five (25) feet in

total width, provided the total allowable gross surface area of the SIGN FACE is not exceeded.

117.604.5.2.3. A BILLBOARD STRUCTURE shall have a maximum height above the curb of the roadway from which it is oriented of forty (40) feet.

117.604.5.3. Minimum CONSTRUCTION Methods: BILLBOARDS shall be constructed in accordance with the applicable provisions of the TOWNSHIP BUILDING CODE and shall meet the following additional requirements:

117.604.5.3.1. A BILLBOARD STRUCTURE shall have a maximum of one (1) vertical support measuring a maximum of three (3) feet in diameter or width. Additional bracing or vertical supports shall not be permitted.

117.604.5.3.2. A BILLBOARD SIGN FACE shall be independently supported and have vertical supports of metal which are galvanized or constructed of approved corrosive-resistant, non-combustible materials.

117.604.5.3.3. The one (1) vertical support shall be capable of enabling the entire SIGN FACE to be able to withstand a minimum one hundred (100) mile per hour wind load.

117.604.5.3.4. The base of the BILLBOARD STRUCTURE shall be installed using a foundation approved by the TOWNSHIP Engineer for the type of CONSTRUCTION proposed.

117.604.5.3.5. The entire base of the BILLBOARD STRUCTURE parallel to the SIGN FACE shall be permanently landscaped with suitable shrubbery and/or bushes of minimum height of three (3) feet placed in such a manner as to screen the foundation of the STRUCTURE.

117.604.5.3.6. Landscaping shall be maintained by the sign owner in an attractive and healthy manner in accordance with accepted conservation practices.

117.604.5.3.7. No bare cuts are permitted on a hillside.

117.604.5.3.8. All grading shall be in accordance with TOWNSHIP ORDINANCE No. 148.

117.604.5.3.9. All cuts or fills are to be permanently seeded or planted.

117.604.5.3.10. A BILLBOARD with display LIGHTING shall be constructed so that it does not glare upon adjoining property and shall not exceed a maximum foot candle of 1.5 upon the adjoining property.

117.604.5.3.11. Display lighting shall not operate between 12:00 midnight and 5:00 a.m., prevailing local time.

117.604.5.3.12. No BILLBOARD STRUCTURE, SIGN FACE, or display LIGHTING shall move, flash, or emit noise. No display LIGHTING shall cause distractions, confusion, nuisance, or hazard to traffic, aircraft, or other properties.

117.604.5.3.13. The USE of colored LIGHTING shall not be permitted.

117.604.5.4. Maintenance.

117.604.5.4.1. A BILLBOARD STRUCTURE shall be entirely painted every three (3) years, unless constructed of an approved corrosive resistant material.

117.604.5.4.2. Every ten (10) years, the owner of the BILLBOARD shall have a structural inspection made of the BILLBOARD by a Registered Professional Engineer and shall provide to the TOWNSHIP a certificate from the Engineer certifying that the BILLBOARD is structurally sound.

117.604.5.4.3. Annual inspections of the BILLBOARD shall be conducted by the TOWNSHIP to determine compliance with this ORDINANCE. Inspection fees shall be in amount equal to that set from time to time by Resolution of the SUPERVISORS.

117.604.5.4.4. BILLBOARDS found to be in violation of this ORDINANCE shall be brought into compliance or removed within thirty (30) days upon proper notification of the SIGN owner by the TOWNSHIP.

117.604.5.4.5. BILLBOARDS using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the STRUCTURE.

117.604.5.5. Liability Insurance. The APPLICANT for a SIGN PERMIT to erect a BILLBOARD shall provide a Certificate of Insurance for public liability and property damage which holds the TOWNSHIP harmless in an amount acceptable to the TOWNSHIP Solicitor. Such insurance shall not be canceled or reduced without first giving ten (10) days notice to the TOWNSHIP.

117.604.5.6. Permits. Prior to submission of an application for a SIGN Permit, the APPLICANT for a BILLBOARD shall obtain and submit with the application, approvals from the COUNTY and the Federal Aviation Administration (FAA), when applicable.

117.604.5.6.1. CONDITIONAL USE approval shall be valid for six (6) months from the date of action by the SUPERVISORS granting the CONDITIONAL USE. If the APPLICANT fails to obtain a SIGN Permit for the approved BILLBOARD within the six (6) month period, CONDITIONAL USE approval shall expire automatically, without written notice to the APPLICANT.

117.604.5.6.2. The issuance of a SIGN Permit for a BILLBOARD which has been granted CONDITIONAL USE approval shall be conditioned upon the approval of the Pennsylvania Department of Transportation (PennDOT) for BILLBOARDS along State Highways. If the APPLICANT fails to submit evidence of the required approval by PennDOT within thirty (30) days of the issuance of the conditional SIGN Permit, the SIGN Permit shall be revoked by the TOWNSHIP ZONING ADMINISTRATOR who shall provide written notice to the APPLICANT.

117.604.5.6.3. The APPLICANT may reapply for the required SIGN Permit, upon submission of

evidence of PennDOT approval, without payment of any additional SIGN Permit Fee, provided the application is filed within the six (6) month period during which the CONDITIONAL USE approval is valid.

117.604.5.7. Application Fees: Said application shall be accompanied by an Application Fee in an amount equal to that set from time to time by Resolution of the SUPERVISORS.

117.604.6. Bio-Medical Operations. Bio-Medical operations may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.6.1. The use or storage of hazardous or infectious materials shall not be permitted.

117.604.6.2. If the bio-medical operation is located in a BPK or LI District, all materials and equipment must be stored within a completely enclosed BUILDING.

117.604.6.3. Where applicable, all state and federal permits shall be obtained prior to filing any application for CONDITIONAL USE.

117.604.6.4. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent parcels.

117.604.6.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.7 BULK FUEL STORAGE. BULK FUEL STORAGE facility may be permitted as a CONDITIONAL USE, subject to the following specific standards and criteria:

117.604.7.1. All State and Federal permits shall be acquired prior to filing the APPLICATION FOR DEVELOPMENT;

117.604.7.2. The fuel storage area shall be capable of containing at least one and one-half (1 1/2) times the amount of the largest storage tank;

117.604.7.3. An explicit plan for emergency procedures and fire prevention and containment shall be approved by the TOWNSHIP;

117.604.7.4. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the ZONING DISTRICT or adjacent PARCELS;

117.604.7.5. This CONDITIONAL USE is permitted only by PLANNED DEVELOPMENT (PD) in accordance with Article VIII;

117.604.7.6. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.8. BUSINESS OR PROFESSIONAL OFFICES. BUSINESS OR PROFESSIONAL OFFICES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.8.1. The following conditions shall apply to BUSINESS OR PROFESSIONAL OFFICES in the LI or HI District:

117.604.8.1.1. BUSINESS OR PROFESSIONAL OFFICES shall be permitted in the LI and HI Districts only when the offices are directly related to and accessory to the USE authorized as the PRINCIPAL USE.

117.604.8.1.2. The FLOOR AREA devoted to BUSINESS OR PROFESSIONAL OFFICES shall not exceed fifty percent (50%) of the total FLOOR AREA of the PRINCIPAL USE to which the office is considered accessory.

117.604.9. CAMP OR CAMPGROUND WITH OVERNIGHT CAMPING, VACATION COTTAGES, OR RENTAL CABINS. CAMP OR CAMPGROUND WITH OVERNIGHT CAMPING, VACATION COTTAGES, OR RENTAL CABINS may be

permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.9.1. In the case of a camp or campground in which multiple units including tents, travel trailers and other forms of living accommodations are placed on one SITE, a twenty-five (25) foot buffer area shall be required to separate the camp or campgrounds from any adjacent residential USE or ZONING DISTRICT. The perimeter of the camp or campground shall be screened by a hedge or other natural vegetative material at least five (5) feet in height and of sufficient density to conceal the camp or campground from the view of adjoining residential areas.

117.604.9.2. Individual camping spaces, designed to accommodate travel trailers or other types of mobile camping units which require hookups to water and sewer systems, shall meet the following minimum standards:

117.604.9.2.1. Minimum LOT Size - 3,500 square feet.

117.604.9.2.2. Minimum LOT Width - 50 feet.

117.604.9.2.3. Leveled Areas - Each LOT shall contain at least twelve hundred (1,200) square feet of leveled land with a maximum slope of four (4) percent to provide sufficient area for a travel trailer, two cars and an outdoor living space.

117.604.9.3. The internal street system within a camp or campground shall be privately owned and maintained, and shall be designed for safe and convenient ACCESS to camping spaces and to facilities for common use by the occupants. Direct ACCESS to individual camping spaces from PUBLIC STREETS shall not be permitted.

117.604.9.4. All camps and campgrounds shall comply with all applicable regulations of the Pennsylvania Department of Environmental Resources, including but not limited to regulations covering food service, water supply, sewage disposal, bathing places, vector control, toilet facilities, sanitary stations, and garbage disposal.

117.604.9.5. Vacation cottages, rental cabins and other DWELLINGS with permanent foundations shall comply

with the minimum LOT size and dimensional standards of the ZONING DISTRICT in which they are located.

117.604.9.6. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact on the functioning of the ZONING DISTRICT or adjacent PARCELS.

117.604.9.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.10. Car Wash. Car Washes may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.10.1. SIGNS shall be in compliance with requirements of Section 117.315 of this ORDINANCE.

117.604.10.2. The perimeter of all car washes shall be screened from adjacent residential uses or ZONING DISTRICTS with BUFFERYARD D as defined by this ORDINANCE.

117.604.10.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties or roadways so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties or roadways.

117.604.10.4. The entire service area shall be paved with a permanent surface and edged with a curb where it abuts grassed areas. Areas of the SITE not paved shall be landscaped and maintained in compliance with the provisions of this ORDINANCE.

117.604.11. Cemeteries, Crematoriums and Mausoleums. Cemeteries may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.11.1 The minimum SITE required shall be twenty (20) acres;

117.604.11.2. A drainage plan shall be submitted with the APPLICATION FOR DEVELOPMENT to show existing and proposed runoff characteristics;

117.604.11.3. Plans for ingress/egress and internal traffic circulation on the SITE shall be submitted to the TOWNSHIP;

117.604.11.4. Parking for principal STRUCTURES such as chapels or mausoleums shall be provided in accordance with the requirements of this ORDINANCE;

117.604.11.5. BUFFERYARD B shall be provided in accordance with the requirements of this ORDINANCE along all SITE lines which adjoin single family USE or residential zoning classification;

117.604.11.6. Adequately funded programs and provisions which meet the approval of the TOWNSHIP SOLICITOR shall be provided to guarantee perpetual care of all cemetery grounds. This provision shall apply to existing cemeteries for which expansions are proposed;

117.604.11.7. All equipment shall be properly stored when not in use; and

117.604.11.8. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.12. Chemical Plants. Chemical plants may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.12.1. If chemicals or other materials are to be stored outside, the standards for Outside Storage as specified in Section 117.704.3 of this ORDINANCE shall apply.

117.604.12.2. If hazardous or explosive materials are to be stored at the plant, an explicit plan for emergency procedures and fire prevention shall be approved by the TOWNSHIP prior to CONDITIONAL USE approval.

117.604.12.3. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of

vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.12.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.13. Commercial Parking Lot. Commercial Parking Lots may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.13.1. Commercial Parking Lots shall conform with all applicable requirements for off-street parking in Section 103.612 of the SUBDIVISION ORDINANCE.

117.604.13.2. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties or roadways so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties or roadways.

117.604.13.3. The perimeter of all car washes shall be screened from adjacent residential uses or ZONING DISTRICTS with BUFFERYARD D as defined by this ORDINANCE.

117.604.13.4. The entire PARKING AREA shall be covered with an all-weather surface and edged with a curb where it abuts grassed areas. Areas of the SITE not so covered shall be landscaped and maintained in compliance with the provisions of this ORDINANCE.

117.604.14. COMMERCIAL OR TRADE SCHOOLS. COMMERCIAL OR TRADE SCHOOLS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.14.1. COMMERCIAL OR TRADE SCHOOLS shall meet all of the conditions for PUBLIC and PRIVATE Schools listed in Section 117.604.55 of this ORDINANCE.

117.604.15. CONCRETE AND ASPHALT BATCH PLANTS. CONCRETE AND ASPHALT BATCH PLANTS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.15.1. If materials are to be stored outside, the standards for Outside Storage as specified in Section 117.704.3 of the ORDINANCE shall apply.

117.604.15.2. All Batch Plants (permanent or temporary) shall have an effective dust collection system approved by the TOWNSHIP.

117.604.15.3. SUPERVISORS may require the use of wheel washers or other means of cleaning trucks/vehicles before entering PUBLIC STREETS.

117.604.15.4. Batch Plants shall have a TOWNSHIP approved sediment pond before wash out water is discharged into any waterway.

117.604.15.5. The TOWNSHIP shall require a bond to be posted of sufficient amount to cover the cost of maintenance, repair, and reconstruction of any TOWNSHIP roads over which vehicles may travel to and from the approved site. The bond shall be reviewed periodically to determine whether the amount is sufficient to cover any maintenance or repair cost.

117.604.15.6. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.15.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.16. CONVENIENCE STORE. CONVENIENCE STORES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.16.1. If gasoline is sold as part of the CONVENIENCE STORE operation, the conditions for GASOLINE SERVICE STATIONS listed in Section 117.604.25 of this ORDINANCE shall also apply. **[Amended 4-11-12 Ord. No. 375]**

117.604.16.2. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties

so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.17. Conversion Apartments. Conversion Apartments may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.17.1. Conversion Apartments shall comply with the requirements of Sections 402.2 and 804.7.9.

117.604.18. DAY CAMPS. DAY CAMPS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.18.1. All DAY CAMPS shall be supervised by responsible adults whose number shall be at least one (1) for every ten (10) campers.

117.604.18.2. Adequate sanitary facilities shall be provided on the premises and shall meet all applicable requirements of the Pennsylvania Department of Environmental Resources.

117.604.18.3. Adequate off-street loading areas shall be provided for the drop-off and pick-up of campers.

117.604.19. DAYCARE FACILITIES and NURSERY SCHOOLS/PRE-SCHOOLS. DAY CARE FACILITIES and NURSERY SCHOOLS/PRE-SCHOOLS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.19.1. The OPERATOR of a DAY CARE FACILITY and/or NURSERY SCHOOL/PRE-SCHOOL shall be licensed or certified by the Commonwealth of Pennsylvania and any other regulatory agency within the Commonwealth charged with licensing or regulation of DAY CARE FACILITIES and/or NURSERY SCHOOLS/PRE-SCHOOLS. The license or certification shall be obtained prior to issuance of APPROVAL for Occupancy. The OPERATOR shall file annually with the TOWNSHIP, information indicating that the DAY CARE FACILITY or NURSERY SCHOOL/PRE-SCHOOL continues to satisfy the conditions of original approval.

117.604.19.2. The DAY CARE FACILITY and/or NURSERY SCHOOL/PRE-SCHOOL shall be supervised by responsible non-CLIENT adults whose number shall be determined and

certified by the appropriate supervisory agency(ies) or, in the absence of such determination, shall be at least one (1) for every six (6) CLIENTS. Those responsible for supervision shall be available on the premises so long as any CLIENT(S) shall be present.

117.604.19.3. The DAY CARE FACILITY and/or NURSERY SCHOOL/PRE-SCHOOL shall be subject to housing, health and fire code inspections. These inspections shall be performed by the TOWNSHIP.

117.604.19.4. The DAY CARE FACILITY and/or NURSERY SCHOOL/PRE-SCHOOL shall comply with all regulations established by the appropriate governmental agency(ies).

117.604.19.5. An outdoor play area in a Child DAY CARE FACILITY shall be provided with a minimum of sixty-five (65) square feet per child in such area. The play area shall be fenced, with a minimum of four (4) feet height on the FENCE, which shall be of a type to keep children contained within in the YARD, (safety FENCE).

117.604.19.6. No DAY CARE FACILITY, NURSERY SCHOOL/PRE-SCHOOL shall be located closer than five hundred (500) feet to another Day Care Center, NURSERY SCHOOL/PRE-SCHOOL in the AG and MDR ZONING DISTRICTS.

117.604.19.7. The minimum LOT AREA for a CHILD DAY CARE HOME, ADULT DAY CARE HOME or NURSERY SCHOOL/PRE-SCHOOL located in a DWELLING shall be the same as required for a DWELLING for the ZONING DISTRICT in which it is located. The minimum LOT AREA for Child Day Care Center, Adult Day Care Center or NURSERY SCHOOL/PRE-SCHOOL located in a non-residential BUILDING shall be the same as required for a BUILDING for the ZONING DISTRICT in which it is located.

117.604.19.8. Child Day Care Center, Adult Day Care Center or NURSERY SCHOOL/PRE-SCHOOL located in a nonresidential STRUCTURE shall comply with the following standards:

Minimum LOT Size	One acre
Minimum LOT Width	100'
Minimum Required YARDS	
STREET Side	50'
Rear	50'
Side	25'

117.604.19.9. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.20. EXTRACTION OF MINERALS. EXTRACTION OF MINERALS may be a CONDITIONAL USE by the SUPERVISORS in those areas of the TOWNSHIP where the underlying district permits mining according to the following standards and criteria:

117.604.20.1. In every case, a permit shall be required:

117.604.20.1.1. Before a mining operation may be initiated;

117.604.20.1.2. Before a mining operation for which a permit has been previously granted is expanded, relocated or changed in any way;

117.604.20.1.3. Before a processing operation is initiated;

117.604.20.1.4. Before a processing operation for which a permit has been previously granted is expanded, relocated or changed in any way;

117.604.20.1.5. Whenever a state or federal permit is required to initiate, continue or change a mining or processing activity.

117.604.20.2. The APPLICANT for a mining or processing CONDITIONAL USE permit shall submit the following information to the Zoning Officer:

117.604.20.2.1. Evidence of compliance with all State and Federal laws applicable to the process for which the CONDITIONAL USE permit is sought;

117.604.20.2.2. A description of the character, timing and duration of the proposed operation, including maps and plans showing the area and extent of the proposed activity, the location and design of all STRUCTURES, depth of the excavation, areas for storage of soil materials

areas for the deposit of coal waste, and facilities for processing, loading and transportation of minerals;

117.604.20.2.3. The location of all STRUCTURES, land uses, and overlay zoning features (as defined in Article IV) which may be affected by the proposed operation and measures which will be taken to protect all structures, land uses and overlay zoning features from adverse impacts from mining;

117.604.20.2.4. Measures which will be taken to insure that any loss, diminution or pollution of water supplies in areas affected by mining will be corrected or replaced;

117.604.20.2.5. Measure which will be taken to insure that the performance standards contained in all sections of this ORDINANCE, including BUFFERYARDS, parking, LIGHTING, noise, emissions and other applicable standards, shall be met;

117.604.20.2.6. Description of plans for the transportation of the mined product, including routes of travel, number and weight of vehicles and measures which will be taken to maintain all roads within the TOWNSHIP which are used to transport minerals and to repair any damages which may result from the use of roads for loads and volumes of traffic which are in excess of their use by vehicles associated with permitted uses in the concerned district;

117.604.20.2.7. Plans for the restoration and reclamation of all land affected by the extractive operation to a condition which will support agriculture or other uses which are permitted by right or as CONDITIONAL USES in the concerned district.

117.604.20.3. In deciding upon an initial application for a CONDITIONAL USE permit for extraction or processing, the Board of SUPERVISORS shall evaluate the impact of the proposed activity upon adjacent areas and upon the community at large and shall approve granting of a permit only if they find that:

117.604.20.3.1. The scale, pace and duration of the proposed activity are reasonable in relationship to the ability of other portions of the community to maintain normal patterns of activity while mining activities are ongoing;

117.604.20.3.2. Adequate safeguards are provided to insure that damage will not be done to property elsewhere in the TOWNSHIP or to the natural environment;

117.604.20.3.3. The proposed plan for reclamation and reuse of land is acceptable. If the proposed reclamation plan is for agriculture, FORESTRY or other undeveloped use, GRADING, drainage and vegetation are compatible with other such use areas in the TOWNSHIP. If the proposed reclamation is for DEVELOPMENT, the proposed DEVELOPMENT should be compatible with the COMPREHENSIVE PLAN and in conformance with the purposes and regulations of the district in which it is located.

117.604.20.4. In deciding upon an application for any expansion or change in a mining or processing application, the Board of SUPERVISORS shall consider all of the factors listed under 316.4 above and in addition shall grant a CONDITIONAL USE permit only if the following conditions are met:

117.604.20.4.1. The performance of the APPLICANT to date has been in conformance with all of the agreements made at the time of the initial CONDITIONAL USE approval; and

117.604.20.4.2. No expansion in area of a mining operation shall be permitted until mining activities have been completed on an equivalent area of land and the land shall have been graded and vegetation established in accordance with the approved plan for reclamation of the SITE.

117.604.20.5. In no case shall a CONDITIONAL USE permit granted by the Board of SUPERVISORS extend to an area of land or mode of operation which is larger or in any way different from the scope of permits issued concurrently by state and/or federal permitting

authorities for the same existing or proposed mining or processing activity.

117.604.20.6. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.21. FAST FOOD RESTAURANT. FAST FOOD RESTAURANTS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.21.1. If the FAST FOOD RESTAURANT includes a DRIVE-IN SERVICE, the conditions specified in Section 117.604.52 of this ORDINANCE shall be met.

117.604.21.2. All SIGNS shall comply with the standards set forth in Section 117.315 of this ORDINANCE.

117.604.21.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.22. FISH HATCHERIES AND FARMS. FISH HATCHERIES AND FARMS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.22.1. If the operation requires the diversion of water from a stream or other WATERCOURSE, the APPLICANT shall obtain all necessary permits from the Department of Environmental Resources prior to submitting an application for CONDITIONAL USE approval.

117.604.22.2. All ponds and other bodies of water shall be fenced with eight (8) foot high fence which shall be locked when the business is not in operation.

117.604.22.3. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.23 Fuel Generation Plants. Fuel Generation Plants may be permitted as a CONDITIONAL USE by the

SUPERVISORS, subject to the following specific standards and criteria:

117.604.23.1. Fuel Generation Plants shall be located at least 1000 feet from any property line adjoining a residential USE or ZONING DISTRICT and at least 500 feet from a property line adjoining any other ZONING DISTRICT.

117.604.23.2. The perimeter of all Fuel Generation Plants shall be screened from adjacent properties and roads with BUFFERYARD D as defined by this ORDINANCE.

117.604.23.3. Operations shall be regulated so that nuisances such as visual blight, noise, odors, blowing debris and dust shall not be created.

117.604.23.4. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.23.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.24. Fur-Bearing Animal Ranches. Fur Bearing Animal Ranches may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.24.1 All fur processing operations shall be conducted within an enclosed BUILDING.

117.604.24.2. All outdoor holding areas shall be constructed for easy cleaning, shall be adequately secured by a fence with a self-latching gate and shall be screened by a six foot high compact hedge or opaque FENCE on all sides which are visible from any STREET or residential property.

117.604.24.3. The LANDOWNER shall be responsible for collecting and disposing of litter and droppings from the animals in such a way as to minimize the presence of fly larvae and objectionable odors.

117.604.24.4. All animal carcasses shall be disposed of at a DER approved disposal facility and shall be removed from the site at the end of each working day. No disposal of dead animals shall occur on the property.

117.604.24.5. Fur-bearing animal ranches shall be located at least five hundred (500) feet from any property line adjoining a residential USE or ZONING DISTRICT and at least one hundred (100) feet from any other property line.

117.604.24.6. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.25. GASOLINE SERVICE STATION. GASOLINE SERVICE STATIONS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.25.1. The entrance shall not be more than thirty-five (35) feet wide at the SITE line and shall be paved. No DRIVEWAY shall be located within seventy-five (75) feet of any STREET intersection, measured from the point of crossing of intersecting STREET right-of-way lines ABUTTING the SITE and the edge of the DRIVEWAY nearest the intersection;

117.604.25.2. The entire service area shall be paved with a permanent surface and edged with a curb where it abuts grassed areas. Areas of the SITE not paved shall be landscaped and maintained in compliance with the provisions of this ORDINANCE;

117.604.25.3. Sufficient space shall be provided on each side of each pump island for not less than three (3) vehicles being serviced or waiting for service. Not less than eight (8) other PARKING SPACES outside the circulation area around the pump islands shall be provided for customer and employee parking;

117.604.25.4. No STRUCTURES, whether above or below ground, shall be placed within any required setback or BUFFERYARD. A freestanding CANOPY may be permitted to

overhang a SETBACK LINE by no greater than ten (10) feet, if in the judgment of the SUPERVISORS, such overhang is in accordance with the purposes of the performance standards of this ORDINANCE; **[Amended 8-23-99 by Ord. No. 285]**

117.604.25.5. Additional dimensional standards for a GASOLINE SERVICE STATION shall be as follows:
[Amended 8-23-99 by Ord. No. 285]

LOT AREA	20,000 sq. ft. min.
LOT WIDTH	150 ft. min.
SIDE and REAR YARD depth	
ABUTTING non-residential property	15 ft. min.
Curb cut length	25 ft. min.
Clear distance between curb cuts	20 ft. min.
Clear distance between curb cuts and LOT LINE	20 ft. min.

117.604.25.6. No GASOLINE SERVICE STATION shall be within five hundred (500) feet of a CHURCH, school or Residential ZONING DISTRICT or RESIDENTIAL USE;

117.604.25.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.26. Golf Course and Country Club. Golf courses and country clubs may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.26.1. All property lines adjoining a residential USE or ZONING DISTRICT shall be screened by BUFFERYARD B as defined by section 314 of this ORDINANCE.

117.604.26.2. All principal structures such as pools, bath houses, restaurants or clubhouses shall be set back at least one hundred (100) feet from the front property line and at least fifty (50) feet from other property lines.

117.604.26.3. Outdoor lighting for buildings and facilities may be approved, provided it is directed away from residential USES and PUBLIC rights-of-way.

117.604.26.4. Activities which produce an objectionable level of noise to surrounding residential properties shall not be permitted.

117.604.26.5. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact on the functioning of the ZONING DISTRICT or adjacent PARCELS.

117.604.27. GROUP CARE FACILITY/NURSING HOME. GROUP CARE FACILITIES/NURSING HOMES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.27.1. The OPERATOR of a GROUP CARE FACILITY or NURSING HOME shall be licensed or certified by the Commonwealth of Pennsylvania and any other regulatory agency within the Commonwealth charged with licensing or regulating GROUP CARE FACILITIES or NURSING HOMES. The license or certification shall be obtained prior to issuance of an OCCUPANCY PERMIT by the TOWNSHIP. The OPERATOR shall file annually with the TOWNSHIP, information indicating that the GROUP CARE FACILITY or NURSING HOME continues to satisfy the conditions of original approval.

117.604.27.2. Twenty-four hour supervision shall be provided by staff qualified by the sponsoring agency.

117.604.27.3. Change of ownership, sponsorship, or of any other condition contained in the original approval of the facility shall constitute a new USE, and the procedure for obtaining a conditional USE approval of a new facility shall apply.

117.604.27.4. No GROUP CARE FACILITY or NURSING HOME shall be located within a twenty-six hundred (2600) foot radius of another GROUP CARE FACILITY or NURSING HOME.

117.604.27.5. The GROUP CARE FACILITY or NURSING HOME must comply with any and all applicable BUILDING, fire, health and other safety codes.

117.604.27.6. Adequate off-street loading areas shall be provided for access by emergency medical and fire vehicles.

117.604.27.7. Adequate open space areas for recreation shall be provided on the lot for the residents consistent with their needs. The recreation area shall be secured by a FENCE with a self-latching gate.

117.604.27.8. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.28. Golf Driving Range and/or Miniature Golf. A golf driving range and/or miniature golf not accessory to a golf course shall be permitted as a CONDITIONAL USE subject to the following express standards and criteria:

117.604.28.1. A miniature golf course shall be permitted as a conditional use in the AG district only when accessory to a golf course or golf driving range;

117.604.28.2. BUILDINGS, golf driving tees, and miniature golf courses shall be set back at least one hundred (100) feet from all SITE lines, and SITE boundary areas if wooded, shall remain wooded;

117.604.28.3. ACCESS drives shall be located to take advantage of maximum sight distances for motorists;

117.604.28.4. SIGNS shall not exceed thirty-two (32) square feet in area and shall not exceed two (2) in number on the SITE;

117.604.28.5. The BOARD may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation, security and safety fencing, outdoor lighting, and such other matters as they deem necessary to insure that there is no adverse impact on the functioning and safety of the district or adjacent PARCELS;

117.604.28.6. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties;

117.604.28.7. Driving range from tee outward must be a minimum of 1,500 linear feet unless topography dictates otherwise;

117.604.28.8. All local, state, and federal environmental agencies must approve the land upon which the driving range or miniature golf course is located.

[Entire Section added 2-14-96 by Ord. No. 242]

117.604.29. HEALTH CARE FACILITY. HEALTH CARE FACILITIES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.29.1. HEALTH CARE FACILITIES shall be licensed by the Commonwealth of Pennsylvania and shall have the required approvals of other regulatory agencies and accreditation organizations.

117.604.29.2. The minimum lot area for a HEALTH CARE FACILITY shall be five (5) acres.

117.604.29.3. The HEALTH CARE FACILITY shall have its principal traffic access on an ARTERIAL or COLLECTOR ROAD with sufficient capacity to handle the traffic generated by the proposed USE. A Transportation Impact Report shall be submitted with the APPLICATION FOR DEVELOPMENT in accordance with Section 103.502.18 of the SUBDIVISION ORDINANCE.

117.604.29.4. No STRUCTURE shall be located within one hundred (100) feet of any property boundary or street right-of-way.

117.604.29.5. An explicit plan for emergency procedures and fire prevention and containment shall be approved by the TOWNSHIP.

117.604.29.6. All property lines adjoining a residential USE or ZONING DISTRICT shall be screened by BUFFERYARD C as defined by Section 103.604.6.3 of the SUBDIVISION ORDINANCE.

117.604.29.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.30. HOTEL/MOTEL. HOTEL/MOTEL may be permitted as a CONDITIONAL USE by the SUPERVISORS subject to the following specific standards and criteria:

117.604.30.1. A HOTEL/MOTEL, as defined in Article II, is a structure designed for transients. Any occupancy in excess of thirty (30) days is a DWELLING or a RESIDENTIAL USE, which are not permitted in HOTELS/MOTELS.

117.604.30.2 The entrance shall not be more than thirty-five (35') in width at the site line and shall be paved. No driveway shall be located within seventy-five feet (75') of any street intersection.

117.604.30.3. No structures shall be placed within any required setback or bufferyard.

117.604.30.4. Drop-off area shall remain free and clear of obstructions for general safety and fire department access.

117.604.30.5. Service of meals and/or beverages must be secondary to the principal use of rooms rental.

117.604.30.6. No PERSON owning, controlling, managing or having charge of any HOTEL/MOTEL shall allow or permit an hourly charge for any room within said establishment.

117.604.30.7. Additional dimensional standards for a HOTEL/MOTEL shall be as follows:

Lot Area	1.5 acres/ 65,340 sf minimum
Lot Width	150 feet minimum
Clear distance between curb cuts	50 feet minimum
Clear distance between curb cuts and lot lines	20 feet minimum
Height	35 feet maximum

117.604.30.8. A Transportation Impact Report shall be submitted.

117.604.30.9. Outdoor lighting, if any, shall be shielded and in conformance to the Subdivision and Land Development Ordinance.

117.604.30.10. The SUPERVISORS may impose restrictions to access to the facility, storage of vehicles or materials on the premises and any other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent parcels. **[Entire section added 4-11-12 by Ord. No. 375]**

117.604.31. INCINERATORS/LANDFILLS.
INCINERATORS/LANDFILLS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.31.1. INCINERATORS and LANDFILL operations shall be located at least 1000 feet from any property line adjoining a residential USE or ZONING DISTRICT and at least 500 feet from a property line adjoining any other ZONING DISTRICT.

117.604.31.2. The perimeter of all INCINERATOR and LANDFILL sites shall be screened from adjacent properties and roads with BUFFERYARD D as defined by this ORDINANCE.

117.604.31.3. Evidence of compliance with all regulations and permit requirements of the Pennsylvania Department of Environmental Resources (DER) and other state and federal agencies with jurisdiction over such operations shall be submitted with the APPLICATION FOR DEVELOPMENT.

117.604.31.4. The owners/operators of any approved INCINERATOR or LANDFILL shall apply annually for recertification of their approval from the TOWNSHIP. The INCINERATOR or LANDFILL shall be recertified if the facility is operating in accordance with all of the standards and conditions of the original approval. A suspension or revocation of the DER permit shall be an automatic suspension or revocation of all TOWNSHIP permits and approvals.

117.604.31.5. If a change of ownership occurs, the new owner shall submit a new application for CONDITIONAL USE approval. Approval of the new application shall not

be granted until a state permit is issued to the new owner by DER.

117.604.31.6. The TOWNSHIP Engineer, or any other official designated by the SUPERVISORS, shall make inspections of the facility at least once every six (6) months, or upon complaint, to determine if the operation is being conducted according to approved plans and permits. The cost of such inspections shall be paid by the facility owner. Upon citizen complaint and at the discretion of the TOWNSHIP Manager, said official may make inspection of the facility.

117.604.31.7. ACCESS roads to the INCINERATOR or LANDFILL site shall be constructed according to DER permit requirements. The TOWNSHIP shall require a bond to be posted of sufficient amount to cover the cost of maintenance, repair, and reconstruction of any TOWNSHIP roads over which the collection and disposal vehicles may travel to the approved site. The bond shall be reviewed periodically to determine if the amount is sufficient to cover any maintenance or repair costs.

117.604.31.8. Operations shall be regulated so that nuisances such as visual blight, noise, odors, blowing debris and dust shall not be created.

117.604.31.9. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.31.10. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.32. KENNELS/ANIMAL SHELTERS. KENNELS/ANIMAL SHELTERS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.32.1. Such USE shall be located at least one hundred (100) feet from any property line adjoining a residential ZONING DISTRICT and at least fifty (50) feet from any other property line;

117.604.32.2. The minimum LOT AREA required for the USE shall be two (2) acres;

117.604.32.3. Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a FENCE with self-latching gate and shall be screened by a six (6) foot high compact hedge or opaque FENCE on all sides which are visible from any STREET or residential property;

117.604.32.4. If adjacent properties are developed for SINGLE-FAMILY DWELLINGS, the KENNELS shall be soundproofed to minimize noise impact on adjacent properties;

117.604.32.5. The KENNEL shall be licensed by the Commonwealth of Pennsylvania and comply with all applicable rules and regulations of the Commonwealth and Allegheny County Health Department shall be maintained;

117.604.32.6. At no time shall the animals be permitted to run loose on the property, other than in a completely enclosed area;

117.604.32.7. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.32.8. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.33. LARGE ANIMAL HOSPITAL. LARGE ANIMAL HOSPITALS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.33.1. All outdoor holding areas shall be constructed for easy cleaning, shall be adequately secured by a fence with a self-latching gate and shall be screened by a six-foot high compact hedge or opaque FENCE on all sides which are visible from any STREET or residential property.

117.604.33.2. The LANDOWNER and operator shall be responsible for collecting and disposing of litter and droppings from the animals in such a way as to minimize the presence of fly larvae and objectionable odors.

117.604.33.3. Adequate off-street loading areas shall be provided for loading and unloading of animals to and from the facility.

117.604.33.4. No disposal of dead animals shall occur on the property.

117.604.33.5. Drainage of holding areas shall be arranged to avoid contamination of downstream watercourses.

117.604.33.6. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.33.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.34. LIGHT MANUFACTURING. LIGHT MANUFACTURING may be permitted as a CONDITIONAL USE by the SUPERVISORS in the MXU and BPK Districts, subject to the following specific standards and criteria:

117.604.34.1. All materials and equipment shall be stored within a completely enclosed BUILDING.

117.604.34.2. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted.

117.604.34.3. The size of the proposed operation and its relationship to surrounding USEs shall be evaluated by the SUPERVISORS to determine the appropriateness of the proposed activity in the location proposed.

117.604.34.4. Adequate public facilities shall be available to meet the requirements of the proposed manufacturing processes.

117.604.34.5. Adjacent PUBLIC STREETS shall be adequate to accommodate the traffic volumes and weight limits associated with truck traffic to and from the SITE.

117.604.34.6. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.34.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.36. MINI-WAREHOUSES. MINI-WAREHOUSES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following express standards and criteria:

117.604.36.1. The minimum SITE required shall be five (5) acres;

117.604.36.2. The SITE shall have direct vehicular ACCESS to a COLLECTOR ROAD, as defined by this ORDINANCE;

117.604.36.3. Vehicular ACCESS to the SITE shall be limited to one (1) two-way or two (2) one-way DRIVEWAYS from each COLLECTOR ROAD on which the SITE has frontage;

117.604.36.4. All one-way DRIVEWAYS shall have a minimum of one (1) ten (10)-foot parking lane plus one (1) fifteen (15)-foot travel lane;

117.604.36.5. All two-way DRIVEWAYS shall provide a minimum of one (1) ten (10)-foot parking lane plus two (2) twelve (12)-foot travel lanes. Parking lanes may be eliminated where the DRIVEWAY does not serve storage units;

117.604.36.6. All interior DRIVEWAYS shall be paved;

117.604.36.7. Parking shall be provided in accordance with the following requirements:

117.604.36.7.1. Two (2) spaces for manager's quarters.

117.604.35.7.2. One (1) space for each ten (10) storage units equally distributed throughout the storage area.

117.604.36.7.3. One (1) space for each twenty-five (25) storage units which spaces shall be located near the manager's quarters to be used by prospective clients.

117.604.36.8. BUFFERYARD B shall be the minimum BUFFERYARD provided in accordance with the requirements of Section 103.604.6.2 of the SUBDIVISION ORDINANCE along all property lines which adjoin residential use or zoning classification;

117.604.36.9. The perimeter of the SITE shall be fenced with a minimum eight (8) foot FENCE with self-latching gate;

117.604.36.10. The maximum HEIGHT OF BUILDING shall be twenty (20) feet;

117.604.36.11. The minimum distance from the face of any storage BUILDING to the face of any adjacent storage BUILDING shall be twenty-eight (28) feet for storage units which are less than fifteen (15) feet in depth and forty-two (42) feet for storage units which are more than fifteen (15) feet in depth;

117.604.36.12. The minimum distance from the end of any storage BUILDING to the end of any adjacent storage BUILDING shall be twenty (20) feet;

117.604.36.13. The maximum length of any storage BUILDING shall be two hundred (200) feet;

117.604.36.14. The maximum size of any storage unit shall be fourteen (14) feet wide, forty (40) feet deep and one (1) STORY and no more than fifteen (15) feet in height. If storage units are placed back-to-back, the maximum width of the BUILDING shall not exceed forty (40) feet;

117.604.36.15. Maximum LOT coverage by all BUILDINGS shall be forty percent (40%). IMPERVIOUS SURFACE RATIO shall be in compliance with district standards;

117.604.36.16. Office space may be provided which shall not exceed five percent (5%) of the total FLOOR AREA devoted to storage;

117.604.36.17. No storage shall take place outside of an enclosed BUILDING;

117.604.36.18. Storage units shall not be equipped with water or sanitary sewer service;

117.604.36.19. No business activity other than rental of storage units shall be conducted on the premises;

117.604.36.20. Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris and dust shall not be created;

117.604.36.21. Exterior finishes of the storage units shall be compatible with the character of DEVELOPMENT on adjoining properties;

117.604.36.22. No SIGNS shall be placed on the BUILDINGS or on their rooftops;

117.604.36.23. One (1) freestanding business IDENTIFICATION SIGN shall be permitted which complies with the requirements of Section 117.315 of this ORDINANCE for the ZONING DISTRICT in which the USE is located;

117.604.36.24. No hazardous materials or substances shall be permitted to be stored in the storage BUILDINGS;

117.604.36.25. A minimum of one (1) fire hydrant shall be provided on the SITE subject to the approval of the number and location of hydrants by the TOWNSHIP Fire Marshall;

117.604.36.26. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure

that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.36.27. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.37. MOBILE HOME Parks. MOBILE HOME Parks may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following standards and criteria:

117.604.37.1. The minimum SITE required shall be twenty-five (25) acres;

117.604.37.2. The SITE shall have frontage on and direct vehicular ACCESS to an ARTERIAL or COLLECTOR ROAD;

117.604.37.3. The SITE shall be served by PUBLIC water or a PRIVATE community water supply approved by the Pennsylvania Department of Environmental Resources (PA DER) and PUBLIC sewers or a PRIVATE community sewage treatment system approved by the Pennsylvania Department of Environmental Resources (PA DER);

117.604.37.4. Around the perimeter of the MOBILE HOME Park SITE there shall be minimum FRONT and REAR YARDS of fifty (50) feet each and minimum SIDE YARDS of thirty (30) feet each. No portion of an individual MOBILE HOME LOT may extend into the required perimeter YARDS. Landscaping, parking and recreational facilities may project into the required perimeter YARDS if they are at least twenty (20) feet from the exterior property line bounding the SITE;

117.604.37.5. Individual MOBILE HOME LOTS shall meet the following minimum requirements:

117.604.37.5.1. LOT AREA: 6,000 square feet

117.604.37.5.2. LOT WIDTH: 60 feet

117.604.37.5.3. Interior YARDS: 25 feet
from interior ACCESS roads.

30 feet between parallel ends or sides of MOBILE HOMES or other principal BUILDINGS.

15 feet Between MOBILE HOMES and any other accessory BUILDING.

117.604.37.6. Support and Anchoring: Individual MOBILE HOMES shall be placed upon suitable supports to insure that the unit will remain level and free from structural damage. Each MOBILE HOME shall be provided with an anchoring system to prevent and resist overturning or lateral movement caused by wind forces. Such anchoring shall be equivalent to or exceed NFPA Standard No. 501A-1974 (ANSI A119.3-1975);

117.604.37.7. Skirting: Each MOBILE HOME shall be skirted with an enclosure of compatible design and material. Such skirting shall provide adequate ventilation to inhibit the formation of moisture and decay;

117.604.37.8. Common Facilities: No less than ten percent (10%) of the MOBILE HOME park SITE shall be devoted to common facilities for passive and active recreation limited to use by the residents of the MOBILE HOME park. Such common facilities may include, but shall not be limited to, community clubs, swimming pools, tennis courts, parks, playgrounds, shelters, hiking trails, hobby areas, laundries and service buildings for resident use;

117.604.37.9. Screening: All property lines adjoining residential use or ZONING DISTRICT classification shall be screened by a buffer area as defined by this ORDINANCE which is at least fifteen (15) feet in depth measured from the property line;

117.604.37.10. Sidewalks at least three (3) feet in width shall be provided along at least one (1) side of the interior STREETS;

117.604.37.11. Interior STREETS shall be lighted;

117.604.37.12. All interior STREETS shall be constructed in accordance with the design standards of the TOWNSHIP SUBDIVISION Ordinance for PUBLIC STREETS;

117.604.37.13. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure

that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.37.14. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.38. NEWS AND MAGAZINE STORES. NEWS AND MAGAZINE STORES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.38.1. NEWS AND MAGAZINE STORES shall only be permitted within a REGIONAL SHOPPING CENTER as part of a PLANNED DEVELOPMENT.

117.604.39. NURSERY/GREENHOUSE/Garden Center. NURSERY/GREENHOUSE/Garden Centers may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.39.1. If any plants or materials are to be stored outside, the LANDOWNER shall comply with all of the conditions required for Outdoor Storage as specified in Section 117.704.3 of this ORDINANCE.

117.604.39.2. All unenclosed areas which will be subject to chemical spraying shall be located at least 200 feet from any property line adjoining a residential USE or ZONING DISTRICT and at least 50 feet from any other property line.

117.604.39.3. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.39.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.40. PILOT PLANT (HIGH IMPACT). A HIGH IMPACT PILOT PLANT may be permitted as a CONDITIONAL USE

by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.40.1. All materials and equipment shall be stored within a completely enclosed BUILDING.

117.604.40.2. The storage or manufacturing of hazardous or potentially hazardous materials shall not be permitted.

117.604.40.3. The size of the proposed operation and its relationship to surrounding USEs shall be evaluated by the SUPERVISORS to determine the appropriateness of the proposed activity in the location proposed.

117.604.40.4. Adequate public facilities shall be available to accommodate the traffic volumes and weight limits associated with truck traffic to and from the SITE.

117.604.40.5. Adjacent PUBLIC STREETS shall be adequate to accommodate the traffic volumes and weight limits associated with truck traffic to and from the SITE.

117.604.40.6. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.40.7. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

[Entire Section added 8-9-95 by Ord. No. 243]

117.604.41. Poultry Hatcheries and Farms. Poultry Hatcheries and Farms may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.41.1. All animal holding areas shall be within an enclosed BUILDING.

117.604.41.2. The LANDOWNER and operator shall be responsible for collecting and disposing of litter and droppings from the animals in such a way as to minimize the presence of fly larvae and objectionable odors.

117.604.41.3. Poultry hatcheries and farms shall be located at least five hundred (500) feet from any property line adjoining a residential USE or ZONING DISTRICT and at least one hundred (100) feet from any other property line.

117.604.41.4. Poultry hatcheries and farms shall meet all applicable requirements of the Allegheny County Health Department and other regulatory agencies with jurisdiction over such operations.

117.604.41.5. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.42. Printing/Publishing Plants. Printing/Publishing Plants may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.42.1. All materials and equipment shall be stored within a completely enclosed BUILDING.

117.604.42.2. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.42.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.43. PRIVATE EMERGENCY SERVICES. PRIVATE EMERGENCY SERVICES may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.43.1. Storage of vehicles and equipment shall be within a completely enclosed STRUCTURE or shall be screened from public view by a six (6) foot high opaque fence, wall or hedge.

117.604.43.2. Areas of ingress and egress for emergency vehicles shall be located so as to maximize sight distance along adjacent public streets.

117.604.43.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.44. PUBLIC and SEMI-PUBLIC Parks and Recreation Facilities. A PUBLIC or SEMI-PUBLIC USE park or recreation facility may be permitted as a CONDITIONAL USE subject to the following specific standards and criteria:

117.604.44.1. The proposed SITE shall be suitable for the proposed USE in terms of location in relation to the intended users or service area of the facility; physical suitability of the SITE for the proposed USE; and compatibility of the proposed USE with uses and DEVELOPMENT in adjacent areas of the TOWNSHIP; capacity of the road system and PUBLIC utilities to accommodate the proposed facility;

117.604.44.2. Additional requirements upon the proposed USE which are designed to insure a harmonious relationship with other nearby DEVELOPMENT, may include, but shall not be limited to, restrictions on hours, time or mode of operation; requirements for OFF-STREET PARKING based on projected use of the facility sufficient to insure that user parking will not occur on the STREET; requirements for YARDS in excess of those required for permitted USES in the ZONING DISTRICT and for landscaping as deemed necessary to provide visual buffering of the proposed USE from neighboring USES;

117.604.44.3. All ingress and egress to and from the SITE shall be so situated as not to interfere with through traffic movements on adjacent STREET rights-of-way;

117.604.44.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties

so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.44.5. **[Added 2-12-92 by Ord. No. 209]** The minimum required YARDS are as follows:

STREET side	25'
Rear	25'
Side	25'

117.604.44.6. The maximum height of any BUILDING shall be forty-five (45) feet. **[Added 2-12-92 by Ord. No. 209]**

117.604.45 PRIVATE RECREATION FACILITIES. PRIVATE RECREATION FACILITIES may be permitted as a CONDITIONAL USE, subject to the following specific standards and criteria:

117.604.45.1. All ingress and egress to and from the SITE shall be so situated as not to interfere with through traffic movements on adjacent STREET rights-of-way;

117.604.45.2. No LIGHTING, noise or other aspect of the recreation DEVELOPMENT shall, in the opinion of the PLANNING COMMISSION or SUPERVISORS, produce any nuisance factor to residential or PUBLIC USES which are in proximity;

117.604.45.3. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the ZONING DISTRICT or adjacent PARCELS;

117.604.45.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.46. Raising of Livestock and Horses. Raising of Livestock and Horses may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.46.1. All BUILDINGS housing animals shall be located at least 200 feet from any property line

adjoining a residential USE or ZONING DISTRICT and at least 100 feet from any other property line.

117.604.46.2. The LANDOWNER and operator shall be responsible for collecting and disposing of litter and droppings from the animals in such a way as to minimize the presence of fly larvae and objectionable odors.

117.604.46.3. All grazing areas shall be adequately fenced to protect adjoining properties.

117.604.46.4. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.46.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.47. RESTAURANTS (STANDARD), NIGHTCLUBS, NIGHTCLUBS (ADULT ENTERTAINMENT) and BARS. **[Amended 9-26-94 by Ord. No. 236]** RESTAURANTS (STANDARD), NIGHTCLUBS, NIGHTCLUBS (ADULT ENTERTAINMENT) and BARS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.47.1. Operations shall be regulated so that nuisances such as excessive noise levels shall not be created.

117.604.47.2. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.47.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.47.4. RESTAURANT (STANDARD), NIGHTCLUB, NIGHTCLUB (ADULT ENTERTAINMENT) and BAR operations should

cease between the hours of 2:00 a.m. and 5:00 a.m. prevailing time and the establishment may not be open to the public during those hours. **[Added 9-26-94 by Ord. No. 236]**

117.604.47.5. The owner and operator must provide adequate private security, licensed under the laws of the Commonwealth of Pennsylvania, during events which attract maximum permitted OCCUPANCY. **[Added 9-26-94 by Ord. No. 236]**

117.604.47.6. All operations must be conducted within an enclosed BUILDING, and doors and windows shall remain closed during hours of normal operation. **[Added 9-26-94 by Ord. No. 236]**

117.604.47.7. No RESTAURANT (STANDARD), NIGHTCLUB, NIGHTCLUB (ADULT ENTERTAINMENT) or BAR is permitted within four hundred (400) yards of another RESTAURANT (STANDARD), NIGHTCLUB, NIGHTCLUB (ADULT ENTERTAINMENT) or BAR (as measured from LOT LINE to LOT LINE). **[Added 9-26-94 by Ord. No. 236]**

117.604.48. Scientific Laboratories. Scientific Laboratories may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.48.1. All materials and equipment shall be stored within a completely enclosed BUILDING.

117.604.48.2. The storage and disposal of hazardous and infectious materials and wastes shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources and any other local, state or federal agencies authorized to regulate such activities.

117.604.48.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.49. SHOPPING CENTERS. This CONDITIONAL USE is permitted only by PLANNED DEVELOPMENT in accordance with Article VIII, subject to the following specific standards and criteria:

117.604.49.1. The entire SHOPPING CENTER shall have a common architectural character and be an integrated design;

117.604.49.2. ACCESS from adjacent roads shall be carefully designed to minimize congestion and confusion;

117.604.49.3. PARKING AREAS shall be laid out so that circulation through them and to ACCESS points is obvious. Parking lanes should be at right angles to the length of the BUILDINGS;

117.604.49.4. Loading areas shall be separate from PARKING AREAS;

117.604.48.5. Areas not paved or occupied by STRUCTURES shall be landscaped and maintained and the edges of paved areas ABUTTING landscaped areas shall be curbed;

117.604.49.6. Areas to be used for outdoor sales shall be designated and shall not occur on pedestrian circulation areas or in required PARKING AREAS;

117.604.49.7. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.49.8. SHOPPING CENTERS in excess of five hundred thousand (500,000) square feet shall be permitted only under PLANNED DEVELOPMENT (PD) procedure, Article VIII;

117.604.49.9. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.50. SMALL ANIMAL HOSPITAL. SMALL ANIMAL HOSPITALS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.50.1. All animal holding areas shall be within an enclosed BUILDING.

117.604.50.2. No disposal of dead animals shall occur on the property.

117.604.50.3. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.50.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.51 Trade Shops. Trade Shops may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.51.1. Operations shall be regulated so that nuisances such as visual blight, noise, odors, blowing debris and dust shall not be created.

117.604.51.2. If materials are to be stored outside, the standards for outside storage as specified in Section 117.704.6 of the ORDINANCE shall apply.

117.604.51.3. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.52. TRUCK TERMINALS. TRUCK TERMINALS may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.52.1. The proposed SITE ACCESS to an expressway shall be possible without traversing any road within the TOWNSHIP which provides ACCESS to residences or other USES which would be adversely affected by exposure to large volumes of truck traffic;

117.604.52.2. In addition to ACCESS requirements, the SUPERVISORS shall evaluate the probable impact of the proposed terminal upon neighboring PARCELS, considering such factors as volume of traffic and noise, and may impose additional requirements for landscaping, fencing

and restrictions on methods of operations as deemed necessary to minimize adverse impacts upon nearby properties;

117.604.52.3. The perimeter of all truck storage areas shall be screened from adjacent properties and PUBLIC STREETS with an eight (8) foot high opaque FENCE, wall or hedge;

117.604.52.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.53. Wireless Communication Facilities.

[Amended 7-9-97 by Ord. No. 260; Amended 12-10-14 by Ord. No.

396]

117.604.53.1. Purposes. The purposes of these regulations are the following:

117.604.53.1.1. To accommodate the need for power and communications in the TOWNSHIP while regulating the location and number of utility or broadcasting stations or towers including COMMUNICATIONS FACILITIES in the TOWNSHIP.

117.604.53.1.2. To minimize adverse visual effects or utility or broadcasting stations or towers including COMMUNICATION FACILITIES through proper design, siting, and vegetative screening.

117.604.53.1.3. To encourage the joint use of any antenna towers or support structures, to reduce the number of such structures needed in the future.

117.604.53.1.4. To address new wireless technologies, including but not limited to, DISTRIBUTED ANTENNA SYSTEMS and other wireless communication facilities. **[Added 12-10-14 by Ord. No. 396]**

117.604.53.2. Utility or Broadcasting Stations or Towers including PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.53.2.1. Combined Use with Existing STRUCTURE Encouraged. A PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) shall be the only PRINCIPAL USE on a LOT unless the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) antenna is mounted on an existing STRUCTURE on a LOT such as a BUILDING, light pole, water tower or other tower.

117.604.53.2.2. Shared Usage of Support STRUCTURES Encouraged to Minimize the Number of Support STRUCTURES Needed.

117.604.53.2.2.1. If a new support tower is proposed for a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) rather than mounting a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) ANTENNA on an existing STRUCTURE, the APPLICANT shall demonstrate that the proposed antenna or transmitter cannot be located on the SITE of an existing or planned approved PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) tower or other existing STRUCTURE. The APPLICANT shall demonstrate that it has contacted the owners of tall structures within a one-half mile radius of the site proposed, and asked in good faith for permission to install the antenna on those STRUCTURES, and was denied for reasons other than economic ones. Failure to demonstrate a good faith effort shall be reason for denial of an application. **[Amended 3-23-98 by Ord. No. 263]**

117.604.53.2.2.2. The APPLICANT shall demonstrate that the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) must go where it is proposed, in order to satisfy its function in the overall system.

117.604.53.2.2.3. All new towers shall be designed to structurally accommodate the maximum number of additional users technically practicable and foreseeable based on available FCC licenses for the future. The APPLICANT shall demonstrate this with technical

information prepared by an expert. The SUPERVISORS may modify this requirement if it will result in an unusually negative visual impact on the surrounding area.

117.604.53.2.2.4. Qualified Evidence. The APPLICANT shall provide qualified evidence that the proposed STRUCTURE will be designed and constructed to withstand wind and other forces.

117.604.53.2.3. Design to Minimize Visual Impact. PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) support towers shall be freestanding where the negative visual effect is less than would be created by a guyed tower. Towers shall have a galvanized finish or be painted silver. If there is heavy vegetation in the immediate area, the portion of the tower from base to tree line shall be painted green or brown to match the trees. Towers shall not be illuminated except to meet Federal or State requirements.

117.604.52.2.4. Maximum Number of Support STRUCTURES. There shall be not more than one support structure for antennas per LOT or SITE.

117.604.53.2.5. Minimum LOT or SITE AREA.

117.604.53.2.5.1. For a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) antenna erected on an existing STRUCTURE, the minimum LOT or SITE AREA shall be the same as for the existing STRUCTURE.

117.604.53.2.5.2. For a freestanding PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF), the area needed to accommodate the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) requires BUFFERYARDS within the UNRESTRICTED SITE AREA.

117.604.53.2.6. Outdoor Storage. No storage of movable equipment or material shall be permitted outside of an enclosed BUILDING.

117.604.53.2.7. Fencing. All utility or broadcasting distribution equipment which is not

enclosed by a BUILDING shall be secured by a FENCE which is at least six (6) feet in height with a lockable gate.

117.604.53.2.8. Screening. All utility or broadcasting distribution equipment which is not enclosed by a BUILDING shall be adequately screened by BUFFERYARD D as defined by Section 103.604.6.4 of the SUBDIVISION ORDINANCE along all property lines which adjoin a residential USE or ZONING DISTRICT.

117.604.53.2.9. Maximum Height.

117.604.53.2.9.1. The maximum height of a BUILDING which is a part of a Utility or Broadcasting Station or Tower including COMMUNICATION FACILITY shall be the same as for the District in which the use is located as set forth in Section 117.307.1 Summary Table of District Standards.

117.604.53.2.9.2. Subject to F.A.A. approval, the maximum height of a COMMUNICATION FACILITY antenna mounted on an existing STRUCTURE other than a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) shall be 50 feet above the height of the existing STRUCTURE on which it is mounted.

117.604.53.2.9.3. Subject to F.A.A. approval, the maximum height of a Utility or Broadcasting Station or Tower including PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) support tower with antenna shall be 200 feet above the ground level on which it is located.

117.604.53.2.10. Yard. For utility or broadcasting distribution STRUCTURES which exceed the height limitation of Section 117.307.1 for the ZONING DISTRICT in which they are permitted, the minimum YARD setbacks required for the STRUCTURE shall be increased by one (1) foot for every two (2) feet in excess of the height limitation of the ZONING DISTRICT. However, for a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF)

mounted on an existing STRUCTURE the minimum YARD shall be the same as for the existing STRUCTURE.

117.604.53.2.11. Lighting. Outdoor LIGHTING of BUILDINGS and parking areas, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties. No support STRUCTURE may be artificially lighted or lighted by strobe lights except when required by the FAA.

117.604.53.2.12. Vehicular Access and Parking.

117.604.53.2.12.1. If a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) is on a SITE which is shared with another PRINCIPAL USE, vehicular access to the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) shall be designated to utilize existing DRIVEWAYS whenever possible and shall not interfere with the parking or circulation on the site. The combined parking on a shared SITE with another PRINCIPAL USE, shall meet the requirements for both USES; however, no additional parking shall be required for PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) SITE that are unattended on a daily basis except for periodic maintenance.

117.604.53.2.12.2. A minimum of two (2) off-street parking spaces shall be provided for a PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) SITE with an additional parking space for each employee at facilities which require on-site employees on a daily basis other than periodic maintenance.

117.604.53.2.13. Emission of Non-ionizing Electromagnetic Radiation (NIER). The APPLICANT shall demonstrate that the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) SITE is designed and constructed to all applicable standards of the American National Standards Institute, Institute of Electrical and Electronics Engineers Standard for Safety Levels with Respect

to Human Exposure to Radio Frequency Electro-magnetic Fields, 3 KHz to 300 Ghz, 1992 (ANSI/IEEE C.95.1-1922); however, the regulation of PERSONAL WIRELESS SERVICE facilities shall not exceed compliance with regulations of the Federal Communications Commission concerning such emissions.

117.604.53.2.14. Inspections. The SUPERVISORS may require periodic inspections of PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) support STRUCTURES to ensure structural integrity. Inspections shall be conducted by an engineer licensed by the Commonwealth of Pennsylvania. The support STRUCTURES shall be maintained in a structurally sound condition or the SUPERVISORS may require removal of the PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF).

117.604.53.2.15. Abandonment. PRIMARY TOWER-BASED WIRELESS COMMUNICATION FACILITY(IES) (WCF) antennas and support STRUCTURES shall be removed from the SITE not later than 12 months after the date of cessation of USE.

117.604.53.3 SECONDARY TOWER-BASED WIRELESS COMMUNICATION FACILITIES in Right-of-Ways: **[Added 12-10-14 by Ord. No. 396]**

117.604.53.3.1. Only SECONDARY TOWER-BASED WCFs shall be permitted within Right-of-Ways and shall only be permitted along arterial roads, as defined in the TOWNSHIP's Subdivision and Land Development Code, and shall be permitted as a CONDITIONAL USE subject to the following restrictions and conditions:

117.604.53.3.1.1. Location. SECONDARY TOWER BASED WCFs shall be located a minimum of 100 feet from the nearest residence.

117.604.53.3.1.2. Gap in Coverage. An APPLICANT for a SECONDARY TOWER-BASED WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least

intrusive means by which to fill the gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the Township's decision on an application for approval of a SECONDARY TOWER-BASED WCFS in the Right-of-Way.

117.604.53.3.1.3. Co-location. An application for a new SECONDARY TOWER BASED WCF in the Right-of-Way shall not be approved unless the TOWNSHIP finds that the proposed wireless communications equipment cannot be accommodated on an existing structure, such as a utility pole or traffic light pole. Any application for approval of a SECONDARY TOWER-BASED WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a one-mile radius from the point of the proposed tower, unless the applicant can show to the TOWNSHIP that a different distance is more reasonable and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

117.604.53.3.1.4. Time, Place and Manner. The TOWNSHIP shall determine the time, place and manner of construction, maintenance, repair and/or removal of all SECONDARY TOWER-BASED WCFs in the Right-of-Way based on public safety, traffic management, physical burden on the Right-of-Way, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the TOWNSHIP and the requirements of the Public Utility Code.

117.604.53.3.1.5. Equipment Location. SECONDARY TOWER-BASED WCFs and accessory equipment shall be located so as not to interfere with the use of Right-of-Ways for pedestrian or vehicular use, cause any physical or visual obstruction to pedestrian or vehicular traffic, to otherwise create safety hazards to pedestrians and/or motorists or to inconvenience public use of the Right-of-Way as determined by the TOWNSHIP. In addition:

- a. Equipment cabinets and other equipment enclosures shall not be located closer than 100 feet to a residence, unless the owner provides written consent to a closer location.
- b. In no case shall ground-mounted equipment, walls, or landscaping be located within six (6) feet of the face of the curb.
- c. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping and other decorative features to the satisfaction of the TOWNSHIP.
- d. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the TOWNSHIP.
- e. Any underground vaults related to NON-TOWER WCFs shall be reviewed and approved by the TOWNSHIP.

117.604.53.3.1.6. Design Regulations:

117.604.53.3.1.6.1. The WCFs shall employ STEALTH TECHNOLOGY and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the STEALTH TECHNOLOGY chosen by the WCF APPLICANT shall be subject to the approval of the TOWNSHIP.

117.604.53.3.1.6.2. Any proposed SECONDARY TOWER-BASED WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF of the APPLICANT'S ANTENNAE and comparable ANTENNAE for future users.

117.604.53.3.1.7. Radio Frequency Emissions. SECONDARY TOWER-BASED WCF's shall comply with the requirements of Section 117.604.53.2.13 of the TOWNSHIP CODE.

117.604.53.3.1.8. Relocation or Removal of Facilities. Within sixty (60) days

following written notice from the TOWNSHIP, or such longer period as the TOWNSHIP determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WCF in the Right-of-Way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the TOWNSHIP, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- a. The construction, repair, maintenance or installation of any TOWNSHIP or other public improvement in the Right-of-Way;
- b. The operations of the TOWNSHIP or other governmental entity in the Right-of-Way;
- c. Vacation of a street or road or the release of a utility easement; or
- d. An emergency as determined by the TOWNSHIP.

117.604.53.3.1.9. Visual or Land Use Impact. The TOWNSHIP retains the right to deny an application for the construction or placement of a TOWER-BASED WCF based upon visual and/or land use impact.

117.604.53.3.1.10. Removal. In the event that use of a SECONDARY TOWER-BASED WCF is discontinued, the SECONDARY TOWER-BASED WCF shall be removed from the SITE not later than 12 months after the date of cessation of USE.

117.604.53.4. General Requirements of NON-TOWER WIRELESS COMMUNICATION FACILITIES attached to TOWER-BASED WCF: [Added 12-10-14 by Ord. No. 396]

117.604.53.4.1 NON-TOWER WIRELESS COMMUNICATIONS FACILITIES are permitted to be co-located on TOWER-BASED WCF in existence at the time an application for approval of the NON-TOWER WCF in all zoning districts as a CONDITIONAL USE subject to the following restrictions and conditions:

117.604.53.4.1.1 Standard of Care. Any NON-TOWER WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent edition of the American National Standards Institute Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel.

117.604.53.4.1.2. Wind. Any NON-TOWER WCF structures shall be designed to withstand the effects of wind according to the standards designed by the American National Standard Institute as prepared by the engineering departments of Electronics Industry Association, and Telecommunications Industry Association.

117.604.53.4.1.3. Public Safety Communications. No NON-TOWER WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

117.604.53.4.1.4. NON-TOWER WCFs shall comply with all federal and state laws and regulations concerning aviation safety.

117.604.53.4.1.5. Radio Frequency Emissions. NON-TOWER WCF's shall comply with the requirements of Section 117.604.53.2.13 of the TOWNSHIP CODE.

117.604.53.4.1.6. Removal. In the event that use of a NON-TOWER WCF is discontinued, the NON-TOWER WCF shall be removed from the SITE not later than 12 months after the date of cessation of USE.

117.604.53.5 NON-TOWER WIRELESS FACILITIES Outside the Right-of-Ways. **[Added 12-10-14 by Ord. No. 396]**

117.604.53.5.1 NON-TOWER WCFs located outside the Right-of-Ways on WIRELESS SUPPORT STRUCTURES shall be permitted as a CONDITIONAL USE subject to the following restrictions and conditions:

117.604.53.5.1.1. Location. NON-TOWER WIRELESS FACILITIES shall not be located on or attached to any residential structure or accessory residential structure, including, but not limited to, garages, sheds and outbuildings. And, NON-TOWER WIRELESS FACILITIES located in the AG, LDR, MDR and VLD zoning districts must be located on property owned by the TOWNSHIP, School District or the Fire Department.

117.604.53.5.1.2. Development Regulations. Subject to Conditional Use Approval, NON-TOWER WCFs are permitted on all WIRELESS SUPPORT STRUCTURES exceeding thirty-five (35) feet in height which are in existence at the time an application for approval of the NON-TOWER WCF is made.

117.604.53.5.1.3. Co-Location. NON-TOWER WCFs shall be co-located on existing structures, such as existing buildings or TOWER-BASED WCF's subject to the following condition:

- a. Height. Such WCF does not exceed the maximum height requirements of the applicable zoning district.
- b. If the WCF APPLICANT proposes to locate the communication equipment in a separate building, the building shall comply with the minimum requirements for applicable zoning district.
- c. In addition, an eight (8) foot high security fence shall surround any separate communication equipment building and vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.

117.604.53.5.1.4 Design Regulations:

117.604.53.5.1.4.1 NON-TOWER WCFs shall employ STEALTH TECHNOLOGY and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the STEALTH TECHNOLOGY chosen by the WCF APPLICANT shall be subject to the approval of the TOWNSHIP.

117.604.53.5.1.4.2. NON-TOWER WCFs, which are mounted to a building or similar structure, may not exceed the maximum height of the applicable zoning district above the roof or parapet, whichever is higher, unless the WCF applicant obtains a conditional use permit.

117.604.53.5.1.4.3. All NON-TOWER WCF APPLICANTS must submit documentation to the TOWNSHIP justifying the total height of the Non-Tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.

117.604.53.5.1.4.4. ANTENNAE, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension than is reasonably necessary for their proper functioning.

117.604.53.5.1.4.5. Non-Commercial Usage Exemption. TOWNSHIP citizens utilizing satellite dishes and ANTENNAE for the purpose of maintaining television, phone, and/or internet connections at their respective residences shall be exempt from the Design Regulations enumerated in Section 117.604.53.5.1.3 of the TOWNSHIP CODE.

117.604.53.5.1.5. Removal, Replacement, Modification.

117.604.53.5.1.5.1. The removal and replacement of NON-TOWER WCFs and/or accessory equipment for the purpose of upgrading or repairing the WCF is permitted, so long as such repair or upgrade does not increase the overall size of the WCF or the numbers of ANTENNAE.

117.604.53.5.1.5.2. Any material modification to a NON-TOWER WCF shall require a prior amendment to the original permit or authorization.

117.604.53.5.1.6 Visual or Land Use Impact. The TOWNSHIP reserves the right to deny an application for the construction or placement of any NON-TOWER WCF based upon visual and/or land use impact.

117.604.53.5.1.7. Inspections. The TOWNSHIP may require periodic inspections of NON-TOWER WCFs to ensure compliance with the provisions of the TOWNSHIP CODE or state and federal law. The TOWNSHIP and/or their agents shall have the authority to enter the property upon which a NON-TOWER WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

117.604.53.6. NON-TOWER WIRELESS COMMUNICATIONS FACILITIES in the Right-of-Way [Added 12-10-14 by Ord. No. 396]

117.604.53.6.1 NON-TOWER WIRELESS COMMUNICATIONS FACILITIES located in the Right-of-Way on WIRELESS SUPPORT STRUCTURES shall be permitted as a CONDITIONAL USE subject to the following restrictions and conditions:

117.604.53.6.1.1. Permitted Locations. NON-TOWER WIRELESS COMMUNICATIONS FACILITIES shall be permitted within the TOWNSHIP'S Right-of-Way.

117.604.53.6.1.2. Co-location. NON-TOWER WCFs in the Right-of-Way whenever possible shall be co-located on existing poles, such as

existing utility poles or light poles.

117.604.53.6.1.3. Construction New Structures. If a NON-TOWER WCF is to be located on a new pole, such as a new utility pole or light pole, rather than on an existing pole, the APPLICANT shall demonstrate that the proposed NON-TOWER WCF cannot be located on an existing pole or other existing STRUCTURE. The APPLICANT shall demonstrate that the NON-TOWER WCF must go where it is proposed, in order to satisfy its function in the overall system. And comply with all regulations in Section 117.604.53.3.

117.604.53.6.1.4. Design Requirements.

117.604.53.6.1.4.1. WCF installations located above the surfaced grade in the public Right-of-Way including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible. NON-TOWER WCFs and accessory equipment shall be located so as not to interfere with use of Right-of-Ways for pedestrian or vehicle use, cause any physical or visual obstruction to pedestrian or vehicular traffic, to otherwise create safety hazards to pedestrians and/or motorist or to inconvenience public use of the Right-of-Way as determined by the Township.

117.604.53.6.1.4.2. ANTENNAE and all support equipment shall be treated to match the supporting structure. WCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.

117.604.53.6.1.4.3. Maximum Height. The maximum height of a NON-TOWER WCF, including any ANTENNAE, or a Structure constructed upon which a NON-TOWER WCF it to be located, shall be 50 feet.

117.604.53.6.1.5. Time, Place, and Manner. The TOWNSHIP shall determine the time, place and manner of construction, maintenance, repair, and/or removal of all NON-TOWER WCFs in the Right-of-Way based on public safety, traffic management, physical burden on the Right-of-Way, and related considerations. For public utilities, the time, place and manner requirement shall be consistent with the police powers of the TOWNSHIP and the Public Utility Code.

117.604.53.6.1.6. Equipment Location. NON-TOWER WCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicle traffic, or to otherwise create safety hazards to pedestrians and/or motorist or to otherwise inconvenience public use of the Right-of-Way as determined by the TOWNSHIP. In addition:

- a. Equipment cabinets and other equipment enclosures shall not be located closer than 100 feet to a residence, unless the owner provides written consent to a closer location.
- b. In no case shall ground-mounted equipment, walls or landscaping be located within six (6) feet of the face of the curb.
- c. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping and other decorative features to the satisfaction of the TOWNSHIP.
- d. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the TOWNSHIP.

- e. Any underground vaults related to Non-Tower WCFs shall be reviewed and approved by the TOWNSHIP.

117.604.53.6.1.7. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the TOWNSHIP, or such longer period as the TOWNSHIP determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WCF in the Right-of-Way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the TOWNSHIP, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- a. The construction, repair, maintenance or installation of any TOWNSHIP or other public improvement in the Right-of-Way;
- b. The operations of the TOWNSHIP or other governmental entity in the Right-of-Way;
- c. Vacation of a street or road or the release of a utility easement; or
- d. An emergency as determined by the Township.

117.604.53.6.1.8. Visual or Land Use Impact. The TOWNSHIP retains the right to deny an application for the construction or placement of a NON-TOWER WCF based upon visual and/or land use impact.

117.604.54. VEHICLE SALES. **[Amended 8-9-95 by Ord. No. 243]**

117.604.54.1. Motor vehicle sales may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.54.2. Minimum SETBACK LINE of any repair or wash operation from any residential use or ZONING DISTRICT shall be one hundred (100) feet. Said repair or

wash operation shall be limited to servicing automobiles sold or rented on the LOT.

117.604.54.3. No loudspeakers shall be permitted outside of any enclosed STRUCTURES.

117.604.54.4. All parking areas shall be constructed and landscaped in accordance with the requirements specified in Section 103.612.15 of the SUBDIVISION ORDINANCE.

117.604.54.5. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.54.6. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.54.7. The use may include outdoor storage for the public to view motor vehicles. **[Added 8-9-95 by Ord. No. 243]**

117.604.55. WAREHOUSES/ Wholesale Business and Storage. WAREHOUSES/Wholesale Business and Storage may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.55.1. The SITE shall have direct ACCESS to an ARTERIAL or COLLECTOR ROAD with sufficient capacity to handle traffic generated by the proposed USE.

117.604.55.2. All materials and equipment shall be stored within a completely enclosed STRUCTURE or shall be limited to storage in the rear or side YARD if screened from view from the street or adjacent properties by a six (6) foot hedge or opaque FENCE.

117.604.55.3. No shipping or receiving shall be permitted within three hundred (300) feet of a property line which adjoins a residential USE or ZONING DISTRICT between the hours of 6:00 p.m. and 8:00 a.m.

117.604.55.4. All property lines which adjoin a residential USE or ZONING DISTRICT shall be screened with

BUFFERYARD D as defined by Section 103.604.6.4 of the SUBDIVISION ORDINANCE.

117.604.55.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.56 This CONDITIONAL USE is permitted only by PLANNED DEVELOPMENT (PD) in accordance with Article VIII.

117.604.56.1. Light Industrial USES accessory to Research and Development may be permitted as a CONDITIONAL USE, subject to the following specific standards and criteria:

117.604.56.1.1. MANUFACTURING shall be permitted only as a CONDITIONAL USE when it is directly related to the business or research and development activities authorized as a principal USE;

117.604.56.1.2. The FLOOR AREA devoted to MANUFACTURING shall not exceed fifty percent (50%) of the total FLOOR AREA of all BUILDINGS devoted to research and development;

117.604.56.1.3. All materials and equipment shall be stored within a completely enclosed BUILDING;

117.604.56.1.4. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted;

117.604.56.1.5. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.57. Low Density RESIDENTIAL USES in the Urban Core and Urban Development Districts. Residential DENSITIES of less than eight (8) units per acre may be permitted as a CONDITIONAL USE in the UC and UD ZONING DISTRICTS by the SUPERVISORS, subject to the following standards and criteria:

117.604.57.1. The proposed DENSITY shall be in substantial conformity with adjacent DENSITIES and shall be of a generally urban character;

117.604.57.2. The housing proposed shall be of a type which will not create a need for maximum BUFFERYARDS should the adjacent PARCELS develop in accordance with district maximums;

117.604.57.3. The required traffic impact study shall also evaluate the mutual impacts of the low DENSITY residential with nonresidential traffic and vehicular use patterns particularly as ACCESS is regulated by Section 103.502.18 of the SUBDIVISION ORDINANCE. Such study shall indicate potential negative impacts and the proposed methods of minimizing any nuisance conditions which may affect the proposed low DENSITY residential DEVELOPMENT;

117.604.57.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.58. Recreational Enterprises. Recreational enterprises may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.57.1. STRUCTURES shall be set back at least one hundred (100) feet from all SITE lines and SITE boundary areas if wooded, shall remain wooded;

117.604.58.2. ACCESS drives shall be located to take advantage of maximum sight distances for motorists;

117.604.58.3. SIGNS shall not exceed thirty (30) square feet in area, shall not exceed two (2) in number on the SITE, and shall not be lighted;

117.604.58.4. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.58.5. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties

so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.59. DRIVE-IN SERVICE/FAST FOOD RESTAURANT. DRIVE-IN SERVICE/FAST FOOD RESTAURANT may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following specific standards and criteria:

117.604.59.1. Proposals to be reviewed shall include a traffic study of the vicinity indicating projected capacities, ACCESS, egress and similar considerations deemed necessary by the TOWNSHIP. A plan of landscape DEVELOPMENT shall be prepared for official review which shall show planting areas, entrance treatments and screening of loading and service areas.

117.604.59.2. Traffic study. The traffic study shall:

117.604.59.2.1. Include a comparative analysis of present capacity of STREET(S) adjacent to the proposed business with potential capacity and volumes generated by the proposed DEVELOPMENT, together with necessary points of ACCESS and OFF-STREET PARKING and loading.

117.604.59.2.2. Include a circulation plan for all STREETS in the vicinity, existing and proposed, which shall show the recommendations for channeling, storing and directing traffic.

117.604.59.3. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.59.4. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.60. PUBLIC and PRIVATE Schools. PUBLIC and PRIVATE Schools accredited by the Commonwealth may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following express standards and criteria:

117.604.60.1. Such school shall be the principal occupant of the SITE;

117.604.60.2. STRUCTURES shall be set back at least one hundred (100) feet from all SITE boundary lines;

117.604.60.3. ACCESS drives shall be located to take advantage of maxi-sight distances for motorists and shall be as remote as possible from nearby intersections;

117.604.60.4. The course of instruction shall not create dirt, noise, glare or other nuisances to adjacent properties;

117.604.60.5. The SUPERVISORS may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS;

117.604.60.6. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

117.604.61. Administrative Buildings Accessory to a PRINCIPAL USE. Administrative Buildings which are accessory to a permitted PRINCIPAL USE may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following express standards and criteria:

117.604.61.1. The FLOOR AREA devoted to the administration building shall not exceed fifty (50) percent of the total FLOOR AREA of the PRINCIPAL USE to which it is considered accessory.

117.604.62. AMUSEMENT ARCADE Accessory to a PRINCIPAL USE. AMUSEMENT ARCADES which are accessory to an authorized PRINCIPAL USE may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following express standards and criteria:

117.604.62.1. Noise levels from AMUSEMENT DEVICES within an AMUSEMENT ARCADE shall not exceed fifty (50) decibels, measured along the property boundary of the AMUSEMENT ARCADE.

117.604.63. DRIVE-IN SERVICES Accessory to a PRINCIPAL USE. DRIVE-IN SERVICES which are accessory to an authorized PRINCIPAL USE may be permitted as a CONDITIONAL USE by the SUPERVISORS, subject to the following express standards and criteria:

117.604.63.1. No such DRIVE-IN SERVICE shall be located in a required SETBACK LINE or BUFFERYARD;

117.604.63.2. The operation of the DRIVE-IN SERVICE shall not permit loitering, littering or any other characteristic which is a nuisance to adjacent properties or the community at large;

117.604.63.3. The USE is compatible with adjacent USES, and meets the conditions outlined above;

117.604.63.4. Vehicular ACCESS shall be restricted to ACCESS from local roads. No such service or business shall be permitted to have direct ACCESS to COLLECTOR or ARTERIAL ROADS;

117.604.63.5. Drive-in restaurants shall be permitted only in conjunction with SHOPPING CENTERS, office centers or similar commercial centers only after a finding of fact by the PLANNING COMMISSION that vehicular ACCESS to such facility utilizes only the internal circulation network of the center;

117.604.63.6. The proposed USE shall be in compliance with all performance standards and other regulations of this ORDINANCE; and

117.604.63.7. The BOARD may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCEL.

117.604.64. Not used. **[Moved to 117.323 8-14-13 by Ord. No. 209]**

117.604.65. Radio and TV Antennas Accessory to a PRINCIPAL USE. Radio and TV Antennas which are accessory to an authorized PRINCIPAL USE may be permitted as a CONDITIONAL USE, subject to the following express standards and criteria:

117.604.65.1. Any freestanding antenna which is not attached to a DWELLING or other principal STRUCTURE shall

117.604.65.2. not be located within any SETBACK LINE or BUFFERYARD required;

117.604.65.3. Antennas which exceed thirty (30) feet in height shall provide an additional one (1) foot of clearance from the property line for every one (1) foot of height in excess of thirty (30) feet;

117.604.65.4. The antenna and associated structures shall be securely anchored in a fixed location on the ground and the APPLICANT shall provide qualified evidence that the proposed structure will withstand wind and other natural forces;

117.604.65.5. The antenna and its associated supports such as guide wires, or the YARD area containing the STRUCTURE, shall be protected and secured to guarantee the safety of the general public. Associated supports and guide wires shall not be located closer than five (5) feet to any property line;

117.604.65.6. The proposed USE shall be in compliance with all performance standards and other regulations of this ORDINANCE; and

117.604.65.7. The BOARD may impose restrictions upon ACCESS to the facility, storage of vehicles or materials on the premises, hours of operation and such other matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.

117.604.66. CHILD DAY CARE CENTER Accessory to a business or professional office. CHILD DAY CARE CENTERS which are accessory to an authorized business or professional office may be permitted as a CONDITIONAL USE, subject to the standards of Section 117.604.18.

117.604.67. SWIMMING POOLS Accessory to a PUBLIC, SEMI-PUBLIC or non-commercial PRINCIPAL USE. SWIMMING POOLS accessory to a PUBLIC, SEMI-PUBLIC or non-commercial PRINCIPAL USE may be permitted as a CONDITIONAL USE, subject to the following express standards and criteria:

117.604.67.1. No SWIMMING POOLS shall be located within setback lines. In no case shall a residential district SWIMMING POOL be placed in the FRONT YARD setback area;

117.604.67.2. Where private clubs and/or multi-family SWIMMING POOLS are installed, they must be placed near the club house or the BUILDINGS to be serviced and each pool must be enclosed by a solid FENCE of a minimum of six (6) feet in height to prevent the disturbance of any adjacent residential property;

117.604.67.3. All SWIMMING POOL lights shall be directed toward the pool and in no case shall the LIGHTING be directed on or toward any adjacent residential housing; and

117.604.67.4. Parking may be required in accordance with the provisions of this ordinance if in the judgment of the BOARD OF SUPERVISORS, residents to be served by a shared pool are sufficiently distant from the facility to justify related parking.

117.604.68 BUS TERMINAL. BUS TERMINALS may be permitted as a Conditional Use by the Supervisors, subject to the following specific standards and criteria. **[Added on 1-9-02 by Ord. 302]**

117.604.68.1. BUS TERMINALS shall conform to applicable requirements for off-street parking in Section 103.612 of the Subdivision Ordinance.

117.604.68.2. Outdoor Lighting, if any, shall be shielded and/or reflected away from adjoining properties or roadways so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties or roadways.

117.604.68.3. The perimeter of all BUS TERMINALS shall be screened from adjacent residential uses or Zoning Districts with Bufferyard "D".

117.604.68.4. The entire parking area shall be covered with an all-weather surface. Areas of the site not so covered shall be landscaped and maintained in compliance with the provisions of the Subdivision Ordinance.

117.604.68.5. No structures, whether above or below ground, shall be placed within any required setback or Bufferyard. A freestanding canopy may be permitted to overhang a setback line by no greater than ten (10) feet, if in the judgment of the Supervisors, such overhang is in accordance with the purpose of the performance standards of this ordinance.

117.604.69. WIND ENERGY SYSTEM and UTILITY GRID WIND ENERGY SYSTEM Conditional Use by the supervisors, subject to the following specific standards and criteria:

117.604.69.1. APPLICABILITY

1. This Ordinance applied to all WIND ENERGY SYSTEMS proposed to be constructed after the effective date of the Ordinance.
2. WIND ENERGY SYSTEMS constructed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance, provided that any physical modifications to an existing Wind Energy System that materially alters the size, type and number of the WIND TURBINES or other equipment shall require a permit under this Ordinance.

117.604.69.2. APPLICATION

1. The request for conditional use shall demonstrate that the proposed WIND ENERGY SYSTEM will comply with this Ordinance.
2. The application shall contain the following:
 - A. Name, address, and telephone number of the APPLICANT. The APPLICANT shall be the FACILITY OWNER or OPERATOR. if the APPLICANT is not the Property Owner, the application shall include a letter or other written permission signed by the Property Owner (i) confirming that the Property Owner is familiar with the proposed applications and (ii) authorizing the submission of the application.

B. Identification of the property on which the proposed WIND ENERGY SYSTEM will be

located, including tax map numbers, existing use and acreage of the site parcel.

C. A *narrative* describing the proposed WIND ENERGY SYSTEM, including:

- a. an overview of the project;
- b. the project location;
- c. the approximate generating capacity of the WIND ENERGY SYSTEM;
- d. the approximate number, representative types and height or range of heights of WIND TURBINES to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities. This shall include the style of the WIND TURBINE (i.e. Monopole towers, lattice towers, or guyed towers); and
- e. proposals for landscaping and screening (see Section 8, *infra*).

D. A *site plan* showing the planned location of each WIND TURBINE, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the WIND ENERGY SYSTEM to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback. The site plan shall also include a visual depiction of the project, which may include a computerized photographic simulation, demonstrating the visual impacts from nearby strategic vantage points, or some other kind of visual analysis of the project.

E. Documents related to decommissioning (see Section 12, *infra*).

F. Other relevant studies, reports, certifications and approvals as may be reasonably requested by Findlay Township to ensure compliance with this Ordinance.

117.604.69.3. DESIGN AND INSTALLATION

1. Design Safety Certification. The design of the WIND ENERGY SYSTEM 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 Energies, or other similar certifying organizations.

2. Uniform Construction Code. To the extent applicable, the WIND ENERGY SYSTEM shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1 - 403.142.

3. Controls and Brakes. All WIND ENERGY SYSTEMS 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.

4. 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.

5. Visual Appearance; Power Lines.

A. WIND TURBINES shall be white, off-white or gray.

B. WIND TURBINES 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, or any other signs other than warning signs as set forth in Section 6.F, *infra*, and/or the system or tower

manufacturer's logo, which may be displayed no larger than two (2) square feet.

D. On-site transmission and power lines between WIND TURBINES shall be placed underground.

6. Warnings.

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 ten feet from the ground.

7. Climb Prevention/Locks.

A. WIND TURBINES shall not be climbable up to fifteen (15) feet above ground surface.

B. All access doors to WIND TURBINES and electrical equipment shall be locked and fenced, as appropriate, to prevent entry by non-authorized persons.

8. Other Safety Considerations.

A. Any WIND ENERGY SYSTEM found to be unsafe by the local enforcement officer shall be repaired by the APPLICANT to meet federal, state and local safety standards or removed within six months. If a WIND ENERGY SYSTEM is not operated for a continuous period of 12 months, see Section 12 on Decommissioning, *infra*.

B. The placement and erection of the WIND TURBINE(S) must meet all Federal Aviation Administration (FAA) regulations regarding structures near airports, as well as local jurisdiction airport overlay zone regulations.

9. Indemnification and Liability Insurance.

The APPLICANT and/or property owner, jointly and severally, shall indemnify, defend and hold harmless Findlay Township and all of its agents and employees from all claims, damages, and causes of action arising from the operation and presence of the WIND ENERGY SYSTEM, and occasioned by the conduct of the APPLICANT and/or property owner. The APPLICANT shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$1 million per occurrence and \$1 million in the aggregate. Certificates shall be made available to Findlay Township upon request.

117.604.69.4. SETBACKS

1. Occupied Buildings.

A. WIND TURBINES shall be set back from the nearest Occupied Building a distance not less than 1,000 feet. 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 Non-participating Landowner's property a distance of not less than 2,500 feet, as measured from the center of the WIND TURBINE base to the nearest point on the foundation of the Occupied Building.

2. Property Lines. All WIND TURBINES shall be set back from the nearest property line a distance of not less than 1,000 feet. The setback distance shall be measured to the center of the WIND TURBINE base.

3. Public Roads. All WIND TURBINES shall be set back from the nearest public road a distance of not less than 1,000 feet, as measured from the right-of-way line of the nearest public road to the center of the WIND TURBINE base.

4. Maximum/Minimum Heights. The TOWER HEIGHT shall not exceed 40 feet. Additionally, no TOWER HEIGHT shall exceed the tower height recommended by the manufacturer or the distributor of the WIND ENERGY SYSTEM. The minimum height for the blade tips/rotor blade system above ground level is 15 feet.
5. Prohibited in Easements. No portion of a WIND ENERGY SYSTEM shall be placed in easements unless authorized by the easement holder.

117.604.69.5. SCREENING

A WIND ENERGY SYSTEM shall be screened from view from adjoining properties by solid fence or evergreen plants to a height of at least six (6) feet.

117.604.69.6. NOISE AND SHADOW FLICKER

1. SOUND PRESSURE Levels. SOUND PRESSURE Levels shall not exceed 50 decibels (dBA) between the hours of 7:00 a.m. and 10:00 p.m. and 35 decibels (dBA) between the hours of 10:00 p.m. and 7:00 a.m. as measured from the property line closest to the WIND ENERGY SYSTEM.
2. Shadow Flicker. The APPLICANT shall make reasonable efforts to minimize SHADOW FLICKER to any Occupied Building on a Non-participating Landowner's property.

117.604.69.7. MAINTENANCE

A WIND ENERGY SYSTEM shall be maintained at all times, including, but not limited to, painting, fencing, maintaining structural integrity, and landscaping.

117.604.69.8. 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 SYSTEM.

117.604.69.9. DECOMMISSIONING

1. The APPLICANT shall, at its expense, complete decommissioning of the WIND ENERGY SYSTEM, or individual WIND TURBINES, within (12) twelve months after the end of the useful life of the System or individual WIND TURBINES. The WIND ENERGY SYSTEM or individual WIND TURBINES will presume to be at the end of its useful life if no electricity is generating for a continuous period of twelve (12) months.
2. Decommissioning shall include removal of WIND TURBINES, buildings, cabling, electrical components, roads, foundations to a depth of 35 inches, and any other associated facilities.
3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
4. The APPLICANT shall pay all site reclamation costs deemed necessary and reasonable to return the site to its pre-construction condition.
5. If an APPLICANT herein fails to remove a WIND ENERGY SYSTEM in accordance with this Section, the Township shall have the authority to enter the subject property and physically remove the WIND ENERGY SYSTEM. Costs for the removal of the WIND ENERGY SYSTEM shall be charged to the APPLICANT and landowner of record, jointly and severally, in the event the Township must remove the WIND ENERGY SYSTEM, and the Township may place a lien on the property for such costs of removal.

117.604.69.10. PENALTIES

In addition to those penalties provided by Section 117.1015, any person owning, controlling or managing any building, structure or land who shall

undertake a WIND ENERGY SYSTEM in violation of this Chapter or in noncompliance with the terms and conditions of any permit issued pursuant to this Chapter, or any order of the enforcement officer, and any person who shall assist in so doing, shall be guilty of a misdemeanor offense and subject to a fine of not more than \$350 or to imprisonment for a period of not more than six months, or subject to both such fine and imprisonment. Every such person shall be deemed guilty of a separate offense for each week such violation shall continue.

117.604.70. OIL AND GAS DEVELOPMENT **[Added 01-12-11 by Ord. 370]**

117.604.70.1. Operator shall comply with any generally applicable bonding and permitting requirements for Township roads. Any existing Township roads, damaged or worsened in condition by the Operator as determined by the Township shall be repaired by the Operator as required by the Township. Funds for such repairs shall be held either in escrow, bond or letter of credit on an estimate determined by the Township after inspection by the Township of existing conditions of roads, which may be affected by the Operator. If no repairs are necessary, all funds earmarked for existing road/drainage repairs shall be returned to the Operator.

117.604.70.2. Operator shall take the necessary safeguards to ensure that the Township roads utilized remain free of dirt, mud and debris resulting from Development activities and/or shall ensure such roads are immediately swept or cleaned if dirt, mud and debris occur.

117.604.70.3. Operator shall take all necessary precautions to ensure the safety of persons in areas established for road crossing and/or adjacent to roadways (for example, persons waiting for public or school transportation). Where necessary and permitted, during periods of anticipated heavy or frequent truck traffic associated with Development, Operator will provide flagmen to ensure the safety of children at or near schools or school bus stops and include adequate signs and/or other warning measures for truck traffic and vehicular traffic.

117.604.70.4. Operator shall not clear brush or trees by way of burning, and shall chip, grind or remove all tree stumps from properties it clears for Development purposes. However, Operator shall be permitted to, consistent with any outdoor burning laws, ordinance(s) or regulations, including those of Allegheny County, burn any brush, trees, or stumps that have been removed from the ground and collected into a pile or piles on the properties where the Operator is engaging in Development.

117.604.70.5 Prior to Development, Operator shall provide to the Township's Police Department and the Imperial Volunteer Fire Department ("First Responders") and to the Township Manager, a copy of its Preparedness, Prevention and Contingency ("PPC") Plan. If the PPC requires the availability and/or utilization of special equipment or supplies particular to the hazards or conditions addressed in the PPC, the Township may require that Operator reimburse the Township for the cost of procurement of such special equipment or supplies.

117.604.70.6. Before drilling, the Operator shall ascertain whether the Township's First Responders have secured adequate training and information to deal with any potential dangerous conditions that may result due to Development activities. First Responders shall have on-site orientation and be provided adequate awareness information. Upon request from the Township, Operator will, prior to drilling of an Oil and Gas well, make available with at least thirty (30) days' notice, at its sole cost and expense, an appropriate site orientation and training session for First Responders. Such site orientation and training session shall be made available at least annually during the period when the Operator anticipates drilling activities in the Township.

117.604.70.7. Operator shall demonstrate its plans to take the necessary safeguards to ensure appropriate dust control measures are in place.

117.604.70.8. Operator shall demonstrate its plans to take the necessary safeguards to ensure appropriate odor control measures are in place.

117.604.70.9. The Operator must demonstrate its plans for the storage or elimination of residual water/fluids from its operations. Operator must show that it will take all necessary safeguards to ensure that

public and private sewer and water systems will not be contaminated as a result of any of its operations.

117.604.70.10. Recognizing that the specific location of equipment and facilities is an important and integral part of Oil and Gas Development, as part of the planning process, Operator shall strive to consider location of its temporary and permanent operations, where prudent and possible, so as to minimize interference with Township residents' enjoyment of their property and future Township development activities.

117.604.70.11. Recognizing that adequate and appropriate lighting is essential to the safety of those involved in the Development of Oil and Gas, the Operator shall take steps, to the extent practicable, to direct site lighting downward and inward toward the drill site, wellhead, or other area being developed so as to attempt to minimize glare on public roads and adjacent buildings within three hundred (300) feet of the drill site, wellhead, or other area being developed.

117.604.70.12. At least thirty days (30 days) prior to drilling an Oil and Gas well or multiple Oil and Gas wells at a location, the Operator shall provide the following information to each resident within one thousand (1,000) feet of the planned surface location of the well(s):

- a. A copy of the well survey plat showing the location(s) of the planned well(s),
- b. A general description of the planned operations at the planned well(s) and associated equipment used in the Development of the well(s),
- c. The contact information for the Operator, and
- d. The availability of the Operator to hold a meeting with such residents to present Operator's plans for the well(s) and to allow for questions and answers. The meeting(s) shall be held prior to Well Site construction.

117.604.70.13. The Operator shall provide:

- a. A map showing the planned access route to the Well Sites on public roads,
- b. Information on the status of road bonding,
- c. The Operator's Erosion & Sedimentation Plan,
- d. The well survey plat showing the planned surface location(s) of the well(s), and
- e. The contact information for the Operator.
- f. Written authorization from the property owner(s) who has legal or equitable title in and to the surface of the proposed Development.
- g. Copy of Federal Aviation Administration (FAA) form 7460 showing that there is no interference with air traffic.

117.604.70.14. At least twenty (20) days prior to commencement of drilling, the Operator shall provide to the Township Manager a copy of the drilling permit issued by the Pennsylvania Department of Environmental Protection ("DEP").

117.604.70.15. In addition to the requirements in subsections 1-14 above, for any Oil and Gas well where the planned surface location of the well will be within one thousand (1,000) feet of a Protected Structure, the Operator shall:

- a. Install temporary safety fencing, at least six (6) feet in height, around drilling and hydraulic fracturing equipment and install permanent fall protection fencing meeting OSHA requirements around any pits that contain or could contain water or other liquids.
- b. Install warning signs providing notice of the potential dangers at the Well Site.
- c. Provide at least one security guard at all times (24 hours/day, 7 days/week) when a drilling rig or hydraulic fracturing equipment is on the Well Site.

117.604.70.16. Prior to the commencement of drilling activities, no construction activities involving excavation of, alteration to, or repair work on any access road or Well Site shall be performed during the hours of 10:00 p.m. to 6:00 a.m.

117.604.70.17. The Township recognizes and acknowledges that Oil and Gas Development is accompanied by inherent noise. However, the Operator shall take the following steps to minimize, to the extent practicable, the noise resulting from the Development:

- a. Prior to drilling of an Oil and Gas well, the Operator shall establish a continuous seventy-two (72)-hour ambient noise level at the nearest Protected Structure property line or one hundred (100) feet from the nearest Protected Structure (as measured to the closest exterior point of the building), whichever is closer to the Protected Structure or, alternatively, and in lieu of establishing the above seventy-two (72)-hour ambient noise level, the Operator may assume and use, for the purposes of compliance with this ordinance, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
- b. The Operator shall provide documentation of any established, seventy-two (72)-hour evaluation relied upon to establish an ambient noise level greater than 55 dBA to the Township Manager within three (3) business days of such a request from the Zoning Officer.
- c. The noise generated during construction, drilling and hydraulic fracturing activities when measured at the nearest Protected Structure property line or one hundred (100) feet from the nearest Protected Structure (as measured to the closest exterior point of the building), whichever is closer to the Protected Structure, shall not exceed the

average ambient noise level (as determined by the seventy-two (72) hour evaluation) or default level, whichever is higher:

- i. during drilling activities by more than seven (7) decibels during the hours of 6:00 a.m. to 10:00 p.m.;
- ii. during drilling activities by more than five (5) decibels during the hours of 10:00 p.m. to 6:00 a.m.; or
- iii. by more than ten (10) decibels during construction, hydraulic fracturing operations.

The Operator shall inform the Township Manager of which level (average ambient noise level or default level) is being used.

- d. Adjustments to the forgoing noise limits may be permitted in accordance with the following:

Permitted Increase (dBA)	Duration of Increase (minutes)
5	15
10	5
15	1
20	1

*Cumulative minutes during any one hour.

- e. If a complaint is received by the Township from any person, whether a resident or otherwise using the Protected Structure as defined herein or any lawful purpose, regarding noise generated during construction, drilling or hydraulic fracturing activities, the Operator shall, within twenty-four (24) hours of receipt of the complaint from the Township, continuously monitor for a forty-eight (48) hour period at a point which is the closer to the complainant's building of:

- i. the complainant's Protected Structure property line nearest to the wellsite or equipment generating the noise, or

- ii. one hundred (100) feet from the Protected Structure.
- f. If the Operator engages in any noise testing as required by this Ordinance, it will provide preliminary data to the Township no later than five (5) business days following completion of the noise testing. Once the monitoring is complete, Operator will meet with Township's representatives and affected residents to discuss whether possible noise abatement measures are warranted, if the permitted levels set forth herein were exceeded.
- g. Exhaust from any internal combustion engine or compressor used in connection with the drilling of any well or for use on any production equipment or used in Development shall not be discharged into the open air unless it is equipped with (i) an exhaust muffler or (ii) an exhaust box. The exhaust muffler or exhaust box shall be constructed of non-combustible materials designed and installed to suppress noise and disruptive vibrations. Moreover, all such equipment with an exhaust muffler or exhaust box shall be maintained in good operating condition according to manufacturer's specifications.
- h. All workover operations shall be restricted to the hours of 6:00 a.m. to 10:00 p.m., except in the extent of an emergency, as reasonably determined by the Operator. "Workover operations" shall mean work performed in a well after its completion in an effort to secure production where there has been none, restore production that has ceased, or increase production.
- i. The noise restrictions contained in this Paragraph 17 shall also apply to Natural Gas Compressor Stations and Natural Gas Processing Plants.

117.604.70.18. Geophysical Exploration. Explosives Prohibited. No geophysical work employing underground explosives shall be authorized or permitted within the

Township boundaries in connection with this use. Other geophysical exploration systems employing thumper, vibroseis, or other techniques not employing explosives shall be permitted upon a separate application described in Ordinance # 369 [Chapter 68].

117.604.70.19. No temporary housing for workers is permitted.

117.604.70.20 The Board of Supervisors may attach additional conditions in order to protect the public's health, safety, and welfare. These conditions may include but are not limited to increased setbacks.

117.604.71. Oil and Gas Impoundments

117.604.71.1. Oil and Gas Impoundments shall be permitted as a conditional use only in the HI District zoning district, provided the following conditions are met:

1. Oil and Gas Impoundments shall only be permitted to be located on property that is a minimum of ten acres or larger.
2. Oil and Gas Impoundments shall not be located less than 500 feet to the nearest existing non-residential building and not less than 1000 feet to the nearest residential building.
3. Oil and Gas Impoundments shall have a required buffer of 500 feet along all property lines and street right-of-ways.
4. Impoundment Operator shall comply with any generally applicable bonding and permitting requirements for Township roads. Any existing Township roads, damaged or worsened in condition by the Impoundment Operator as determined by the Township shall be repaired by the said operator as required by the Township. Funds for such repairs shall be held either in escrow, bond or letter of credit on an estimate determined by the Township after inspection by the Township of existing conditions of roads, which may be affected by the Impoundment Operator. If no repairs are necessary, all funds earmarked for

existing road/drainage repairs shall be returned to the Impoundment Operator.

5. Impoundment Operator shall provide a detailed map showing the planned access route to the Oil and Gas Impoundment site.
6. Impoundment Operator shall take the necessary safeguards to ensure that the Township roads utilized remain free of dirt, mud and debris resulting from Impoundment Operator's activities and/or shall ensure such roads are immediately swept or cleaned if dirt, mud and debris occur.
7. Impoundment Operator shall take all necessary precautions to ensure the safety of persons in areas established for road crossing and/or adjacent to roadways (for example, persons waiting for public or school transportation). Where necessary and permitted, during periods of anticipated heavy or frequent truck traffic associates with the Impoundment Operator's activities, the Impoundment Operator will provide flagmen to ensure the safety of children at or near schools or school bus stops and include adequate signs and/or other warning measures for truck traffic and vehicular traffic.
8. Impoundment Operator shall not clear brush or trees by way of burning, and shall chip, grind or remove all tree stumps from properties it clears for its operation purposes. However, Impoundment Operator shall be permitted to, consistent with any outdoor burning laws, ordinance(s) or regulations, including those of Allegheny County, burn any brush, trees, or stumps that have been removed from the ground and collected into a pile or piles on the properties where the Impoundment Operator is engaging in its operation.
9. Prior to beginning construction, Impoundment Operator shall provide to the Township's Police Department and the Imperial Volunteer Fire Department ("First Responders") and to the Township Emergency Management Coordinator,

a copy of its Preparedness, Prevention and Contingency ("PPC") Plan. If the PPC requires the availability and/or utilization of special equipment or supplies particular to the hazards or conditions addressed in the PPC, the Township may require that Impoundment Operator reimburse the Township for the cost of procurement of such special equipment or supplies.

10. Impoundment Operator shall demonstrate its plans to take the necessary safeguards to ensure appropriate dust control measures are in place.
11. Impoundment Operator shall demonstrate its plans to take the necessary safeguards to ensure appropriate odor control measures are in place.
12. Lighting shall be directed away from adjacent properties, and shall be turned off, except when personnel are working on site or motions sensors are activated.
13. All Oil and Gas Impoundments shall be fenced to restrict access by unauthorized person or animals and shall be equipped with bird netting.
14. Impoundment Operator shall install warning signs providing notice of the potential dangers of Oil and Gas Impoundment area.
15. No construction activities at the Oil and Gas Impoundment site involving excavation of, alteration to, or repair work on any access road, shall be performed during the hours of 10:00 p.m. and 6:00 a.m.
16. Impoundment Operators shall comply with the noise requirements set forth in Section 117.604.69.17.
17. The Board of Supervisors may attach additional conditions in order to protect the public's health, safety, and welfare. These conditions

may include but are not limited to increased setbacks. **[Added 11-12-14 by Ord. No. 395]**

117.604.72 NATURAL GAS COMPRESSOR STATIONS

117.604.21 NATURAL GAS COMPRESSOR STATIONS shall be permitted as a conditional use only in the HI District zoning district, provided the following conditions are met:

1. NATURAL GAS COMPRESSOR STATIONS shall only be permitted to be located on property that is a minimum of ten acres or larger.
2. NATURAL GAS COMPRESSOR STATIONS shall not be located less than 500 feet to the nearest existing building and not less than 1,500 feet from any adjacent residential property line or any property line adjoining property in a residential zoning district.
3. NATURAL GAS COMPRESSOR STATIONS shall have a required buffer of 500 feet along all property lines and street right-of-ways.
4. To minimize the impacts of on-going NATURAL GAS COMPRESSOR STATION noise on surrounding land uses, a NATURAL GAS COMPRESSOR STATION shall not be located any closer than one (1) mile to another existing or proposed NATURAL GAS COMPRESSOR STATION. If noise-controlling structures or technologies eliminate said noise from surrounding land uses, said distance may not be applicable to said proposed NATURAL GAS COMPRESSOR STATION as reviewed by the Township Planning Commission and approved by the Township Board of Supervisors.
5. NATURAL GAS COMPRESSOR STATIONS shall be located within a completely enclosed building. During periods of normal operations, doors, windows and similar operations shall remain closed to ensure maximum noise suppression.
6. Noise generated by, or related to the use of, NATURAL GAS COMPRESSOR STATIONS shall not exceed the ambient noise levels at the nearest

property line. The ambient noise level shall be determined by a 72-hour noise study which shall be conducted by the NATURAL GAS COMPRESSOR OPERATOR. The building housing the engines and compressors shall be sound-proof, if necessary to meet the maximum allowed noise on the property.

7. NATURAL GAS COMPRESSOR STATIONS and other related power driven equipment shall utilize electric motors rather than internal combustion engines. No electric power shall be generated on the site, excepting portable electric generation equipment which shall be permitted only when equipment is located within a completely enclosed building.
8. NATURAL GAS COMPRESSOR STATION OPERATOR shall comply with any generally applicable bonding and permitting requirements for Township roads. Any existing TOWNSHIP roads, damaged or worsened in condition by the NATURAL GAS COMPRESSOR STATION OPERATOR as determined by the TOWNSHIP shall be repaired by the said operator as required by the TOWNSHIP. Funds for such repairs shall be held either in escrow, bond or letter of credit on an estimate determined by the TOWNSHIP after inspection by the Township of existing conditions of roads, which may be affected by the NATURAL GAS COMPRESSOR STATION OPERATOR. If no repairs are necessary, all funds earmarked for existing road/drainage repairs shall be returned to the NATURAL GAS COMPRESSOR STATION OPERATOR.
9. NATURAL GAS COMPRESSOR STATION OPERATOR shall provide a detailed map showing the planned access route to the NATURAL GAS COMPRESSOR STATION site.
10. Heavy truck traffic traveling to and from the NATURAL GAS COMPRESSOR STATION shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m., prevailing time, including weekends. Emergency vehicles and field maintenance vehicles are exempted from this limitation.

11. NATURAL GAS COMPRESSOR STATION OPERATOR shall take the necessary safeguards to ensure that the TOWNSHIP roads utilized remain free of dirt, mud and debris resulting from NATURAL GAS COMPRESSOR STATION OPERATOR'S activities and/or shall ensure such roads are immediately swept or cleaned if dirt, mud and debris occur.
12. NATURAL GAS COMPRESSOR STATION OPERATOR shall take all necessary precautions to ensure the safety of persons in areas established for road crossing and/or adjacent to roadways (for example, persons waiting for public or school transportation). Where necessary and permitted, during periods of anticipated heavy or frequent truck traffic associated with the NATURAL GAS COMPRESSOR STATION OPERATOR'S activities, the NATURAL GAS COMPRESSOR STATION OPERATOR will provide flagmen to ensure the safety of children at or near schools or school bus stops and include adequate signs and/or other warning measures for truck traffic and vehicular traffic.
13. NATURAL GAS COMPRESSOR STATION OPERATOR shall not clear brush or trees by way of burning, and shall chip, grind or remove all tree stumps from properties it clears for its operation purposes.
14. Prior to beginning construction, NATURAL GAS COMPRESSOR STATION OPERATOR shall provide to the Township's Police Department and the Imperial Volunteer Fire Department ("First Responders") and to the Township Emergency Management Coordinator, a copy of its Preparedness, Prevention and Contingency ("PPC") Plan. If the PPC requires the availability and/or utilization of special equipment or supplies particular to the hazards or conditions addressed in the PPC, the TOWNSHIP may require that NATURAL GAS COMPRESSOR STATION OPERATOR reimburse the TOWNSHIP for the cost of procurement of such special equipment or supplies.

15. NATURAL GAS COMPRESSOR STATION OPERATOR shall demonstrate its plans to take the necessary safeguards to ensure appropriate dust control measures are in place.
16. NATURAL GAS COMPRESSOR STATION OPERATOR shall demonstrate its plans to take the necessary safeguards to ensure appropriate odor control measures are in place.
17. Lighting shall be directed away from adjacent properties, shielded and shall be turned off, except when personnel are working on site or motion sensors are activated.
18. NATURAL GAS COMPRESSOR STATION OPERATOR shall install warning signs providing notice of the potential dangers of the NATURAL GAS COMPRESSOR STATION area. The signs shall include: (1) the operator/applicant's name; (2) unit or site name; (3) emergency contact phone number; and (4) hazardous materials on site.
19. The NATURAL GAS COMPRESSOR STATION site shall be secured by a minimum eight (8) foot high chain link fence with a locking gate that shall be kept locked when employees are not on the premises.
20. No construction activities at the NATURAL GAS COMPRESSOR STATION site involving excavation of, alteration to, or repair work on any access road, shall be performed during the hours of 10:00 p.m. and 7:00 a.m., or on Sundays or holidays.
21. The Board of Supervisors may attach additional conditions in order to protect the public's health, safety, and welfare. These conditions may include but are not limited to increased setbacks. **[Added 12-10-14 by Ord. No. 397]**

117.604.73 Medical Marijuana Facilities

117.604.73.1 Medical Marijuana Growers/Processors shall be permitted as a CONDITIONAL USE only in the Business Park District and Light Industrial District ZONING DISTRICTS, provided the following conditions are

met:

1. A GROWER/PROCESSOR must have a valid permit issued by the Pennsylvania Department of Health.
2. A GROWER/PROCESSOR may only grow, store, harvest or process medical marijuana in an indoor, enclosed, secure facility (BUILDING), which includes electronic locking systems, electronic surveillance, and other features required by the Pennsylvania Department of Health.
3. All materials and equipment shall be stored within a completely enclosed BUILDING.
4. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted.
5. The size of the proposed operation and its relationship to surrounding USES shall be evaluated by the SUPERVISORS to determine the appropriateness of the proposed activity in the location proposed.
6. Adequate PUBLIC facilities shall be available to meet the requirements of the proposed manufacturing process.
7. Adjacent PUBLIC STREETS shall be adequate to accommodate the traffic volumes and weight limits associated with truck traffic to and from the SITE.
8. The SUPERVISORS may impose restrictions on ACCESS to the facility, storage of vehicles or materials on the premise, hours of operation and other such matters as they deem necessary to insure that there is no adverse impact upon the functioning of the district or adjacent PARCELS.
9. Outdoor LIGHTING, if any, shall be shielded and/or reflected away from adjoining property so that no direct beam of light, but only

diffuse or reflected light, enters adjoining properties.

10. A GROWER/PROCESSOR may not be located within 1,000 feet of the property line of an existing PUBLIC, PRIVATE or parochial school, DAY-CARE FACILITY, and may not be located within 750 feet of an existing RESIDENTIAL USE, and/or residential ZONING DISTRICT.
11. A GROWER/PROCESSOR may not operate on the same SITE as a DISPENSARY.
12. A GROWER/PROCESSOR shall install a BUFFERYARD "D" as required by the Township Subdivision and Land Development Ordinance whenever the GROWER/PROCESSOR's property ABUTS a RESIDENTIAL USE and/or residential ZONING DISTRICT.

117.604.73.2 Medical Marijuana Dispensaries shall be permitted as a CONDITIONAL USE only in the Business Park District and Light Industrial District ZONING DISTRICTS, provided the following conditions are met:

1. A DISPENSARY must have a valid permit issued by the Pennsylvania Department of Health.
2. A DISPENSARY may only dispense medical marijuana in an indoor, enclosed, secure facility (BUILDING).
3. 1A DISPENSARY may not operate on the same SITE as a GROWER/PROCESSOR.
4. A DISPENSARY may not be located within 1,000 feet of the property line of an existing PUBLIC, PRIVATE or parochial school, DAY-CARE FACILITY, and may not be located within 750 feet of an existing RESIDENTIAL USE, and/or residential ZONING DISTRICT.
5. A DISPENSARY may sell medical devices and instruments which are needed to administer medical marijuana under the Medical Marijuana Act, 35 P.S. §§ 10231.106 et seq.
6. A DISPENSARY may sell services approved by the

Pennsylvania Department of Health related to the use of medical marijuana.

7. A DISPENSARY shall install a BUFFERYARD "D" as required by the Township Subdivision and Land Development Ordinance whenever the DISPENSARY's property ABUTS a RESIDENTIAL USE and/or residential ZONING DISTRICT.

[Added 04-13-17 by Ordinance No. 409]