

ARTICLE XXX
Additional Standards for Special Exceptions and Selected Permitted Uses
[Amended 6-28-2001 by Ord. No. 01-03]

§ 150-307. Compliance required.

In addition to the general criteria listed in §150-302.D. for special exception uses, Article XXX sets forth standards that shall be applied to each individual special exception use or selected permitted uses. These standards must be satisfied prior to approval of any application for a special exception or permitted use. The applicant shall be required to demonstrate compliance with these standards and must furnish whatever evidence is necessary to demonstrate such compliance. All uses must comply with the standards expressed within the underlying zone, unless the standards set forth in this Article XXX expressed for each special exception or permitted use specify different standards; in such cases, the specific special exception or permitted use standards set forth in this Article XXX shall apply. [Amended 6-28-2001 by Ord. No. 01-03]

§ 150-308. Adult regulated facilities.

Standards that apply to adult regulated facilities are as follows:

- A. An adult regulated facility shall not be located within one thousand (1,000) feet, measured from lot line to lot line, of any other adult regulated facility. [Amended 6-28-2001 by Ord. No. 01-03]
- B. An adult regulated facility shall not be permitted to be located within one thousand (1,000) feet, measured from lot line to lot line, of any public or private school, day-care facility, public recreation facility or any house of worship. [Amended 6-28-2001 by Ord. No. 01-03]
- C. An adult regulated facility shall not be located within five hundred (500) feet, measured from lot line to lot line, of any land within a residential zone. [Amended 6-28-2001 by Ord. No. 01-03]
- D. No materials, merchandise, film or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a building or structure.
- E. Any building or structure used and occupied as an adult regulated facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film, service or entertainment are exhibited or displayed, and no sale materials, merchandise, film or other offered items or service shall be visible from outside the structure.
- F. No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service or entertainment offered therein.

- G. Each and every entrance to the structure shall be posted with a notice of at least four (4) square feet that the use is an adult regulated facility, that persons under the age of eighteen (18) are not permitted to enter and warning all others that they may be offended upon entry.
- H. Parking shall be established at the minimum ratio of one (1) parking space for each one hundred (100) square feet of gross floor area and one (1) parking space for each employee.

§ 150-309. Amusement arcades.

Standards that apply to amusement arcades are as follows:

- A. All activities shall take place within a wholly enclosed building.
- B. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the arcade.
- C. A minimum of one (1) parking space for each eighty (80) square feet of gross leasable floor area shall be provided. In addition, any accessory uses (e.g., snack bar) shall also require parking to be provided in accordance with the schedule listed in § 150-263 of this chapter.
- D. A working plan for the cleanup of litter shall be furnished and implemented by the applicant.

§ 150-310. Animal hospitals.

Standards that apply to animal hospitals are as follows:

- A. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard.
- B. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be a minimum of one hundred (100) feet from all property lines.
- C. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals; all such enclosures shall be set back a minimum of ten (10) feet from all property lines.

§ 150-311. Automobile filling stations.

Standards that apply to automobile filling stations are as follows:

- A. The subject property shall have a minimum width of one hundred twenty-five (125) feet.
- B. The subject property shall front on an arterial or collector road as defined in the Township Comprehensive Plan.
- C. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, day-care facility, playground, library, hospital or nursing, rest or retirement home.
- D. The storage of motor vehicles, whether capable of movement or not, for more than one-week period is prohibited.
- E. Any parts removed from repaired vehicles shall not remain on the site longer than forty-eight (48) hours.
- F. If the site is located within the Local Commercial Zone (LC), a minimum ten-foot-wide landscape strip shall be provided along all lot lines.
- G. All structures, including gasoline pump islands, but not permitted signs, shall be set back at least thirty (30) feet from any street right-of-way line.
- H. No outdoor storage of auto parts shall be permitted.
- I. Access driveways shall be a minimum of thirty (30) feet wide [thirty-five (35) feet in the HC Zone] and separated by seventy-five (75) feet from one another if located along the same frontage as measured from edge to edge. Access drives shall conform to the specifications set forth in the West Manchester Township Access Drive Ordinance, Ordinance No.96-01, Chapter 42 of the Township of West Manchester. **[Amended 3-14-1996 by Ord. No. 96-08]**
- J. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining residentially zoned properties.
- K. Within the LC Zone, the subject property must be set back a minimum of five hundred (500) feet from any existing automobile filling station.

§ 150-312. Automobile service and repair facilities.

Standards that apply to automobile service and repair facilities are as follows:

- A. All service and/or repair activities shall be conducted within a wholly enclosed building.
- B. All uses involving drive-through services shall provide sufficient on-site stacking lanes to prevent vehicle backups on adjoining roads.
- C. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the service repair operation, shall be permitted.
- D. All exterior vehicle storage areas shall be screened from adjoining residentially zoned properties.
- E. The storage of unlicensed vehicles on the property is prohibited.
- F. Any ventilation equipment outlets associated with the service / repair work area(s) shall not be directed towards any adjoining residentially zoned property.
- G. All vehicles shall be repaired and removed from the premises within a forty-five (45) day period. [Amended 6-28-2001 by Ord. No. 01-03]
- H. The demolition or junking of automobiles is prohibited.

§ 150-313. Banks and financial institutions.

Standards that apply to banks and similar financial institutions are as follows:

- A. All drive-through window lanes shall be separated from the parking lot's interior driveways.
- B. All automated teller machines shall be located or contain convenient parking spaces so that the on-site movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.
- C. Sufficient stacking lanes shall be provided associated with drive-through windows to prevent vehicle backups on adjoining roads.
- D. Any exterior microphone/speaker system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties.

§ 150-314. Bed-and-breakfasts or tourist homes.

Standards that apply to bed-and-breakfasts or tourist homes are as follows:

- A. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted.
- B. All floors above grade shall have direct means of escape to ground level.
- C. One (1) off-street parking space shall be provided for each room available for rent, in addition to those required for the dwelling unit.
- D. All parking areas shall be set back a minimum of twenty-five (25) feet from all property lines.
- E. A bed-and-breakfast may erect one (1) sign no larger than twelve (12) square feet in size. Such sign must be set back ten (10) feet from all lot lines.

§ 150-315. Billboards.

Within I-3 zones, one (1) billboard per lot shall be permitted in addition to one (1) building by special exception subject to the following criteria: **[Amended 6-28-2001 by Ord. No. 01-03]**

- A. No billboard shall be located within five hundred (500) feet of another billboard. **[Amended 6-28-2001 by Ord. No. 01-03]**
- B. All billboards shall be a minimum of fifty (50) feet from all side and rear property lines.
- C. All billboards shall be set back at least thirty-five (35) feet from any street right-of-way lines.
- D. All billboards shall be set back at least one hundred (100) feet from any land within a residential zone.
- E. No billboard shall obstruct the view of motorists on adjoining roads or in view of adjoining commercial or industrial uses, which depend upon visibility for identification.
- F. No billboard shall exceed an overall size of three hundred (300) square feet nor exceed twenty-five (25) feet in height.

§ 150-316. Campgrounds.

Standards that apply to campgrounds are as follows:

- A. Minimum lot area shall be ten (10) acres, a majority of which must not be within Class I, II or III prime agricultural soils as listed in the York County Soil Survey.
- B. Setbacks. All campsites shall be located at least fifty (50) feet from any side or rear property line and at least one hundred (100) feet from any street line.
- C. Each campsite shall be at least three thousand (3,000) square feet in size and shall either provide parking space for one (1) automobile which will not interfere with the convenient and safe movement of traffic or equivalent parking shall be provided in a common parking area.
- D. An internal road system shall be provided. The pavement width of one-way access drives shall be at least fourteen (14) feet, and the pavement width of two-way access drives shall be at least twenty-four (24) feet. On-drive parallel parking shall not be permitted.
- E. All outdoor play areas shall be set back one hundred (100) feet from any property line and screened from adjoining residentially zoned properties. Such outdoor play areas shall be used exclusively by registered guests and their visitors.
- F. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of one hundred (100) feet from any property line. Such facilities shall be screened from adjoining residentially zoned properties.
- G. Any accessory retail or service commercial uses shall be set back a minimum of one hundred (100) feet from any property lines. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall have vehicular access from the campground's internal road rather than the public street. All accessory commercial uses and related parking shall be screened from adjoining residentially zoned parcels.
- H. All campgrounds containing more than one hundred (100) campsites shall have vehicular access to an arterial or collector street as defined herein.
- I. A campground may construct one (1) freestanding or attached sign containing no more than thirty-two (32) square feet. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least ten (10) feet from the street right-of-way line and at least twenty-five (25) feet from adjoining lot lines.

J. All campgrounds must comply with all applicable state laws and regulations.

§ 150-317. Car washes.

Standards that apply to car washes are as follows:

- A. Public sewer and water facilities shall be utilized.
- B. Each washing bay shall provide a one-hundred-foot-long on-site stacking lane.
- C. All structures housing washing apparatuses shall be set back one hundred (100) feet from any street right-of-way line, fifty (50) feet from any rear property line and twenty (20) feet from any side lot lines; provided, however, that in the event that the lot fronts on two (2) street right-of-way lines, then the setback requirements on the one (1) street frontage shall be reduced to fifty (50) feet and the setback on the other street frontage shall be reduced to eighty (80) feet No access to the street on the fifty-foot setback side shall be permitted. [**Amended 11-21-1991 by Ord. No.91-13**]
- D. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter.
- E. The subject property shall front on an arterial or collector road as identified in the Township Comprehensive Plan.

§ 150-318. Cemeteries.

Standards that apply to cemeteries are as follows:

- A. The minimum lot area shall be five (5) acres.
- B. All burial plots or facilities shall be located at least one hundred (100) feet from any property line or street line.
- C. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.
- D. No burial plots or facilities are permitted in flood hazard areas.

§ 150-319. Churches and related uses.

Standards that apply to churches and related uses are as follows:

- A. Houses of worship.

- (1) The minimum lot area shall be two (2) acres.
- (2) The minimum lot width shall be two hundred (200) feet.
- (3) All houses of worship shall have vehicular access to an arterial or collector highway as identified in the Township Comprehensive Plan.
- (4) The side yard setback shall be fifty (50) feet on each side.
- (5) All off-street parking areas shall be set back at least twenty-five (25) feet from the street right-of-way line.

B. Church-related residences (rectories and convents).

- (1) All residential uses shall be accessory and located upon the same lot or directly adjacent to a lot containing a house of worship.
- (2) All residential uses shall be governed by the location, height and bulk standards imposed upon other residences within the underlying zone. In any nonresidential zones, such residences shall be set back seventy-five (75) feet from the street right-of-way line and thirty (30) feet from all other property lines.

C. Church-related educational or day-care facilities.

- (1) All educational or day-care uses shall be accessory and located upon the same lot as a house of worship.
- (2) If education or day care is offered below the college level, an outdoor play area shall be provided at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor play areas shall be completely enclosed by a six-foot-high fence and screened from adjoining residentially zoned properties. Any vegetative materials located within the outdoor play areas shall be of a nonharmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s).
- (3) "Enrollment" shall be defined as the largest number of students and/or children under day-care supervision at any one (1) time during a seven-day period.
- (4) Passenger drop-off and pick-up areas shall be provided and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.

- (5) All educational or day-care uses shall be governed by the location, height and bulk standards imposed upon principal uses within the underlying zone.
- (6) Unless the applicant can demonstrate that the off-street parking associated with the house of worship is sufficient for the proposed use, one (1) off-street parking space shall be provided for each six (6) students enrolled below grade ten (10), and/or one (1) off-street parking space for each three (3) students, grades ten (10) and above.

§ 150-320. Private clubs.

Standards that apply to private clubs are as follows:

- A. The subject property shall front on an arterial or collector road as identified in Appendix 1. [Amended 6-28-2001 by Ord. No. 01-03]
- B. All off-street parking shall be provided between the front face of the building and a point twenty-five (25) feet from the right-of-way line of adjoining road(s). Parking compounds will also be set back thirty (30) feet from any adjoining residential lot lines.
- C. All outdoor recreation/activity areas shall be set back at least fifty (50) feet from any property line.
- D. Screening shall be provided along any adjoining residentially zoned property.

§ 150-321. Commercial day-care facilities.

Standards that apply to commercial day-care facilities are as follows:

- A. An outdoor play area shall be provided at a rate of one hundred (100) square feet per individual enrolled. Off-street parking compounds shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back 25 feet from all property lines. Outdoor play areas shall be completely enclosed by a six-foot-high fence and screened from adjoining residentially zoned properties. Any vegetative materials located within the outdoor play areas shall be of a nonharmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) and or pavilion(s).
- B. "Enrollment" shall be defined as the largest number of students and/or children under day-care supervision at any one time during a seven-day period.
- C. Passenger drop-off and pick-up areas shall be provided and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.

D. One off-street parking space shall be provided for each six students enrolled.

§ 150-322. Reserved¹

**§ 150-322.1. Communications antenna and communications equipment building.
[Added 4-9-1998 by Ord. No.98-06]**

Standards that apply to communications antenna and communications equipment building are as follows:

- A. To ensure the structural integrity of a communications antenna, the owner of a communications antenna shall ensure that it is maintained in compliance with standards contained in applicable standards for such antennas, as amended from time to time. Owners of a communications antenna shall conduct periodic inspections of the antenna at least once every year to ensure structural integrity. Inspections shall be conducted by a qualified independent engineer licensed to practice in the Commonwealth of Pennsylvania. The results of such inspection shall be provided to the township.
- B. The communications antenna must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate a communications antenna. If such standards and regulations are changed, then the owners of the communications antenna governed by this ordinance shall bring the communications antenna into compliance with such revised standards and regulations within the date established by the agency promulgating the standards or regulations.
- C. Owners of a communications antenna shall provide documentation showing that the communications antenna is in compliance with all applicable federal and state requirements. Evidence of compliance must be submitted to the township every 12 months.
- D. Each communications antenna shall be equipped with an appropriate anti-climbing device or other similar protective device to prevent unauthorized access to the communications antenna.
- E. When an antenna is installed on a structure other than a tower, the antenna and associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Roof-mounted antennas shall be made visually unobtrusive by screening to match existing air-conditioning units, stairs, elevator towers or other background.

¹ Editor's Note: Former §150-322. Commercial recreation facilities, was repealed 6-28-2001 by Ord. No. 01-03.

- F. Where feasible, a communications antenna shall be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.
- G. A communications antenna shall not be placed in a direct line of sight with historic or scenic view corridors as designated by the township or by any state or federal law or agency.
- H. Any communications equipment building that supports a communications antenna must be concealed from public view or made compatible with the architecture of the surrounding structures or placed underground. A communications equipment building shall be screened from public view by using landscaping or materials and colors consistent with the surrounding backdrop. The communications equipment building must be regularly maintained.
- I. Landscaping shall be used to effectively screen the view of the communications antenna and the communications equipment building from adjacent public ways, public property and residential property.

§ 150-322.2. Communications tower. [Added 4-9-1998 by Ord. No.98-06]

Standards that apply to a communications tower are as follows:

- A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and a communications antenna.
- B. The applicant shall demonstrate that the proposed communications tower and the communications antenna proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- C. A communications tower shall comply with all applicable Federal Aviation Administration and Commonwealth Bureau of Aviation Regulations.
- D. (Reserved) ¹
- E. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet with a dust-free, all-weather surface for its entire length.

¹ Editor's Note: Former Subsection D, regarding the collocation of communications antennas, which immediately followed this subsection, was repealed 10-22-1998 by Ord. No.98-12.

- F. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the Zoning District.
- G. Recording of a plat of subdivision or land development shall be required for a lease parcel on which a communications tower is proposed to be constructed.
- H. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.
- I. The maximum height of any communications tower shall be 120 feet.
- J. The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from abutting properties. Screening shall comply with § 150-278 of this chapter.
- K. The communications equipment building shall comply with the required yards and height requirements of the applicable Zoning District for an accessory structure.
- L. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.
- M. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a certificate of insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the communications tower and a communications antenna.
- N. All guy wires associated with a guyed communications tower shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
- O. The site of a communications tower shall be secured by a fence with a maximum height of eight feet to limit accessibility by the general public.
- P. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency which has jurisdiction. A communications tower shall not be painted any color other than noncontrasting gray.

- Q. If a communications tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications tower within six months of the expiration of such twelve-month period.
- R. One off-street parking space shall be provided within the fenced area.
- S. The applicant shall post security with the township to ensure the removal of the communications tower at the end of its useful life. The security posted by the applicant shall be in an amount determined by the Township Engineer and shall be in the form approved by the Township Solicitor. A communications tower and communications antenna shall be removed within one year following the termination of the use.
- T. The owner of the communications tower or communications antenna and the owner of the land shall notify West Manchester Township of any change in ownership of such structure or any change in the operator of the same. The owner of the structure and the land shall be responsible to provide such notice.
- U. A communications tower must be set back from existing property lines a horizontal distance equal to its height.
- V. The Board of Supervisors may deny any application to construct a communications tower if the applicant has not made a good-faith effort to obtain permission to mount a communications antenna on an existing building, structure or communications tower. **[Added 10-22-1998 by Ord. No.98-12]**
- W. In order to reduce the number of communications towers in the community, a proposed communications tower shall be required to be constructed in a manner sufficient to accommodate at least three users in addition to the applicant, including other personal wireless service companies and local police, fire and ambulance companies. **[Added 10-22-1998 by Ord. No.98-12]**

§ 150-323. Community recreation development.

- A. The purpose of this section is to coordinate the harmonious coexistence of a cluster residential development amidst an eighteen-hole golf course. The overall residential density permitted seeks to allow reasonable speculative use of the township's existing golf courses, while encouraging their preservation. The standards imposed will assure compatibility with adjoining uses.
- B. Minimum community recreation development site area shall be 60 acres.
- C. Public sewer and water shall be used.

D. The following describes the design standards imposed upon actual townhouse construction:

(1) Maximum density shall be two (2) townhouse dwelling units for each acre of community recreation development site area. This gross density shall include any acreage devoted to the accompanying golf course use and that devoted to the actual residential construction.

(2) Lot area.

(a) Minimum lot area: three thousand (3,000) square feet per each dwelling unit.

(b) Maximum lot area: four thousand (4,000) square feet per each dwelling unit

(3) Minimum lot width shall be twenty-four (24) feet per dwelling, plus the required side yards for end units.

(4) Minimum lot depth shall be one hundred twenty (120) feet

(5) Minimum setback requirements.

(a) Front yard setback shall be thirty-five (35) feet; provided, however, that within each townhouse grouping containing four (4) or more units, no more than sixty percent (60%) of such units can have the same front yard setback. Furthermore, no more than two (2) contiguous units can have the same front yard setback. The minimum difference of staggered setbacks must be two (2) feet.

(b) Side yard setbacks. Each end unit shall provide a twenty-foot side yard.

(c) The rear yard setback shall be thirty-five (35) feet

(d) No townhouse shall be located within one hundred (100) feet of any peripheral lot line of the community recreation development site area.

(6) Maximum length of townhouse grouping. No grouping may contain more than eight (8) townhouse units nor exceed an overall length of two hundred (200) feet.

(7) Maximum permitted height shall be thirty-five (35) feet.

(8) Maximum lot coverage shall be forty percent (40%).

- (9) Minimum separation between buildings. In those town-house developments constructed upon common lands, the following separation distances shall be provided between each townhouse building/grouping:
- (a) Front-front, rear-rear or front-rear parallel buildings shall have seventy (70) feet between faces of the buildings. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten. (10) feet at one end if increased by similar or greater distance at the other end.
 - (b) A yard space of thirty (30) feet is required between end walls of buildings for each two-story building, plus five (5) feet for each additional story. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty (20) feet
 - (c) A yard space of thirty (30) feet is required between end walls and front or rear faces of building for each two-story building, plus five (5) feet for each additional story.
- (10) Location. All townhouses shall be set back from any golf play areas to sufficiently protect the required yards associated with each townhouse unit from stray golf shots.
- (11) Dispersal of units. The placement of townhouse groupings shall not be confined to one (1) particular concentration upon the site. Instead, the townhouse groupings shall be dispersed, to the extent possible, throughout the site so long as the separation of golf play areas and townhouse yards is sufficient.

E. The following describes the design standards imposed upon single-family detached dwelling unit construction:

- (1) Maximum density shall be one (1) detached dwelling for each two (2) acres of community recreation development site area. This gross density shall include any acreage devoted to the accompanying golf course use and that devoted to the actual residential construction.
- (2) Minimum lot area shall be ten thousand (10,000) square feet per each dwelling unit.
- (3) Maximum lot area shall be twenty thousand (20,000) square feet per each dwelling unit.

- (4) Minimum lot width shall be:
 - (a) Eighty (80) feet at the minimum front yard setback line.
 - (b) Seventy (70) feet at the lot frontage and, if along the turnaround of a cul-de-sac, sixty-five (65) feet at the lot frontage.
- (5) Minimum lot depth shall be one hundred twenty-five (125) feet.
- (6) Minimum setback requirements:
 - (a) Principal uses:
 - [1] Front yard setback shall be thirty-five (35) feet from the street right-of-way line of local roads and fifty (50) feet from the street right-of-way line of collector and arterial roads.
 - [2] Side yard setbacks shall be ten (10) feet on each side [twenty (20) feet total].
 - [3] Rear yard setback shall be thirty (30) feet.
 - (b) Accessory uses:
 - [1] Front yard setback. No accessory use, except permitted signs, shall be located within the front yard.
 - [2] Side yard setbacks shall be five (5) feet on each side [ten (10) feet total].
 - [3] Rear yard setback shall be five (5) feet
- (7) Maximum permitted height shall be thirty-five (35) feet
- (8) Maximum lot coverage shall be thirty-five percent (35%).
- (9) Location. All dwellings shall be set back from any golf play areas to sufficiently protect the required yards associated with each dwelling unit from stray golf shots.
- (10) Dispersal of units. The placement of dwellings shall not be confined to one (1) particular concentration upon the site. Instead, the dwellings shall be dispersed into small groupings, to the extent possible, throughout the site, so long as the separation with golf play areas and dwelling yards is sufficient

- F. Golf courses, including accessory uses (e.g., clubhouses, parking lots, storage sheds, pro shop, snack bars, restaurants, swimming pools, etc.), shall be permitted subject to the following standards:
- (1) No golf hole shall be arranged to require a golf ball to be driven over or across any building, road or parking lot.
 - (2) Any accessory uses related to the golf course shall be located so that the traffic generated by the golf course will not have to traverse the residential areas of the site.
 - (3) Any points where the golf course crosses a road(s) shall be signed warning motorists and pedestrians, and the road shall contain speed bumps in accordance with § 150-258 of this chapter.
 - (4) All accessory uses of the golf course shall be set back at least one hundred (100) feet from any adjoining residential lot or residence upon the community recreation development site.
 - (5) No outdoor storage of maintenance equipment or golf carts shall be permitted.
 - (6) All golf course buildings shall be set back thirty-five (35) feet from any adjoining roads.
- G. All off-street parking shall be in accordance with Article XXIV of this chapter. All off-street parking lots associated with the golf course shall be kept separate from those parking lots serving the townhouses. Furthermore, all golf course parking lots shall be screened from the townhouses located on the community recreation development site area.
- H. The construction of any single-family detached dwellings and/ or townhouses is tied to the completion of the golf course facility(s).
- I. The construction of a mixed single-family detached dwelling and townhouse unit project shall be permitted so long as the overall density shall not exceed the ratio of the number of dwelling units by type. All other design standards applicable to each type of unit shall remain in effect

§ 150-324. Drive-through and/or fast-food restaurants and caterers.

Standards that apply to drive-through and/or fast-food restaurants and caterers are as follows:

- A. The subject property shall front on an arterial or collector road as identified in Appendix I.²²

²² **Editor's Note: Appendix I is located at the end of this chapter.**

- B. Exterior trash receptacles shall be provided and routinely emptied so as to prevent the scattering of litter. All applications shall include a description of a working plan for the cleanup of litter.
- C. All drive-through window lanes shall be separated from the parking lot's interior driveways.
- D. Any exterior speaker/microphone system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties.
- E. All exterior seating/play areas shall be completely enclosed by a three-foot-high fence.
- F. No part of the subject property shall be located within two hundred (200) feet of any residentially zoned land.
- G. For restaurants with drive-through windows, sufficient on-site stacking lanes shall be provided to prevent vehicle backups onto adjoining roads.

§ 150-325. Agriculturally related facilities.

Standards that apply to agriculturally related uses are as follows:

- A. All activities and services should be directed at meeting the needs of those engaged in local farming. This use should not be construed to include the sales of agricultural products to nonfarmers nor those involved in wholesale distribution. Wholesale produce, tobacco and livestock sales and auctions are expressly prohibited.
- B. All uses shall have vehicular access to an arterial or collector road as identified in the Township Comprehensive Plan.
- C. Minimum lot size shall be one (1) acre.
- D. Maximum lot size shall be five (5) acres.
- E. No processing of agricultural products shall be permitted.
- F. All structures shall be located at least fifty (50) feet from all property lines.
- G. Maximum lot coverage shall be twenty percent (20%).
- H. Sufficient vehicle stacking lanes shall be provided to prevent vehicle backups onto adjoining roads.

- I. A minimum twenty-five-foot landscape strip shall be provided along all property lines.
- J. All on-site vehicle areas shall contain a bituminous or concrete pavement surface.
- K. Except for the outside storage of farm machinery, all outdoor storage shall be completely enclosed by a six-foot-high fence and screened from adjoining properties and roads. No outdoor storage is permitted within the required landscape strip.
- L. L All grain storage facilities, conveying apparatuses, drying chambers and axial ventilation fans shall be set back a minimum of one hundred (100) feet from all property lines.
- M. All off-street parking, loading, landscaping and signage requirements are listed in Articles XXIV through XXVII, respectively.

§ 150-326. Farm occupations.

Standards that apply to farm occupations are as follows:

- A. Only residents of the farm may be employed.
- B. The use must be conducted within a wholly enclosed building.
- C. Any outbuilding used for such farm occupation shall be located behind the principal residence on the site.
- D. No outdoor storage of supplies, inventory or materials used in the farm occupation shall be permitted.
- E. Only one (1) farm occupation per lot is permitted.
- F. Any activities that produce noxious dust, odor, light or noise perceptible at the property line are prohibited.
- G. All off-street parking and loading areas shall be contained behind the principal residence.
- H. The Zoning Hearing Board may attach additional conditions upon a farm occupation to preserve the agricultural character of the area and protect adjoining uses.
- I. A farm occupation shall be clearly secondary to the principal agricultural use of the property.

§ 150-327. Funeral homes.

Standards that apply to funeral homes are as follows:

- A. Public sewer and water facilities shall be utilized.
- B. Sufficient off-street parking shall be provided to prevent traffic backups onto adjoining roads.
- C. No vehicular access to the site shall be from an arterial road.
- D. All funeral homes must provide at least fifty (50) off-street parking spaces.
[Added 10-22-1992 by Ord. No. 92-15]
- E. All funeral homes must provide a one-hundred-foot off-street stacking area for the formation of funeral processions on the site. No funeral processions will be allowed to form on public streets. [Added 10-22-1992 by Ord. No.92-15]

§ 150-328. Golf courses.

Golf courses, including accessory uses (e.g., clubhouses, parking lots, storage sheds, pro shops, snack bars, restaurants, swimming pools, etc.), shall be permitted subject to the following standards:

- A. Minimum lot area shall be sixty (60) acres.
- B. No golf hole shall be arranged to require a golf ball to be driven over or across any building, road or parking lot.
- C. Any points where the golf course crosses a road(s) shall be signed warning motorists and pedestrians, and the road shall contain speed bumps in accordance with § 150-258 of this chapter.
- D. All accessory uses of the golf course shall be set back at least one hundred (100) feet from all lot lines.
- E. No outdoor storage of maintenance equipment or golf carts shall be permitted.
- F. All golf course buildings shall be set back seventy-five (75) feet from any adjoining roads and one hundred (100) feet from adjoining parcels.
- G. All off-street parking shall be in accordance with Article XXIV of this chapter.

§ 150-329. Greenhouses and nurseries.

Standards that apply to greenhouses and nurseries are as follows:

- A. All greenhouses and nurseries shall have vehicular access to an arterial or collector road as identified in the Township Comprehensive Plan.
- B. The display and sale of items not grown on the premises shall be incidental to the nursery operation. The display area for these items shall not exceed twenty-five percent (25%) of the total gross display and sales area on the subject property. The display, sale or repair of motorized nursery or garden equipment shall not be permitted.
- C. All outdoor display areas shall be set back at least twenty-five (25) feet from the street right-of-way line.
- D. All structural improvements, including parking and loading facilities, but not including a freestanding sign, shall be screened from adjoining residentially zoned properties.
- E. One (1) freestanding or attached sign may be permitted advertising the business. Such sign shall not exceed twelve (12) square feet in size and must be set back at least ten (10) feet from all lot lines.

§ 150-330.⁴ Group homes. [Added 6-10-1993 by Ord. No. 93-07]

Standards that apply to group homes shall be as follows:

- A. The premises shall be under responsible supervision at all times.
- B. Each special exception application shall be accompanied by a statement describing the following:
 - (1) The character of the facility.
 - (2) The program's policies and goals and the means proposed to accomplish the goals.
 - (3) The characteristics of the services population and number of residents to be served.
 - (4) The operating methods and procedures to be used.
 - (5) Any other aspects pertinent to the facility's program.

⁴ Editor's Note: Former § 150-330, Group Homes, was repealed 12-17-1992 by Ord. No. 92-18.

- C. Any special exception granted for a group home shall be bound to the type of care extended to the indicated service population. Any change in the service population will require the obtainment of a new special exception.
- D. The Zoning Hearing Board may required outdoor play/recreation areas to be completely enclosed by a six-foot-high fence. In addition, other conditions may also be imposed to protect the general welfare to the surrounding community.

§ 150-331. Health and recreation clubs.

Within the I-1 Industrial Park Zone, health and recreation clubs are permitted by special exception, provided that the following criteria have been satisfied:

- A. Minimum lot area shall be two (2) acres.
- B. Maximum lot area shall be five (5) acres.
- C. All outdoor recreation facilities shall be set back at least fifty (50) feet from the street right-of-way line and twenty-five (25) feet from all other lot lines.
- D. Any accessory eating or retail use shall not be directly accessible without passing through the main clubhouse building.
- E. All lighting of outdoor recreation areas shall be arranged to prevent glare onto adjoining properties and streets.

§ 150-332. Home improvement and building supply stores.

Standards that apply to home improvement and building supply stores are as follows:

- A. All outdoor storage and display areas, exclusive of nursery and garden stock, shall be screened from adjoining roads and properties.
- B. If the subject property contains more than two (2) acres, it shall front along an arterial or collector road as identified in Appendix 1.⁴

§ 150-333. Hospitals.

Standards that apply to hospitals are as follows:

- A. Minimum lot area shall be five (5) acres.
- B. Public sewer and water shall be used.

⁴ Editor's Note: Appendix 1 is included at the end of this chapter.

- C. The subject property shall have frontage along an arterial or collector road as identified in Appendix 1. ²⁴
- D. All buildings and structures shall be set back fifty (50) feet from all property lines.
- E. Where possible, emergency entrances shall be located on a building wall facing away from adjoining residentially zoned properties.

§ 150-334. Hotels and related facilities. (Amended 8-24-1988 by Ord. No. 88-2]

Standards that apply to hotels and related facilities are as follows:

A. Minimum lot area shall be as follows:

- (1) I-1 Zone: two (2) acres.
- (2) RC Zone: five (5) acres.

B. Maximum lot area shall be as follows:

- (1) I-1 Zone: five (5) acres; provided, however, that a construction of convention facilities can increase this maximum lot area to ten (10) acres.
- (2) RC Zone: none specified.

C. The following accessory uses may be approved as part of the hotel and related facilities application:

- (1) Auditorium.
- (2) Barber and beauty shops.
- (3) Cocktail lounge or nightclub.
- (4) Gift shop.
- (5) Meeting facilities.
- (6) Recreational uses and swimming pools.
- (7) Restaurants.
- (8) Sauna, spa or steam room.

²⁴ **Editor's Note: Appendix 1 is included at the end of this chapter.**

- (9) Solarium.
 - (10) Valet shop.
 - (11) Other similar retail sales and personal services.
- D. The above accessory uses, aside from outdoor recreational uses, shall be physically attached to the main hotel building except as provided in Subsection F.
- E. All hotels shall be separated by at least one thousand (1,000) feet from any other existing hotel facility, as measured from the nearest property line.
- F. In the RC Zone, one (1) freestanding restaurant, tavern or nightclub shall be permitted on the same lot as the principal hotel and related facilities, subject to the following:
- (1) The proposed restaurant, tavern or nightclub shall offer the preparation and serving of food and drink to be consumed on the premises; no drive-through or takeout services shall be permitted.
 - (2) No additional freestanding signs, other than those permitted for the principal hotel and related facilities use, shall be permitted.
 - (3) If a nightclub is proposed, the applicant shall furnish evidence as to what means assure that the proposed nightclub will not constitute a nuisance to adjoining uses, including the hotel, by way of noise, litter, loitering and hours of operation.
 - (4) Sufficient off-street parking spaces shall be provided and located to conveniently serve the freestanding restaurant, tavern and/or nightclub without interfering with required off-street parking associated with the hotel and related facilities use.

§ 150-335. Junkyards.

Standards that apply to junkyards are as follows:

- A. Minimum lot area shall be two (2) acres.
- B. The outdoor area devoted to the storage of junk shall be completely enclosed by an eight-foot-high sight4ight fence and set back at least one hundred (100) feet from all property lines.
- C. The storage of junk within a wholly enclosed building shall be set back at least fifty (50) feet from all property lines.

- D. No material may be stored or stacked so that it is visible from adjoining properties and roads.
- E. All additional federal and state laws shall be satisfied.

§ 150-336. Kennels.

Standards that apply to kennels are as follows:

- A. Minimum lot area shall be two (2) acres.
- B. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard.
- C. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be a minimum of one hundred (100) feet away from all property lines.
- D. All outdoor running areas shall be enclosed to prevent the escape of the animals; all such enclosures shall be a minimum of ten (10) feet from all property lines.
- E. All animal wastes shall be regularly cleaned up and properly disposed of; and
- F. The applicant shall demonstrate a working plan to prevent or alleviate any noise problems emanating from animals boarded on the site.

§ 150-337. Liquor (state) stores.

Standards that apply to liquor (state) stores are as follows:

- A. No part of the subject property shall be located within one hundred fifty (150) feet of any residentially zoned lands.
- B. No part of the subject property shall be within three hundred (300) feet of any school, museum, library, playground, park, day-care facility or church property.
- C. The applicant shall demonstrate a working plan for the cleanup of litter and the prevention of loitering on the subject property.

§ 150-338. Massage parlors.

Standards that apply to massage parlors are as follows:

- A. A massage parlor shall not be permitted to be located within one thousand (1,000) feet, measured lot line to lot line, of an adult regulated facility.

- B. A massage parlor shall not be located within three hundred (300) feet of any public or private school, public recreation facility, house of worship, day-care facility or any dwelling unit.
- C. Parking shall be established at the minimum ratio of one (1) parking space for each one hundred (100) square feet of gross floor area, plus an additional parking space for each employee.

§ 150-339. Medical residential campuses.

Standards that apply to medical residential campuses are as follows:

- A. The campus shall primarily serve the needs of retirement-aged persons. At least one (1) resident of each household shall be at least fifty (50) years old or possess some handicap that can be treated within a setting like the medical residential campus.
- B. The campus shall achieve a balanced residential/medical environment, which cannot be achieved through the use of conventional zoning techniques.
- C. Residences shall be functionally, physically and architecturally integrated with medical service and recreational activity centers.
- D. Commercial, medical and recreational uses shall be grouped together and located near the population being served.
- E. The minimum land area devoted to the campus shall be ten (10) contiguous acres.
- F. The site shall front on and have access to a collector or arterial road as identified in Appendix 1.²⁴
- G. All buildings or structures containing nonresidential use(s), off-street parking lots and loading areas shall be set back at least seventy-five (75) feet from all adjoining residentially zoned land and fifty (50) feet from all lot lines of the campus property.
- H. The maximum permitted gross density is twelve (12) dwelling units per acre, although net densities can exceed this gross density figure.
- I. All buildings or structures used solely for residential purposes shall be set back at least thirty-five (35) feet from all lot lines of the campus property.

²⁴ Editor's Note: Appendix 1 is included at the end of this chapter.

- J. The maximum permitted height is sixty (60) feet, provided that an additional two (2) feet of required building set back shall be provided for that portion of building height exceeding thirty-five (35) feet
- K. No less than forty percent (40%) of the subject property shall be devoted to green space (that portion of the site without an impervious surface).
- L. Each off-street parking lot shall provide at least thirty-three and one-third percent (33.3%) of the total parking spaces as those designed for the physically handicapped. (See § 150-259 for additional regulations.)
- M. Only those uses which appear on an approved site plan shall be permitted. Only those uses which provide a harmonious, balanced mix of medical, residential and limited commercial uses primarily serving campus residents and public, quasi-public and medical services for the off-campus retirement-aged community will be permitted. Uses may include but need not be limited to the following:
 - (1) Dwelling, nursing homes and congregate living facilities for the elderly or physically handicapped.
 - (2) Medical facilities, including offices, laboratories, clinics, professional or paramedical training centers, and ambulatory care facilities. Business signs in conjunction with approved medical facilities shall be permitted in accordance with those provisions pertaining to the PO Zone.
 - (3) Commercial uses which are strictly related and subordinate to the residential/medical character of the campus and which directly serve the residents and employees of or visitors to the center. The uses should be chosen to reflect their local orientation to the immediate campus vicinity and should be of a size and scope so as not to interfere with existing or proposed retail uses located in the off-campus area. Business signs in conjunction with retail commercial uses shall be permitted in accordance with the provisions of Article XXVII.
 - (4) Recreational and social uses, such as athletic facilities, community centers and assembly halls, limited to use only by campus residents, employees or visitors.

§ 150-340. Neighborhood convenience stores.

- A. A neighborhood convenience commercial center may be provided as part of a minimum five-hundred-dwelling-unit R-4 Zone development proposal. For each five hundred (500) units proposed, a minimum of one (1) acre of neighborhood commercial uses, up to a maximum of two (2) acres, may be constructed.

- B. Prior to the construction of a neighborhood convenience store, the actual construction of two hundred fifty (250) dwelling units, plus the road system serving the entire five-hundred (500) dwelling units must occur. [**Amended 6-28-2001 by Ord. No. 01-03**]
- C. Such neighborhood convenience commercial uses shall be located at the intersection of an arterial or collector road and the primary entrance to the proposed RA Zone development. Direct vehicular access to the neighborhood convenience commercial center shall be limited to the street within the proposed residential development. Furthermore, any driveway into the neighborhood convenience commercial parking lot shall be set back a minimum of one hundred (100) feet from the arterial or collector street right-of-way line along the site's frontage.
- D. The proposed neighborhood convenience commercial center shall be designed, oriented and constructed to serve the daily needs of the RA Zone development residents. No automobile related uses, arcade or adult-related uses shall be permitted.
- E. The proposed neighborhood convenience commercial center shall be integrated with the RA Zone development and will be linked by safe and convenient pedestrian walkways.
- F. No neighborhood convenience commercial center shall be located within one thousand (1,000) feet of another neighborhood convenience commercial center.
- G. Such commercial center shall be set back a minimum of one hundred (100) feet and screened from adjoining residences.
- H. No outdoor storage shall be permitted. Dumpsters shall be enclosed by a six-foot-high sight-tight fence.
- I. One (1) freestanding sign for the entire neighborhood convenience commercial center shall be permitted along the R-4 Zone development's street, not along the site's frontage. Such sign shall be no larger than thirty-two (32) square feet and will be set back at least seventy-five (75) feet from the arterial or collector street right-of-way along the site's frontage. In addition, the sign shall be set back at least ten (10) feet from any other street right-of-way and one hundred (100) feet from any residence.
- J. All other design standards prescribed in local Commercial Zone (LC) shall apply to the proposed neighborhood convenience store(s).

§ 150-341. Nightclubs.

Standards that apply to nightclubs are as follows:

- A. No part of the subject property shall be located within three hundred (300) feet of any residentially zoned lands.
- B. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties owing to hours of operation, light and/or litter.
- C. The applicant shall furnish evidence as to how the use will be controlled as to not constitute a nuisance due to noise or loitering outside the building.
- D. A working plan for the cleanup of litter shall be furnished and implemented by the applicant

§ 150-342. Noncommercial keeping of livestock.

Standards that apply to the noncommercial keeping of livestock are as follows:

- A. Minimum lot area shall be as follows:
 - (1) Three (3) acres; additionally, the following list specifies additional area requirements by size of animals kept:
 - (a) Group 1: Animals whose average adult weight is less than ten (10) pounds shall be permitted at an animal density of four (4) per acre, with a maximum number of twenty (20) animals.
 - (b) Group 2: Animals whose average adult weight is between ten (10) and sixty-five (65) pounds shall be permitted at an animal density of two (2) per acre, with a maximum number of twenty (20) animals.
 - (c) Group 3: Animals whose average adult weight is greater than sixty-five (65) pounds shall be permitted at an animal density of one (1) per acre, with a maximum number of ten (10) animals.
 - (2) The keeping of a combination of animal types (Groups 1, 2 and 3) shall require an animal density equal to the ratio of the numbers of animals, by type. In no case shall a lot contain more than twenty (20) total animals. Should one (1) structure be used to house a combination of animal types, the most restrictive setback shall apply.

B. The following lists minimum setbacks imposed upon the placement of any structure used to house noncommercial livestock:

- (1) Group 1 animals: one hundred (100) feet from any property line.
- (2) Group 2 animals: one hundred fifty (150) feet from any property line.
- (3) Group 3 animals: two hundred (200) feet from any property line.

C. All structures used to house noncommercial livestock shall be prohibited from placement in the front yard.

D. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals; all such enclosures shall be set back a minimum of ten (10) feet from all property lines.

E. All animal wastes shall be properly stored and disposed of so as to not be objectionable at the site's property line.

§ 150-343. Nursing, rest or retirement homes.

Standards that apply to nursing, rest or retirement homes are as follows:

- A. Minimum lot area shall be two (2) acres.
- B. Public sewer and water facilities shall be used.
- C. Off-street parking lots and loading areas shall be screened from adjoining residentially zoned lands.

§ 150-344. Processing of farm products.

Standards that apply to the processing of farm products are as follows:

- A. The processing facility is located on the same lot and accessory to the principal agricultural use of the site.
- B. A majority of the materials to be processed have been grown or raised on the subject property; the remainder of materials have been grown or raised within the township.
- C. No butchering, slaughtering or rendering uses shall be permitted.
- D. No retail sales of the products shall be permitted.

- E. All processing activities shall be conducted within a wholly enclosed building, which is located behind the principal residence building setback line.
- F. No noxious odor, dust, glare, vibration or noise shall be perceptible at the property line.
- G. All off-street parking and loading areas shall be contained behind the principal residence.
- H. All employees shall reside on the subject property.

§ 150-345. Public buildings, including firehouses.

Standards that apply to public buildings, including firehouses, are as follows:

- A. All height, area, setback and coverage standards within the underlying zone shall apply.
- B. All off-street parking shall be ten (10) feet from adjoining property lines.
- C. Outdoor storage of materials shall be prohibited within residential zones. Outdoor storage in other zones shall be completely enclosed within a six-foot-high fence and screened from adjoining streets and properties.
- D. The storage of maintenance vehicles and related apparatuses shall be within wholly enclosed buildings.

§ 150-346. Public utilities.

Standards that apply to public utilities are as follows:

- A. If located within a residential, open space or agricultural zone, the applicant must demonstrate that the selected location is necessary for public service and convenience and the use cannot be supplied with equal effectiveness, if located elsewhere.
- B. If located within a residential zone, all buildings and structures shall be designed, to the extent possible, to have the exterior appearance of a residence.
- C. In any residential zone, the outdoor storage of vehicles or equipment used in the maintenance of a utility shall not be permitted; in nonresidential zones, all outdoor storage shall be screened from adjoining roads and properties.
- D. There shall be no specified minimum lot size; however, each lot shall provide front, side, and rear yard setbacks and comply with the maximum lot coverage requirements as prescribed in the underlying zone.

- E. All structures shall be set back a distance at least equal to the height of the structure from all adjoining property lines.
- F. The use shall emit no obnoxious noise, glare, dust, odor, vibration, electrical disturbance or any other objectionable impact beyond the subject property.
- G. All site improvement shall be screened from all adjoining residentially zoned properties.

§ 150-347. Recycling of paper, glass and metal products.

Standards that apply to the recycling of paper, glass and metal products are as follows:

- A. All operations, including collection, shall be conducted within a wholly enclosed building.
- B. There shall be no outdoor storage of materials used or generated by the operation.
- C. The applicant shall explain the scope of operation and any measures used to mitigate problems associated with noise, fumes, dust and litter.
- D. The applicant will assure regular maintenance of the site to assure the immediate collection of stray debris.

§ 150-348. Restaurants and taverns.

Standards that apply to restaurants and taverns are as follows:

- A. The proposed restaurant shall offer the preparation and serving of food and drink to be consumed on the premises. No drive-through or takeout services shall be permitted.
- B. Minimum lot area shall be one (1) acre.
- C. No restaurant shall be within five hundred (500) feet of another restaurant, except one accessory to a hotel, within the I-1 Industrial Park Zone.

§ 150-349. Riding schools and horse boarding stables.

Standards that apply to riding schools or horse boarding stables are as follows:

- A. Minimum lot area shall be ten (10) acres.
- B. Any structure used for the boarding of horses shall be set back at least two hundred (200) feet from any property line.

- C. All stables shall be maintained so as to minimize odors perceptible at the property line.
- D. All outdoor training or show facilities or areas shall be set back one hundred (100) feet from all property lines.
- E. All outdoor training, show, riding, boarding or pasture area shall be enclosed by a minimum of four-foot-high fence which will be located at least ten (10) feet from all property lines.
- F. All parking compounds and unimproved overflow parking areas shall be set back at least ten (10) feet from adjoining lot lines. Unimproved overflow parking areas shall also provide a fence delineating such occasional parking facilities and preventing the parking or movement of vehicles across neighboring properties.

§ 150-350. Shopping centers in the Highway Commercial Zone.

Standards that apply to shopping centers in the Highway Commercial Zone are as follows:

- A. The subject property shall front on an arterial or collector road as identified in Appendix 1 of this chapter. ²⁵
- B. The minimum lot size shall be one (1) acre.
- C. The minimum lot width shall be two hundred (200) feet.
- D. A minimum of five and five-tenths (5.5) off-street parking spaces shall be provided for each one thousand (1,000) square feet of gross leasable floor area. This parking requirement is also subject to the permitted reduction described in §150-261 of this chapter.

§ 150-351. Shopping centers or malls on two or more contiguous lots.

Standards that apply to shopping centers or malls on two (2) or more contiguous lots are as follows:

- A. The design of an integrated shopping center on multiple parcels may be accomplished without meeting the side yard setback requirements imposed between the adjoining lots.

²⁵ **Editor's Note: Appendix 1 is included at the end of the chapter.**

- B. A multiple-parcel shopping center or mall can be developed using common driveways, parking lots, loading spaces, etc., provided that all such common facilities will be made available so long as the use exists. Should use of these common facilities be eliminated, each property would be required to comply with all applicable requirements.

§ 150-352. Solid waste disposal and processing facilities.

Standards that apply to solid waste disposal and processing facilities are as follows:

- A. Any processing of solid waste, including but not limited to incineration, composting, shredding, compaction, material separation, refuse-derived fuel, pyrolysis, etc., shall be conducted within a wholly enclosed building.
- B. No refuse shall be deposited or stored and no building or structure shall be located within two hundred (200) feet of any property line and five hundred (500) feet of any land within a residential zone.
- C. Any area used for the unloading, transfer, storage, processing, incineration or deposition of refuse must be completely screened from ground-level view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by an eight-foot-high fence with no openings greater than two (2) inches in any direction.
- D. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable state and federal standards and regulations.
- E. The use shall be screened from all roads and adjoining properties.
- F. All uses shall provide sufficiently long stacking lanes into the facility so that vehicles waiting to be weighed will not backup onto public roads.
- G. All driveways onto the site shall be paved for a distance for at least two hundred (200) feet from the street right-of-way line. In addition, a fifty-foot-long gravel section of driveway should be placed just beyond the preceding two hundred (200) foot paved section to help collect any mud that may have attached to a vehicle's wheels.
- H. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.

- I. Hazardous waste, as described by the Department of Environmental Resources, shall not be disposed of within the proposed use.
- J. Litter control shall be exercised to prevent the scattering of windblown debris, and a working plan for the cleanup of litter shall be submitted to the township.
- K. The unloading, processing, transfer and deposition of solid waste shall be continuously supervised by a qualified facility operator.
- L. L Any waste that cannot be used in any disposal process or material that is to be recycled shall be stored in leak- and vectorproof containers. Such containers shall be designed to prevent their being carried by wind or water. The containers are subject to the setbacks listed in § 150~352B of this chapter.
- M. All storage of solid waste shall be indoors in a manner that is leak- and vectorproof. During normal operation, no more solid waste shall be stored on the property than is needed to keep the facility in constant operation but in no event, for more than seventy-two (72) hours.
- N. A contingency plan for the disposal of solid waste during a facility shutdown shall be submitted to the township.
- O. Leachate from the solid waste shall be disposed of in manner in compliance with any applicable state and federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground or in any other manner inconsistent with the Department of Environment Resources' regulations.
- P. All structures shall be set back at least a distance equal to their height.
- Q. Water system.
 - (1) The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed.
 - (2) In addition, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility study shall be reviewed by the Municipal Engineer.

- (3) A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed development, shall not be approved by the municipality.
- (4) A water feasibility study shall include the following information:
 - (a) Calculations of the projected water needs.
 - (b) A geologic map of the area with a radius of at least one (1) mile from the site.
 - (c) The location of all existing and proposed wells within one thousand (1,000) feet of the site, with a notation of the capacity of all high-yield wells.
 - (d) The location of all existing on-lot sewage disposal systems within one thousand (1,000) feet of the site.
 - (e) The location of all streams within one thousand (1,000) feet of the site and all known point sources of pollution.
 - (f) Based on the geologic formation(s) underlying the site, the long-term safe yield.
 - (g) A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells and streams and the groundwater table.
 - (h) A statement of the qualifications and the signature(s) of the person(s) preparing the study.
- R. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on current traffic flows on this road system and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to ensure safe turning movements to and from the site and safe through movement on the existing road.
- S. A minimum one-hundred-foot-wide landscape strip shall be located along all property lines. No structures, storage, parking or any other related activity or operation shall be permitted within this landscape strip. Any fences or other screening erected on the site must not be located within this landscape strip.

§ 150-353. Truck or motor freight terminals.

Standards that apply to truck or motor freight terminals are as follows:

- A. Access shall be via an arterial road as identified by Appendix I. ²⁶
- B. The applicant shall furnish a traffic study based upon the expected number of vehicle trips generated from the proposed use and the current traffic volumes on roads connecting the site with the United States Route 30. Such study should identify any resulting traffic congestion or safety problems, along with possible mitigation measures.
- C. In the I-2 Zone, the area of the parcel designated for such uses shall be limited to four (4) acres in size. [Amended 6-28-2001 by Ord. No. 01-03]

§ 150-354. Two-family conversions.

Within the LC Zone, a detached single-family dwelling may be converted into two (2) dwelling units subject to the following:

- A. Minimum lot area shall be eight thousand (8,000) square feet.
- B. Public sewer and water facilities shall be used.
- C. No modifications to the external appearance of the building, except fire escapes, which would alter its residential character, shall be permitted.
- D. All floors above grade shall have direct means of escape to ground level.
- E. Reserved¹

§ 150-355. Vocational and mechanical trade schools.

Standards that apply to vocational and mechanical trade schools are as follows:

- A. Any maintenance, repair, rebuilding, testing or construction of mechanical devices shall be conducted within a wholly enclosed building.
- B. No outdoor storage shall be permitted.

¹ Editor's Note: Former §150-354 Two family conversions, subsection E., was repealed 6-28-2001 by Ord. No. 01-03.

²⁶ Editor's Note: Appendix 1 is included at the end of this chapter.

§ 150-356. Miniwarehousing. [Added 8-24-1989 by Ord. No.89-09]

Standards that apply to miniwarehousing are as follows:

- A. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty-six (26) feet wide when cubicles open onto one (1) side of the lane only and at least thirty (30) feet wide when cubicles open onto both sides of the lane.
- B. Required parking spaces may not be rented as or used for vehicular storage. However, additional external storage area may be provided for the storage of privately owned travel trailers and/or boats, so long as such external storage area is screened from adjoining residentially zoned land and adjoining roads and is located behind the minimum front yard setback line. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked or inoperative vehicles.
- C. All storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and, or machinery or other apparatuses relying upon such fuels shall be stored only in an external storage area as described above.
- D. It shall be prohibited to store gasoline, diesel fuel, paint, paint remover and other flammable materials. Also the repair, construction or reconstruction of any boat, engine, motor vehicle or furniture is prohibited.
- E. No door openings for any miniwarehouse unit shall be constructed facing any residentially zoned property.
- F. Miniwarehouses shall be used solely for the dead storage of property. The following uses are expressly prohibited:
 - (1) Auctions, commercial wholesale or retail sales, including garage sales.
 - (2) The servicing, repair or fabrication of any item.
 - (3) The operation of power tools or spray painting equipment.
 - (4) The establishment of a transfer business.
 - (5) Any use that is noxious because of odors, dust, fumes or vibrations.
- G. The applicant shall provide a contract, which will be used to prohibit all such uses.

§ 150-357. Lot reductions; integrated developments on multiple lots.

A. Within the Professional Office Zone (P0), the minimum lot size and lot width may be reduced, subject to the following:

- (1) Minimum lot size shall be fifteen thousand (15,000) square feet.
- (2) Minimum lot width shall be ninety (90) feet.
- (3) All access drives shall be separated by one hundred fifty (150) feet as measured at the street line and measured from the closest access drive edges. Access drives shall conform to the specifications set forth in the West Manchester Township Access Drive Ordinance, Ordinance No.96-01, Chapter 42 of the Code of the Township of West Manchester. **[Amended 3-14-1996 by Ord. No.96-08]**
- (4) No setback shall apply along the common boundary of joint parking lots shared by adjoining lots.

B. **[Added 3-24-1988 by Ord. No.88-02]** Within the Regional Commercial Zone (RC), the design of an integrated development on multiple lots may be permitted subject to the following:

- (1) The total land area (tract) devoted to such integrated development shall not be less than five (5) acres; however, no minimum lot size shall apply to lots contained within an approved integrated development.
- (2) All tracts shall be at least three hundred (300) feet wide.
- (3) All tracts shall be at least three hundred (300) feet deep.
- (4) While no setbacks are applied to interior lot lines within the tract, all of those setbacks listed in § 150-140 of this chapter shall apply along the peripheral boundaries of the tract.
- (5) No more than sixty percent (60%) of the tract area shall be covered by impervious surfaces.
- (6) No access drive shall be located within twenty-five (25) feet of any side tract property line. Access drives shall conform to the specifications set forth in the West Manchester Township Access Drive Ordinance, Ordinance No.96-01, Chapter 42 of the Code of the Township of West Manchester. **[Amended 3-14-1996 by Ord. No.96-08]**
- (7) Except as noted above, all other requirements contained within Article XVI shall apply to the proposed integrated development.

- (8) The integrated development shall make efficient use of common access drives, parking lots, off-street loading spaces and stormwater management facilities. In addition, the integrated development shall be designed with a planned appearance through the use of coordinated architecture, landscaping and signage throughout the total development.
- (9) All common facilities shall be made available to each lot within the tract for so long as the integrated development exists. Should use of these common facilities or any part thereof be eliminated, each lot shall meet the requirements of this chapter.

§ 150-357.1. Development in OSR Zones. [Added 6-27-1991 by Ord. No.91-03]

Regulations for single-family detached dwellings or developments in the OSR-1, OSR-2 and OSR-3 Zones shall be as follows:

- A. The parcel cannot be developed using the open space development concept due to topography narrowness or some other limiting physical factor.
- B. The partial development of the parcel by conventional development will not significantly impair the future use of the property as an open space development.
- C. The general welfare of the township and adjacent properties would be better served by conventional development.
- D. If the conditional use is granted by the Board of Supervisors, development must adhere to the following:
 - (1) For OSR-1 Zones, standards for development shall be as in §150-228.5.
 - (2) For OSR-2 Zones, standards for development shall be as in §150-228.11.
 - (3) For OSR-3 Zones, standards for development shall be as in §150-228.17.

§ 150-357.2. Club warehouse stores. [Added 12-19-1993 by Ord. No.93-15]

Standards that apply to club warehouse stores are as follows:

- A. The subject property shall abut an arterial road and have direct access to an arterial road or to an access road connecting with an arterial road. Arterial roads are identified in Appendix 1 of this chapter.
- B. The minimum lot size shall be ten (10) acres.
- C. The minimum lot width shall be five hundred (500) feet.

§ 150-357.3. Methadone treatment facility. [Added 6-28-2001 by Ord. No. 01-03]

Standards that apply to methadone treatment facilities are as follows:

- A. The facility must be licensed by the Commonwealth of Pennsylvania.
- B. A methadone treatment facility shall not be established or operated within five hundred (500) feet of an existing school, public playground, public park, residential housing area, child-care facility, church, meeting house or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility.
- C. Notwithstanding Section B., a methadone treatment facility may be established closer than five hundred (500) feet to an existing school, public playground, public park, residential housing area, child-care facility, church, meeting house, or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility if, by majority vote, the governing body for the municipality votes in favor of the issuance of a certificate of use and occupancy for said facility at such a location.
- D. At least fourteen (14) days prior to the governing body voting on whether to approve the issuance of a certificate of use and occupancy for a methadone treatment facility at a location that is closer than five hundred (500) feet to an existing school, public playground, public park, residential housing area, child-care facility, church meeting house, or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility, one (1) or more public hearings regarding the proposed methadone treatment facility location shall be held following public notice. All owners of real property located within five hundred (500) feet of the proposed locations shall be provided written notice of said public hearing at least thirty (30) days prior to said public hearing occurring.