

**TOWNSHIP OF DOUGLASS
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE TOWNSHIP OF DOUGLASS, MONTGOMERY COUNTY, PENNSYLVANIA, REPEALING CHAPTER 265, THE DOUGLASS TOWNSHIP ZONING ORDINANCE NO. 82-4, AS AMENDED, ADOPTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF DOUGLASS ON JUNE 7, 1982, AND REENACTING CHAPTER 265, ZONING, OF THE TOWNSHIP OF DOUGLASS CODE OF ORDINANCES, TO BE CITED AS THE DOUGLASS TOWNSHIP ZONING ORDINANCE OF 2025, AND AMENDING THE ZONING MAP OF THE TOWNSHIP OF DOUGLASS TO REZONE CERTAIN PROPERTIES FROM VILLAGE CENTER COMMERCIAL DISTRICT (VCC) TO LIMITED COMMERCIAL DISTRICT, AND TWO PARCELS OF CONVENIENCE COMMERCIAL DISTRICT TO R-2 WITH THE ACTIVE ADULT COMMUNITY OVERLAY AND M-1 WITH THE ROUTE 100 CORRIDOR MASTER PLAN OVERLAY DISTRICT, RESPECTIVELY.

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth of Pennsylvania that it deems necessary for the proper management, care, and control of the Township and the maintenance of peace, good government, health, and welfare of the Township and its citizens; and

WHEREAS, the Douglass Township Zoning Ordinance of 82-4, as originally enacted and amended from time to time is contained in Chapter 265 of the Code of Ordinances (the "Zoning Ordinance"); and

WHEREAS, the Douglass Township Board of Supervisors ("Supervisors") has determined that it is in the best interests of Douglass Township to repeal the presently effective Douglass Township Zoning Ordinance of 82-4 and re-enact Chapter 265, Zoning, to be cited as the Douglass Township Zoning Ordinance of 2025; and

WHEREAS, the Supervisors have determined that it is in the best interest of the Township to Amend the Zoning Map to be consistent with the re-enacted Zoning Ordinance; and

WHEREAS, the Supervisors have met the procedural requirements of 53 P.S. §10101, et. seq. of the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing.

NOW THEREFORE, be it ordained and enacted, and it is hereby ordained and enacted by the Board of Supervisors of Douglass Township, Montgomery County, Pennsylvania, as follows:

SECTION 1. The Board of Supervisors, pursuant to its authority under the Pennsylvania Second Class Township Code, hereby enacts the Douglass Township Zoning Code attached hereto as Exhibit "A", repealing and re-enacting Chapter 265 of the Douglass Township Code of Ordinances; and

SECTION 2. This Ordinance repeals in its entirety Chapter 265, Zoning, of the Douglass Township Code of Ordinances and re-enacts Chapter 265 as set forth in Exhibit "A" to be cited as the "Douglass Township Zoning Ordinance of 2025".

SECTION 3. The Ordinance amends the Zoning Map of the Township, rezoning certain properties from the Village Center Commercial District (VCC) to Limited Commercial District and two parcels of Convenience Commercial District to R-2 with the Active Adult Community Overlay and M-1 with the Route 100 Corridor Master Plan Overlay District, respectively, to be consistent with the map attached hereto and made a part of this Ordinance, and shall be hereinafter designated as the "Zoning Map of Douglass Township". Said map is attached hereto, incorporated herein and marked as Exhibit "B".

SECTION 4. REPEALER. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 5. REVISIONS. The Douglass Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its ordinances, including this provision.

SECTION 6. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid, or unconstitutional by any court of competent jurisdiction, such declaration shall not prevent, preclude, or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 7. EFFECTIVE DATE. This amendment shall become effective as provided by law.

ENACTED AND ORDAINED by the Township of Douglass Board of Supervisors this day of , 2025.

DOUGLAASS TOWNSHIP BOARD OF SUPERVISORS

By: _____
Joshua Z. Stouch, Chairman

Attest:

Marcy Meitzler, Township Secretary

Exhibit "A"

DOUGLASS TOWNSHIP ZONING ORDINANCE 2025

ARTICLE I General Provisions

§ 265-1. Short title.

This chapter shall be known and may be cited as the "Douglass Township Zoning Ordinance of 2025."

§ 265-2. Statement of community development objectives.

This chapter is enacted in conformance with the requirements of Act 247, the Municipalities Planning Code, as amended. It is the intent of this chapter to implement the goals and objectives set forth in the Douglass Township Comprehensive Plan and the Pottstown Metropolitan Regional Comprehensive Plan, in such a way that land uses appropriate for the character of the Township are encouraged and environmentally sensitive areas such as steep slopes and floodplains are protected from inappropriate development. The following specific development goals and objectives are intended to serve the needs of Douglass Township's future.

A. Residential goals and objectives:

- (1) To encourage the maintenance of the rural character of the Township while providing a variety of housing types and densities.
- (2) To provide for low density residential development in areas which are removed from the Gilbertsville core area and which neither have, nor are planned to have, centralized sewer or water service.
- (3) To allow for timing of growth at a rate consistent with recent past growth and the availability of appropriate community facilities and municipal services.
- (4) To channel higher densities of development into areas which provide adequate community facilities and municipal services or are planned for their expansion and areas designated for growth as indicated in the Future Land Use Plan of the Pottstown Metropolitan Regional Comprehensive Plan (PMRCP) and the future land use plan of the Douglass Township Comprehensive Plan.
- (5) To direct manufactured home park development into areas most suited for it in terms of required community facilities and municipal services as well as other medium density residential land use requirements.

B. Industrial development goals and objectives:

- (1) To provide adequate land for all types of industrial development.
- (2) To adequately protect surrounding development from the noxious effects of heavy industry.
- (3) To permit light industrial and research and development uses to be located on

appropriate sites which are consistent with surrounding development patterns.

- (4) To provide for alternative types of uses consistent with growth within the Route 100 Corridor Master Plan, as designated in the Future Land Use Plan of the Pottstown Metropolitan Regional Comprehensive Plan (PMRCP) and the future land use plan of the Douglass Township Comprehensive Plan.

C. Commercial development goals and objectives:

- (1) To make provisions for adequate commercial facilities to serve the present and projected population of Douglass Township.
- (2) To permit the development of planned convenience centers which would permit easy access for convenience goods.
- (3) To limit "strip commercial" uses in mixed commercial and residential areas to uses which do not attract large volumes of traffic and continuous customer turnover, including uses such as specialty and personal service shops, especially when located in the conversions of existing buildings.
- (4) To provide for alternative types of commercial uses consistent with growth within the Route 100 Corridor Master Plan, as designated in the Future Land Use Plan of the Pottstown Metropolitan Regional Comprehensive Plan (PMRCP) and the future land use plan of the Douglass Township Comprehensive Plan.

D. Environmental and open space goals and objectives:

- (1) To adopt zoning which encourages preservation and protection of environmental amenities.
- (2) To encourage the retention of appropriate open space by means of innovative development techniques.
- (3) To ensure that inappropriate development will not occur in floodplains, areas of steep slopes or other environmentally sensitive areas.

E. Institutional goals and objectives:

- (1) To encourage institutional uses needed and desired by Township residents.
- (2) To provide guidance and standards for locating and developing institutional uses.

§ 265-3. Establishment of controls.

- A. For new structures, subdivision and uses. All new buildings or other structures shall be constructed, and all parcels of land shall be subdivided, developed and/or used only in accordance with the regulations specified for each district. Any new building, other structure, or tract of land approved after the effective date of this chapter, as a result of the granting of a variance or other appropriate, lawful form of relief, shall be deemed nonconforming and subject to the regulations of Article XXVI of this chapter.
- B. For existing structures, parcels and uses. Any lawful buildings, other structures, parcels

or uses of land in existence on the effective date of this chapter, which are not in conformance with the applicable regulations contained herein, shall be deemed nonconforming, and subject to the regulations of Article XXVII of this chapter.

§ 265-4. Establishment of districts and other regulations.

- A. For the purposes of this chapter, the Township of Douglass is hereby divided into districts, which shall be designated as follows:

R-A	Residential - Agricultural- District
R-1	Residential District
R-2	Residential District
R-3	Residential District
R-4	Residential District
IN	Institutional District
LC	Limited Commercial District
GC	General Commercial District
M-1	Office and Light Industrial District
M-2	Manufacturing Industrial District
FL	Floodplain Conservation District
MU	Office and Mixed-Use District
	Route 100/County Line Road Intersection East Shopping Center Overlay District
AAC	Adult Active Community Overlay District
LOR	Limited Office Residential Overlay District
	Route 100 Corridor Master Plan Overlay District
NMU	Neighborhood Mixed Use Overlay District
RCC	Riparian Corridor Conservation District

- B. In addition, there shall be two parts which provide for other development options within the framework of several of the residential districts listed below. These parts shall be designated as follows:

Cluster Development Regulations

Manufactured Home Park Regulations

§ 265-5. Adoption of Zoning Map.

The areas within the Township limits as assigned to each district and the location of boundaries of the districts established by this chapter are shown upon the Zoning Map, which is declared to be part of this chapter and shall be kept on file by the Township Secretary.

§ 265-6. District boundary lines.

Where uncertainty exists with respect to the boundaries of the various districts, as shown on the Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the center line of streets, highways or alleys shall be construed to the following center line.
- B. Boundaries indicated as approximately following plotted lot lines shall be construed as following such boundaries.
- C. Boundaries indicated as approximately following Township boundaries shall be construed as following such boundaries.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks; or following the center line of the right-of-way if the tracks are removed.
- E. Boundaries indicated as following streams and rivers shall be construed to follow center lines of the same.
- F. Boundaries indicated as parallel to or extensions of features indicated in §265-6.D and E shall be so constructed to the Township. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
- G. When a district boundary line divides a lot held in single and separated ownership at the time this chapter becomes effective, the regulations as to use in the less restrictive district may, when authorized as a special exception, extend over a portion of the lot in the more restrictive district, not to exceed 50 feet.

§ 265-7. Lot sizes.

Any lot, as well as the open space reserved on it, must equal or exceed the minimum sizes prescribed in this chapter for the district in which the lot is located.

§ 265-8. Lots of record, nonconforming.

A lot of public record, in single and separate ownership at the time of enactment of this chapter, or amendments thereto, which is not in conformance with the area or other dimensional requirements of the district in which it is located shall be deemed nonconforming and shall be subject to the regulations of § 265-238 of this chapter.

§ 265-9. Reduction of lot area.

No lot shall be so reduced that the area of the lot or the dimensions of the required open space shall be less than herein prescribed.

§ 265-10. Obstruction to vision at intersections prohibited.

On corner lots, no physical improvements or planting areas shall be erected, altered or maintained within the required yards which shall cause obstruction to driver vision from the abutting intersection.

§ 265-11. Access to public streets.

All lots shall have direct access to a public street in compliance with the minimum lot width regulations of the district in which they are located. In the R-1 and R-2 Zoning Districts access may be provided by a strip of land at least 50 feet wide, provided that the area of the access strip is not calculated in the minimum lot area, and that the lot or lots comply with the requirements of § 265-24, Rear lotting. In the R-3 District, single-family attached dwelling units may share common access driveways or roads which serve clusters of dwelling units. Town homes may front on public rights-of-way, private streets, common parking areas, and public greens and plazas. Where access is provided to the rear of units, via common access driveways, units are not required to have direct vehicular access to a public or private street.

§ 265-12. Existing interior lots.

In computing the area of such lots, the area of the access strip shall not be included. The access strip shall be used as access to only the particular lot of which it is a part, except when other lots with street frontage and lot width in compliance with this chapter obtain access via the access strip for safety or convenience purposes.

§ 265-13. Projections into required yards.

No structure and no part of a structure shall be erected within or shall project into any minimum required yard in any district except that:

- A. An enclosed porch not more than 14 feet in height may be erected to extend into a required front or rear yard a distance of not more than 10 feet, provided that the remaining setback from a property line is not less than five feet.
- B. An uncovered terrace, including decks and patios, that does not extend above the level of the first floor of the building may be erected to extend into a required yard a distance of not more than 10 feet, provided that the remaining setback from a property line is not less than five feet.
- C. A buttress, chimney, cornice, pier or pilaster of a building may project not more than 18 inches into a required yard.
- D. Open, unenclosed fire escapes, steps, bay windows and balconies may project not more than three feet into a required yard.

§ 265-14. Height exceptions.

Exception to the maximum height specified in each district shall be governed by the following:

- A. Chimneys, skylights, tanks, radio or television receiving antennas or similar uses or structures shall not be included in calculating the height where such structures are customarily vertical projections of a permitted building.
- B. Vertical projections of buildings described in §265-14.A above and self-supporting structures of other types when permitted (e.g., windmills, radio or water towers) may exceed the maximum permitted height limits, provided that the setback from all property

lines of the lot on which the structure is located is equal to the height of the vertical projection and/or self-supporting structure, in compliance with the regulations of Article III, Use Regulations.

§ 265-15. Minimum habitable floor area.

No dwelling, dwelling unit, or other structure designed for residential occupancy shall be constructed or occupied for residential purposes unless the same shall contain a habitable floor area of not less than 600 square feet.

§ 265-16. Manufactured home and manufactured home parks.

Manufactured homes are a permitted use in R-A, R-1, R-2, and R-3 Residential Districts, subject to the following regulations:

- A. In R-A, R-1, R-2 and R-3 Districts a manufactured home may be located on a lot as a single-family detached dwelling, in compliance with the applicable provisions of the respective district, provided it is permanently installed on a building foundation constructed in compliance with the Township's Building Code.
- B. In the R-2 District, in addition to being permitted as specified in § 265-16A above, manufactured homes are a permitted use under the provisions of Article IX, Cluster Development Regulations, in compliance with the regulations of Article IX and §265-16.A of this section.
- C. In the R-3 District, manufactured home parks are permitted as a conditional use when developed in compliance with the regulations of Article III Use Regulations and Use C-6: Mobile Home Park.
- D. The undercarriage of all manufactured homes shall be screened from view by means of foundation walls or appropriate skirting, and wheels shall be removed.
- E. Sewer and water facilities shall be required for manufactured homes in accordance with the provisions of the respective districts in which they are located.

§ 265-17. Exceptions for public utility corporations and Township.

This chapter shall not apply to any existing or proposed building or extension thereof, used or to be used by a public utility corporation, if upon petition of such corporation the Pennsylvania Public Utility Commission, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public; nor

shall this chapter apply to any building of the Township, or extension thereof, or to the use of any premises by the Township.

§ 265-18. Condominium ownership plans.

No section of this chapter shall be construed to prohibit condominium ownership as permitted by the applicable enabling legislation of the Commonwealth of Pennsylvania.

§ 265-19. Prohibition of public nuisances.

The following standards shall be followed throughout the Township.

- A. No building may be erected, altered or used and no lot or premises may be used, for any trade, industry or business that is noxious or offensive by reason of odor, dust, smoke, gas, vibration, illumination or noise.
- B. No lot or premises shall be used for storage, deposit or disposal of rubbish, junk or any noxious, offensive or otherwise objectionable material.
- C. The performance standards of §265-116 in the M-1 Manufacturing District and §265-122 in the M-2 Manufacturing District shall apply throughout the township.

§ 265-20. Garage or yard sales.

No person shall conduct more than two garage sales or yard sales on any lot in an R-A, R-1, R-2, R-3 or R-4 District during any calendar year. Each sale shall be limited to a maximum of 10 consecutive calendar days.

§ 265-21. Interpretation of regulations.

The interpretation of this chapter is intended to be such that whenever these requirements are at variance with Chapter 230, Subdivision and Land Development, or any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive requirements shall govern.

§ 265-22. Severability.

Should any section or provision of this chapter be declared by a court to be unconstitutional or invalid for any reason, such shall not affect the validity of the chapter as a whole nor the validity of any other section or provision of this chapter other than the one so declared.

§ 265-23. Repealer.

The Douglass Township Zoning Ordinance of 1968 as amended, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

§ 265-24. Rear lotting.

Rear lots, as defined in Article II of this chapter, upon recommendation of the Township Planning Agency and Engineer, subject to the following criteria:

- A. For each rear lot created, there must be a corresponding road frontage lot containing the minimum building setback line, if a majority of the land area of the parent lot is being lotted off.
- B. A 75-foot access strip is required for commercial properties.
- C. If only a minor portion of an existing tract is being subdivided, rear lots may be used under the following conditions:

- (1) When it serves to preserve existing farmland and rural appearance by locating building lot area remote from existing roads.
 - (2) When existing road frontage does not permit creation of a new, standard-width lot, but does permit use of an access strip which is reserved for future use as a street for access to the remainder of the tract.
 - (3) Where future subdivision of a tract is contemplated, and supported by a tentative overall sketch plan; and when rear lotting serves to reduce the number of access points from existing, through-roads by providing for a common access driveway along an access strip which is reserved for future use as a street right-of-way.
- D. Not more than two rear lot access strips will be permitted to abut one another unless some form of guarantee is made for a right-of-way for future use as a public street, upon recommendation of the Township Planning Agency and Engineer.
- E. In reviewing applications for rear lots, the Board of Supervisors, Township Planning Agency and Engineer shall consider the following factors:
- (1) The configuration of the property being subdivided.
 - (2) The amount of existing road frontage.
 - (3) The number of lots involved, both the total number and the amount that would be rear lots.
 - (4) The size of the proposed lots.
 - (5) The topography, vegetation and other environmental characteristics of the parcel being divided.
 - (6) The type and character of the road the tract abuts.
 - (7) The character of surrounding area, from two aspects:
 - (a) Its physical characteristics and whether the subdivision site is distinguishable from it.
 - (b) Its planned future character, that is, whether in a growth area, on the edge of a growth area or in a rural area.
 - (8) The development status of surrounding sites.
 - (9) Whether multiple rear lots would set a bad precedent for nearby sites.
 - (10) The visual character desired for the tract, that is, whether it's better to see all the houses near the road, or to "hide" some in back and have less perceivable density.
 - (11) Whether a public road would appear "forced" either on the plan or on the ground (considering configuration, alignment, natural features, etc.).
 - (12) Economics, that is, the number of lots in the rear versus the cost of the new road.

F. If rear lotting is to be permitted, the following criteria shall be used for the design of the plan:

- (1) The access strip should be a fee simple part of the rear lot.
- (2) The area in the access strip should not be a part of the minimum lot area calculation.
- (3) The length of the access strip should be kept apart to a minimum.
- (4) There should be no sharp turns (greater than 45°) in the access strip.
- (5) The location of the access strip should be logical relative to the body of the rear lot, surrounding property configurations, and environmental features such as woods, steep slopes, streams, floodplains, etc.
- (6) When two access strips abut, they should preferably have a common physical drive constructed using cross-easements.

§ 265-25. On-lot sewage disposal.

The use of on-lot sewage disposal, where permitted by this chapter, shall comply with the regulations herein, but shall not be permitted to be used unless a permit has been issued by the Montgomery County Health Department, which has certified that the proposal meets or exceeds all applicable state regulations pertaining to on-lot disposal systems.

§ 265-26. Review by Planning Agency; approval or disapproval by Board of Supervisors.

A. Plans for any institutional, commercial or industrial use shall be submitted to the Planning Agency prior to the issuance of any zoning permit and such plans shall include the following:

- (1) A detailed narrative or project description of the proposed improvements.
- (2) A plot plan of the lot showing the location of all present and proposed buildings and other improvements, drives, parking lots, drainage facilities and sanitary sewage facilities, together with all buildings, streets, alleys, highways, drainage facilities and other topographical features located within 200 feet of any lot line.
- (3) Architectural plans and architectural renderings for the proposed buildings and other improvements.
- (4) A description of the commercial operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, drainage problems, fire hazards or safety hazards.
- (5) Engineering and architectural plans for the treatment and disposal of sanitary sewage and surface water drainage.
- (6) The proposed number of employees and the estimated number of patrons or customers.
- (7) Any other pertinent data or information that the Planning Agency may require.

B. The Planning Agency shall review all plans for institutional, commercial or industrial uses

submitted to them within 45 days of such submission and shall transmit such plans with recommendations thereof to the Board of Supervisors for final approval.

- C. Upon receipt of plans for any institutional, commercial or industrial use together with recommendations thereon by the Planning Agency or without such recommendations if the Planning Agency has failed to act within 45 days as hereinabove required, the Board of Supervisors shall have the power to approve or disapprove such plans. The Secretary of the Board of Supervisors shall notify the Zoning Officer of its final decision and any special conditions agreed upon in writing regarding any institutional, commercial or industrial use. The Zoning Officer shall issue no zoning permit for any institutional, commercial or industrial use before receiving such written approval from the Board of Supervisors.

§ 265-27. Recreation facilities.

Developers submitting residential proposals with a required common open space element shall provide space and install the following recreational facilities or an equivalent acceptable to Douglass Township:

Number of Dwelling Units	Recreational Requirements
0 to 99	1 playfield, 1 tot lot, 1 gazebo/picnic area or the equivalent
100 to 199	2 playfields, 1 basketball or tennis court, 2 tot lots or the equivalent
200 to 400	2 playfields, 2 basketball or tennis courts, 3 tot lots of the equivalent
Over 400	Swimming pool minimum (40 feet by 75 feet), 2 basketball or tennis courts, 4 tot lots, 4 playfields or the equivalent

§ 265-28. Ownership and maintenance of common open space and recreation facilities.

All common open space and recreation facilities required by this chapter shall be offered for dedication to the Township, although the Township need not accept any such offers.

- A. Ownership. The following methods may be used, either individually or in combination, to own common facilities or open space:

- (1) Fee simple dedication to the Township. Douglass Township may, but shall not be required to, accept any portion of the common facilities.
- (2) Homeowner's association. Common facilities may be held in common ownership by a homeowner's association, provided the following regulations are met:
 - (a) The applicant shall provide to Douglass Township a description of the organization, including its bylaws, and all documents governing ownership, maintenance and use restrictions for common facilities. These items must be submitted to the Township prior to the release of final building permits.
 - (b) The organization shall be established by the owner or applicant and shall be operating (with financial subsidization by the owner or applicant, if necessary) before the sale of any dwelling units in the development.
 - (c) Membership in the organization shall be mandatory for all purchasers of

dwelling units therein and their successors and assigns.

- (d) The organization shall be responsible for maintenance and insurance of common facilities.
 - (e) Written notice of any proposed transfer of common facilities by the association or the assumption of maintenance for common facilities must be given to all members of the organization and to the Township no less than 30 days prior to such event.
 - (f) The organization shall have or hire adequate staff to administer, maintain and operate such common facilities.
- (3) Transfer to a private conservation organization. With permission of Douglass Township, an owner may transfer either the fee simple title, with appropriate deed restrictions running in favor of the Township, or easements to a private nonprofit conservation organization, provided that:
 - (a) The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence.
 - (b) The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions.
 - (c) A maintenance agreement acceptable to the Township is established between the owner and the organization.
- B. Access. Access to, and use of open space or recreation facilities, when held in private ownership, may be restricted to the following:
 - (1) Property owners or renters within the development.
 - (2) Nearby property owners who wish to join.
- C. Maintenance. Perpetual maintenance of common open space and recreation facilities shall be guaranteed by trust indenture or similar instrument, approved by the Board of Supervisors, upon recommendation of the Township Solicitor, which instrument:
 - (1) Shall be held with the Recorder of Deeds of Montgomery County simultaneously with the recording of the final subdivision plan.
 - (2) Shall restrict the open space by deed restrictions for a minimum period of 99 years.
 - (3) May include provisions for:
 - (a) Bonds posted by the developer to cover expenses incurred before formation of a homeowner's association.
 - (b) Adjustment of association fees to account for inflation.
 - (c) A reserve fund to cover capital improvements and/or unforeseen major maintenance requirements.

- (d) Funds for professional management.
- (4) Shall authorize the Township to maintain the common elements and assess the private ownership accordingly if private ownership fails to function and permits a hazard to health and safety. This shall include but need not be limited to:
 - (a) Failure to clear streets and parking areas of snow.
 - (b) Failure to maintain stormwater control facilities.
 - (c) Failure to correct other hazardous conditions.
- D. Fee in lieu. Where the Board of Supervisors determine that it is impractical to set aside the required open space area or provide required recreational facilities, a fee in lieu of such land and recreational facilities shall be required to help the Township defray the eventual costs of providing open space and recreation facilities to serve the residents of the development. The fee shall be payable to the Township prior to approval of the final plan by the Board of Supervisors.
 - (1) The amount of the fee shall be equal to the value of the land and recreational facilities required by §§ 265-27 and 265-73. The cost of determining the value of the land and recreational facilities shall be borne by the developer, and shall result in a reasonable value acceptable to the Board of Supervisors.
 - (2) All monies collected in lieu of land or facilities shall be kept in a Township Open Space Capital Reserve Fund, which shall only be used for the acquisition of open space land or capital improvements for open space and park and recreation purposes at a location within the Township selected by the Board of Supervisors upon recommendation of the Township Planning Agency.

§ 265-29. Parking recreational vehicle restrictions.

In accordance with any existing development containing a homeowners' association, residents of such Douglass Township developments so established or which shall be established in the future shall not be permitted to park, store, load, prep or maintain any recreational vehicle (RV) as so defined under this chapter within the development or on a roadway of the development for a period greater than as established by § 249-34, Time limitations of parking recreational vehicles on public streets, of Chapter 249, Vehicles and Traffic, of the Code of the Township of Douglass.

§ 265-30. Parking Design Standards for Residential Districts and Uses

- A. Not more than 10 parking space shall be located in an uninterrupted row and shall comply with § 230-48 of the township's subdivision and land development ordinance.
- B. A permanent paved turnaround area large enough to accommodate passenger cars and emergency vehicles shall be provided at the closed end of any parking area with a capacity of 50 or more spaces, and which would otherwise function as a dead-end

parking lot. Parking shall be prohibited within the turnaround area. Acceptable configurations include circular, "T" and "Y" shaped facilities.

- C. Garage and/or driveways shall not be the dominant aspect of the building design, as seen from the street.
- D. When garage doors face a street, the garage shall comprise no more than thirty percent (30%) of the total area of the front facade elevation of a dwelling unit, measured from ground level to the lower edge of the roof. No more than two (2) garage doors facing a street may be located in a row, and such rows of garage doors must be separated from any other garage door facing a street by at least ten (10) feet.
- E. Use C-2: Single Family Detached and Use C-4: Single Family Semi-Detached Units. Garages for single family detached and single family semi-detached units shall meet one of the following design options:
 - (1) The garage is side entry, so garage doors are perpendicular or radial to the street which the front facade faces or the façade containing the main entrance to the home, in the case of corner lots.
 - (2) The garage is front-entry and set back at least ten (10) feet from the front facade of the house.
 - (3) The garage is located behind the rear facade of the house. This garage may be detached from or attached to the house, and the garage doors may face any direction.
 - (4) The garage is rear entry, so garage doors are on the opposite side of the house from the front façade.
- F. Use C-3: Single Family Attached Units
 - (1) Parking for single family attached dwelling units may be provided as privately-owned space on the individual property containing the dwelling unit, or as commonly-owned space, conveniently located among the dwelling units.
 - (2) Where required parking is provided as private space on individual lots, additional guest parking facilities shall be provided in the form of commonly-owned, conveniently located parking areas, at a minimum standard of two-tenths (2/10) of a space per dwelling unit.
 - (3) Any common parking facilities shall be owned and maintained by some form of corporate ownership, homeowners' association, trust, etc., acceptable to the Township Supervisors upon recommendation of the Township Solicitor.
 - (4) Driveway areas shall be separated from living areas by a green area of at least 10 feet.

(5) Interior Units. Single-family attached units located in the interior or middle of single family attached buildings shall meet the following requirements:

- (a) Garages may be located behind the unit or may be located in the front, with the garage door facing the street, provided the garage complies with §§265-30.C and D of Parking Design Standards above.
- (b) Two off-street stacked unenclosed parking spaces may be located in the front yard. All other unenclosed off-street parking spaces must be located to the rear of the unit or in common parking to the side of the townhouse building.

(6) End Units. Single-family attached units located at the end of single-family attached buildings shall meet the following requirements:

- (a) Garages may be located behind the rear facade of the dwelling unit or may be side entry so the garage doors are perpendicular or radial to the street which the front facade faces. Front entry garages must be set back from the front façade.
- (b) Off-street unenclosed parking spaces may be located to the side or rear yards. They may not be located in front yard areas.

G. Use C-7: Multifamily Units. Parking areas and/or garages for all multifamily buildings may not be located between the front facade of the building and the street; instead, parking areas and/or garages shall meet one of the following requirements:

- (1) Parking areas shall be designed to discourage through traffic flow of vehicles which do not park within the area.
- (2) The parking, whether consisting of surface spaces or garages, is located behind the rear facade of the building or buildings.
- (3) The parking is in garages located to the side of multifamily buildings and the garage doors are side-entry, so garage doors are perpendicular or radial to the street which the front facade faces.
- (4) Surface parking may be located to the side of the multifamily buildings provided the side of the parking lot facing the street frontage(s) is screened by both of the following mechanisms:
 - (a) A low architectural wall, no less than three (3) feet and no more than four (4) feet in height (made of brick, stone, or other materials deemed appropriate by the governing body)
 - (b) Screen planting per §230-48.D of the township's subdivision and land development ordinance.

§ 265-31. Street Design Standards for Residential Districts and Uses

- A. Streets within residential developments shall be interconnected with each other and with streets on abutting properties in a grid or modified grid pattern.
- B. A common organization for the development shall be responsible for ensuring that alleys are appropriately maintained.
- C. Cul-de-sacs shall be minimized. In no case shall a cul-de-sac exceed a length of three hundred and fifty (350) feet.
- D. On tracts of twenty (20) acres or more, new streets within a residential development shall have a street connectivity index of 1.40 or more. The street connectivity index shall be computed by dividing the number of new street links (defined as street segments between intersections and/or cul-de-sac heads) by the number of new street intersections/permanent cul-de-sac heads.
- E. For mixed residential developments on tracts of five (5) acres or more, no lot or dwelling unit shall take driveway access from an existing collector or higher classification road.
- F. Street Trees. Street trees shall be provided in accordance with Douglass Township's subdivision and land development ordinance.
- G. Sidewalks. Sidewalks shall be provided in accordance with Douglass Township's subdivision and land development ordinance.
 - (1) Sidewalks are required to connect the road frontage sidewalks to all front building entrances, parking areas, central open space, and any other destination that generates pedestrian traffic.
 - (2) Where cul-de-sac streets are permitted by the Board of Supervisors, sidewalk connections shall be required to connect the bulb of the cul-de-sac with the nearest through-road. These sidewalks shall be located in a right-of-way with a width of at least 25 feet, physically defined as a public walkway, and/or contains softening buffers.
 - (3) Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops.

§ 265-32. Building Design Standards for Residential Districts and Uses

- A. All dwelling units must have at least one primary entrance in the front façade. For Use C-4: Single Family Semi Detached Dwelling, this requirement may be met if at least one of the units has its primary entrance in the front façade. Addresses shall be posted at the front of the building.
- B. Additional standards for Use C-3: Single Family Attached Dwellings.
 - (1) Building elevation sketches shall be required with all land development submissions involving Use C-3: Single Family Attached Dwellings.

(2) Attachment of Dwelling Units and Buildings. The following standards are intended to regulate the attachment of dwelling, units and buildings to one another:

- (a) A maximum of five single-family attached dwelling units may be joined in a linear row to form a single-family attached building.
- (b) Buildings shall be designed with visual breaks along long facades. Facades must feature a change in horizontal plane of 2-to-4-feet in depth, either every 2 units or per 40 feet of façade. A mix of building materials, window treatments, rooflines, and protrusions shall be utilized to enhance flat facades.

§ 265-33. General Provisions for Residential Districts. The following regulations shall apply to all residential developmental proposals.

- A. Ownership. The tract of land proposed for subdivision or land development shall be in single ownership or ownership shall be such that the tract will be developed under a single direction in accordance with an approved plan.
- B. Development Plan. The application for development shall be accompanied by a plan or plans showing detailed use of the entire tract. These plans shall comply with the Douglass Township Subdivision and Land Development Ordinance and all other applicable Township ordinances. The plan or plans shall clearly designate the proposed use(s) of each area of the tract.
- C. Development Stages and Permits. The development of the tract may be carried out in either a single phase or in stages. If a development is to be carried out in stages, each stage shall be so planned that all requirements of this chapter shall be fully complied with at the completion of any stage. If carried out in stages the development shall be in accordance with a development agreement which shall:
 - (1) Be binding to the overall tract and it's development;
 - (2) Be recorded with the final plan; and
 - (3) Be acceptable to the Township Solicitor and governing body.

ARTICLE II

Terminology

§ 265-34. Word usage.

For the purpose of this chapter, certain words shall have the meaning assigned to them, as follows:

- A. Words used in the present tense include the future. The singular number includes the plural and the plural the singular.
- B. The phrase "used for" includes "arranged for," "designed for," "intended for,"

"maintained for," or "occupied for."

- C. The word "person" includes an individual, corporation, partnership, incorporated association or any other similar entity.
- D. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character.

§ 265-35. Definitions.

The following words and phrases shall have the meaning given in this section as follows:

ACCESS STRIP — A piece of land which provides physical access to, and legal road frontage for a lot, but which does not comply with the minimum lot width regulations of this chapter. Access strips provide access to "rear" and "interior" lots. The area of an access strip shall not be included in the minimum lot area required under the provisions of this chapter.

ACCESSORY BUILDING — A detached building subordinate to the principal building on the lot and used for purposes customarily incidental to those of the principal building. There shall be no distinction between a permanent or non-permanent accessory building.

ACCESSORY DWELLING UNIT — A dwelling unit that is accessory to a single-family dwelling that is located on the same lot.

ACCESSORY GROUND-MOUNTED RENEWABLE ENERGY SYSTEM - An alternative energy system that consists of one or more ground mounted or free-standing solar or wind collection devices and solar or wind energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar or energy to a different form of energy and is an accessory use to a residential, industrial, institutional, agricultural, or commercial use.

ACCESSORY ROOF-MOUNTED SOLAR ENERGY SYSTEM - An alternative energy system that consists of one or more building mounted or integrated solar collection devices and solar energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy to a different form of energy and is an accessory use to a residential, industrial, institutional, agricultural, or commercial use.

ACCESSORY USE — A use subordinate to the principal use of land or a building or other structure on a lot and customarily incidental thereto.

ACTIVE ADULT COMMUNITY- A planned residential community with usable open space and recreation facilities. On-site services like a medical office or café that serve only the residents of the community are permitted. Each residential unit will only be permanently occupied by persons aged 55 or above with the following exceptions:

- A. A spouse under 55 years if married to a resident over that age.
- B. Up to two children, or one child and one child-in-law, over 18 years of age, residing with at least one parent over 55 years of age whose presence is required to care for that parent.
- C. A spouse under 55 years of age who is the surviving member of a previously qualified

household.

D. A live-in nurse or similar caretaker whose presence is required to care for an occupant over 55 years of age.

E. Any adult child with special needs that must reside with at least one qualified parent.

ACT 247 — The Pennsylvania Municipalities Planning Code, originally enacted as Act 247 of 1968, which establishes the basic authority for the exercise of municipal land use controls in Pennsylvania. All subsequent amendments are included.

ADULT DAY-CARE CENTER — A facility in which adult daily living services are provided for four or more adults not related to the operator.

ADULT USES — A building or portion thereof that includes an adult bookstore, adult dancing establishment, adult motion picture theater, or similar use where specified sexual activities are performed or where specified anatomical areas are viewed by persons other than the artist and one other person with the consent of the client.

- A. ADULT BOOKSTORE — An establishment which has as a substantial or significant portion of its stock-in-trade, books, magazines or other periodicals and which excludes minor by virtue of age.
- B. ADULT MOVIE HOUSES — An enclosed building with a capacity of 50 or more persons used for presenting motion pictures, films, movies, slides or similar photographic reproductions for observation by persons therein and which excludes minors by virtue of age.
- C. ADULT MINI THEATER — An enclosed building with the capacity for less than 50 persons used for presenting motion pictures, films, movies, slides or other similar photographic reproductions for observation by persons therein, and which excludes minors by virtue of age.
- D. MASSAGE PARLORS — Any place of business where any person, partnership, firm, association or corporation engages in or carries on or permits to be engaged in or carried on any method of pressure on, friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, oil or other such items, by a member of the opposite sex.
- E. OTHER ADULT USES — Any business, activity or use similar to or of the same general nature as the uses listed above. This sections shall include, but shall not be limited to, rap centers, nude wrestling studios, sensitivity centers and escort bureaus, all of which exclude minors by virtue of age as patrons thereof.

AGRICULTURAL ACCESSORY STRUCTURE - A building or structure on a parcel that is primarily used for cultivation of agricultural crop production for sale to the public.

AGRICULTURAL SUBDIVISION — The division of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, which, according to Act 247, the Pennsylvania Municipalities Planning Code, is exempted from

zoning and subdivision requirements. Land divided for agricultural purposes must be used in compliance with the definition of "agricultural use," herein, or the division shall be considered null and void.

AGRICULTURAL USE — The active use of land for growing and harvesting of crops, as food for humans or animals, and also including nursery, greenhouse production, horticulture, and forestry uses; and/or the raising, consumption and/or selling of livestock as a source of meat, poultry, dairy products, hides or other animal products. At least 50% of a parcel, lot or tract must be actively used as described in this definition to qualify as an agricultural use. Agricultural use and agricultural purpose shall be interchangeable terms.

AGRITOURISM ENTERPRISE - Activities conducted on and accessory to a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation. These activities must be directly related to agricultural or natural resources. Typical agritourism enterprises include but are not limited to: U-pick operations, Christmas tree farm/cut your own, wineries and winery tours/tastings, corn mazes, farm-related interpretive facilities and exhibits, agriculturally related educational and learning experiences, events/fairs/festivals, on-site farm/garden/nursery tours, horseback riding, event space, recreation-related operations(outfitters/fishing and hunting facilities/bird-watching/cross-country skiing).

ALLEY — A minor vehicular right-of-way, public or private, on which no principal structures front, which serves as a secondary means of access to two or more properties which otherwise front on a public street.

ANCILLARY USE — A subordinate use that is controlled by a larger permitted use. An example is a public garage (tires, batteries and accessories) or garden shop controlled by a department store.

ANIMAL CARE - A facility specializing in the care of dogs, cats, or other common household pets. Such use may include veterinary care and the grooming, training, and the like for household pets.

ANTENNA HEIGHT — The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

ANTENNA SITE — A tract or parcel of land that contains the communication antenna, its support structure, accessory building(s) and parking.

ANTENNA SUPPORT STRUCTURE — Any pole, telescoping mast, tower, tripod or any other structure which supports a device used in the transmitting or receiving of radio frequency energy.

APPLICANT — The person, persons or legal business organization of any type responsible for submission of a proposal for subdivision, land development, zoning amendment, building permit, variance, special exception or conditional use. For the purposes of this chapter, "applicant" and "owner" may be used interchangeably.

ARTISAN MANUFACTURING - A facility specializing in the manufacture and production of goods created on-site by a craftsperson using hand tools and/or small-scale, light mechanical equipment. Examples of such work include pottery, fiber crafts, sculpture, leathercraft,

jewelry, soaps, metalwork, cabinetry, stained glass, textile production, candle-making, hand-made food products, and fabrication of crafts of similar scale and intensity. Artisan manufacturing may also include demonstration/instruction in the production processes, offices and the display or retail sale of goods produced on-site.

ASSISTED LIVING UNIT — A dwelling unit within a continuing care retirement community providing a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living.

AUTOMOBILE REPAIRS/SERVICE - the general repair of automobiles, trucks, and the like, and the sale of auto parts and supplies. Service may include but is not limited to car washing and detailing, painting, body repairs, maintenance, and general repairs

AUTOMOBILE SALES/RENTAL - A commercial use for the sale, rental, and repair of motor vehicles, including new and used cars, trucks, recreational vehicles, and/or farm equipment, having both indoor and outdoor display areas, and providing maintenance and repair services for vehicle owners.

BANK/FINANCIAL INSTITUTION- A building or portion thereof where the primary use is the processing of credit or monetary transactions, including a savings and loan association, credit union, and other financial establishment.

BED AND BREAKFAST - A single-family dwelling that provides a maximum of three guest rooms for six guests on an overnight basis for periods not to exceed 14 days.

BUILDING — Any structure located on or under the land.

BUILDING COVERAGE — The ratio obtained by dividing the maximum horizontal cross-section of all principal buildings on a lot by the net lot area of the lot upon which the buildings are located.

BUILDING ENVELOPE — That area of a lot, circumscribed by the yard lines, within which a building(s) may be built.

BUILDING FRONTAGE — For calculating maximum total sign area, building frontage is defined as the maximum horizontal dimension measured along the wall of the building which serves as the principal approach to the building, excluding eaves, overhangs, buttresses and other non-occupiable building extensions. The principal approach to a building shall be that side which contains the main entrance doors. For corner lots the additional sign area shall be calculated along the side of the building which faces the second street.

BUILDING LINE — The line which serves as the rear boundary of the minimum front yard. For the purpose of measuring lot width at the building line the following apply:

- A. For wedge-shaped lots which are narrower at the street than at the rear property line, the building line may be moved back from the minimum front yard depth to a point where the lot width equals the minimum required for the district, provided that at least 50 feet of street frontage are provided and the lot complies with all other dimensional requirements of the district; and
- B. Where "rear" or interior" lots are permitted, the building line shall be oriented as parallel or concentric to the street from which access is provided as is feasible, and set

back from the intervening property line at least the minimum front yard depth.

BUSINESS/PROFESSIONAL OFFICE - A building or portion thereof consisting of workspaces for the conducting of business by employees and which may involve public access or appointment-only customer/client interaction.

CAR WASH — A commercial facility and/or structures used for the purpose of cleaning the exterior and/or interior surfaces of motor vehicles, whether self-service or operated by attendants or employees.

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

CENTRALIZED SEWER OR WATER — A sewage disposal network and facilities, or water supply network serving a group or series of property owners in common; may be publicly or privately owned.

CLUB/LODGE - A building or portion thereof that houses the headquarters or meeting place of members of a non-profit organization where educational, social, or recreational activities take place.

CLUSTER DEVELOPMENT — An alternative development method where in structures are arranged in closely related groups, reducing lot sizes, preserving land for open space and permitted more imaginative site design than may be possible under standard development.

CONTRACTOR SERVICE - Offices and supply/fabrication shops for services rendered in the building trades.

COMMON FACILITIES — All the real property and improvements set aside for the common use and enjoyment of the residents, including, but not limited to, buildings, open land, private roads, parking areas, walkways, recreation areas, landscaped areas, drainage easements, and any utilities that service more than one unit, such as sewer and water facilities.

COMMON OPEN SPACE — That portion of a tract that is set aside for the protection of sensitive natural features, farmland, scenic views, and other unique features. Open land may include recreational uses and be accessible to the residents of the development and/or the Township.

COMMUNITY GARDEN - Land managed and maintained by public/nonprofit organization or group of individuals to grow and harvest food crops and/or ornamental plants for use or donation.

COMMUNICATIONS ANTENNA - Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by or permitted by the Federal Communications Commission (FCC) to operate such device.

COMPREHENSIVE PLAN — The Douglass Township Comprehensive Plan, as updated in 1988.

CONDITIONAL USE — A form of permitted use, authorized by this chapter, under the jurisdiction of the Board of Supervisors. The Board of Supervisors is empowered to grant permission for conditional uses, consistent with the public interest, in compliance with the standards and procedures established in this chapter, following thorough examination of the

proposal, and under any reasonable safeguards necessary to implement the purposes and intent of this chapter and to protect the general welfare.

CONSTRUCTION — The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of manufactured homes.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC) — A community providing independent, assisted, and nursing home living arrangements for person(s) 55 years of age and older as part of a planned community.

CONVENIENCE COMMERCIAL SHOPPING CENTER — A small-scale shopping center located in an area of the Township which is not conveniently served by commercial development in the Gilbertsville core area, and which is designed to satisfy the routine, daily needs of nearby residents for goods and services.

CONVENIENCE STORE - A mini food market where retail trade intended for quick sale and carry-out is the principal use. Such use shall not specialize in a particular product, but offer an array of different items.

CONVERSION — The remodeling or alteration of a structure so as to accommodate more leasable or salable units or a different use than what had originally been intended for the structure. Conversions include the alteration of a nonresidential structure into a dwelling unit(s) for at least one family, the modification of a single-family structure to accommodate more units than originally intended, the alteration of existing dwellings into commercial uses, and the alteration of an existing dwelling into a mixed commercial and residential use.

CORNER LOT — A lot having contiguous frontage on two or more intersecting roads.

COUNTRY RESIDENCES — Single-family detached homes on lots of at least four acres in the R-1 District and two acres in the R-A District. Country residences with no open space is an option for development on tracts greater than 20 acres in the R-1 and R-A Districts as a conditional use in the Residential Cluster Development Overlay.

DATA CENTER - A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations.

DAY-CARE FACILITY — Any dwelling or building which provides child or adult care services. Child day-care facilities shall be further differentiated by the following three classifications:

- A. **ADULT/CHILD DAY-CARE CENTER** — A facility in which care is provided for seven or more children at any one time, where the child care areas are not being used as a family residence and/or a facility in which adult daily living services are provided for four or more adults not related to the operator
- B. **FAMILY DAY-CARE HOME** — Any family residence other than the child's own home, in which child day care is provided at any one time to up to six people, who are not relatives of the resident caregiver.
- C. **GROUP DAY-CARE HOME** — A facility in which care is provided by a resident

caregiver for more than six but less than 12 children at any one time, where the child care areas are being used as a family residence.

DENSITY — The number of dwelling units per developable acre.

DEVELOPABLE ACREAGE — For the purpose of calculating density per developable acre, the developable acreage should equal the gross land area of the proposal, minus the following acreage:

- A. All land within existing and/or proposed rights-of-way for all public and/or private roads.
- B. All overhead and underground utility easements and/or rights-of-way.
- C. Soils with slopes of 15% or greater as defined by the Soil Survey of Montgomery County, 1967.
- D. All alluvial soil floodplain or the extent of the 100-year floodplain delineated in the Flood Insurance Study for Douglass Township, Montgomery County, Pennsylvania, dated November 15, 1983, as prepared by the Federal Emergency Management Agency, Federal Insurance and Mitigation Administration.

DEVELOPMENT — Any man-made change to improve or unimproved real estate including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations.

DRIVE-THROUGH FACILITY - Any building, design, facility, or structure, or portion thereof, from which a business, product, or service is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during the transaction.

DRIVEWAY — A private cartway providing vehicular access between a public street and a lot, property or development, and/or providing vehicular circulation within a lot, property or development.

DWELLING TYPES — For the purposes of this chapter, the following are the definitions of the various types of dwelling units:

- A. **SINGLE-FAMILY DETACHED DWELLING UNIT** — A building designed for and occupied exclusively as a residence for only one family and not attached to any other building or dwelling units.
- B. **TWO-FAMILY BUILDING** — A residential building containing two dwelling units and which is not attached to any other building. A two-family building counts as two dwelling units for density purposes.
 - (1) **TWIN (SINGLE-FAMILY SEMIDETACHED)** — A two-family building with dwelling units placed side-by-side, with each occupying the total space from ground to roof, and joined to each other by a vertical, common party wall, but otherwise surrounded by yard areas. When lotted, each dwelling unit may be on a separate lot, with the common boundary between the two lots running along the common party wall.
 - (2) **DUPLEX (TWO-FAMILY DETACHED)** — A two-family building with two separate dwelling units, one over the other, so that they share a common

horizontal partition. When lotted, a duplex shall be entirely on one lot.

- C. SINGLE-FAMILY ATTACHED DWELLING UNIT — A single-family attached or semi-detached (in the case of end units) dwelling within a multi-dwelling building, consisting of at least 3 but no more than 5 such dwelling units, with each unit occupying the total space from ground to roof, and joined to each other by not more than 2 vertical, common party walls, which also serve as the lot line dividing the properties. Townhouses may be 1, 2, or 3-level dwelling units, provided they do not exceed the district height limitation.
- D. MULTIFAMILY DEVELOPMENT— A detached residential building containing three or more dwelling units with units arranged in a variety of combinations including side-by-side, over and under, or back-to-back with another dwelling unit.
- E. MULTIFAMILY CONVERSION - The remodeling or alteration of a single-family home to a multifamily use.
- F. MANUFACTURED HOME — A mobile home or a transportable, single-family dwelling intended for permanent occupancy, office or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term includes park trailers, travel trailers and other similar vehicles which are placed on a site for more than 180 consecutive days.
- G. MODULAR HOME — A dwelling unit for permanent occupancy, made by assembling one or more factory-produced, three-dimensional sections into one integral building, not capable of easily being separated for conventionally-built units, as required by the Township's Building Code, and must be placed on a permanent foundation. A copy of the Structural Engineering Bulletin(s) must be provided to the Board of Supervisors, indicating approval of the dwelling or its components by the U.S. Department of Housing and Urban Development.
- H. INDEPENDENT LIVING UNIT - A single-family detached, single-family semi-detached, or single-family attached dwelling unit within a Continuing Care Retirement Community.
- I. ASSISTED LIVING UNIT - A dwelling unit within a Continuing Care Retirement Community providing a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living.
- J. NURSING HOME UNIT - A living arrangement within a Continuing Care Retirement Community that provides nursing care and related medical services on a 24-hour basis to two or more individuals because of illness, disease, or physical or mental infirmity, and including specifically designed memory care units. Provides care for those persons not in need of hospital care.

DWELLING UNIT — One or more rooms with cooking and sanitary facilities provided solely for the living purposes of one family.

EDUCATIONAL FACILITY - A facility, building, lot, parcel, use, or group of facilities, buildings, and uses that provides a broad educational curriculum to individuals enrolled therein, and is licensed by the State Department of Education, including private and public kindergartens, elementary, junior and senior high schools, colleges, universities, and theological schools.

EMERGENCY SERVICES - Such use shall include ambulance, fire, police, rescue, and other emergency services of a municipal or volunteer nature.

ESTATE LOT — A lot created to promote the conservation of agricultural and natural lands. An estate lot shall contain a minimum of five acres and a maximum of 20 acres. All but 2.5 acres of an estate lot may be used to meet minimum open space requirements. All such open space shall meet the standards of § 265-73 of this chapter, as amended. The portion of the lot not used for open space must include all existing and proposed buildings, structures, and paved areas. Estate lots may include one dwelling unit, which shall not be counted toward maximum density requirements. To ensure compatibility with neighboring residential lots, estate lots shall be deed restricted with respect to location, types and intensity of agricultural uses on the estate lot. Estate lots shall also be deed restricted against further subdivision and development. The content of such deed restrictions shall be submitted to the Board of Supervisors for their review and approval. Documents evidencing the deed restriction shall be recorded concurrently with the final subdivision plans.

EVENT FACILITY - A location, building, site or structure that is not a restaurant which is rented as a place for the purpose of accommodating a group of diners, guests, or other attendees for functions such as banquets, wedding receptions, parties, entertainment, meetings, conferences, performances, and/or similar gatherings.

FACING WALLS — The exterior walls of any two buildings are considered to be "facing walls" when a straight line drawn perpendicular to, and extending outward from any point on an exterior wall of one building intersects an exterior wall of another building.

FAMILY — A single housekeeping unit functioning as a family within that household, with the composition of the group sufficient stable and permanent so as not to be fairly characterized as transient and such unit being a single, nonprofit housekeeping unit and functioning as a family within the household.

FARMERS MARKET - A market held in an open area in a structure where groups of individual sellers offer for sale to the public such items as agricultural produce, seasonal fruits, fresh flowers, and items customarily sold or dispensed at farmers' markets from booths, tables, or vehicles located on site.

FLOODPROOFING — Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODPLAIN-RELATED DEFINITIONS —

- A. For the purpose of this chapter, the definition of floodplain is that found in Article XV, Floodplain Conservation District, and Subsection B below, whichever is greater.
- B. For the regulatory purposes of the National Flood Insurance Program and the

Pennsylvania Floodplain Management Act additional definitions are found in Chapter 230, Subdivision and Land Development, and the Township's Building Code, as amended, and are hereby made a part of the definitions of this chapter, by reference.

FLOODWAY — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FRONT FACADE — The face of a building that is closest to a street and contains the front door or other features identifying it as the primary face of the building.

FUNERAL HOME - A building or portions thereof used for human funeral services. Such facilities may contain provisions for chapel, embalming, viewing, and other services used in preparation of the dead, including the storage of caskets, supplies, and funeral vehicles.

GARAGE —

- A. **PRIVATE** — An accessory building or a part of a principal building used for the storage of motor vehicles owned or used by the owner or tenant of the premises. Not more than one commercial vehicle or truck may be stored in a private garage.
- B. **PUBLIC** — A building, other than a private or storage garage, one or more stories in height, used solely for the commercial parking, service or repair of motor vehicles.
- C. **STORAGE** — A building, not a private or public garage, one story in height, used solely for the storage of motor vehicles and for the service or repair of only the vehicles kept therein, and not for the sale of fuel, accessories or supplies.

FUEL SERVICE STATION — An area of land, together with any structure thereon, used for:

- A. The retail sale of motor fuel and lubricants and ancillary services, such as lubrication and washing of motor vehicles; and
- B. The sale, installation or minor repair of tires, batteries or other automobile accessories;
- C. Routine servicing and mechanical repair of motor vehicles, excluding major body, upholstery and restoration work.

GROSS ACREAGE — The total acreage of a property, tract, lot or parcel proposed for subdivision or land development, including lands within existing street rights-of-way, floodplains and steep slopes.

GROSS LEASABLE AREA — The total floor area designed for owner or tenant occupancy and exclusive use, including basements, mezzanines and upper floors, expressed in square feet and measured from the center line of partitions and from outside wall faces; not including public or common areas, such as public toilets, corridors, stairwells, elevator lobbies or enclosed mall spaces. Also known as "gross floor area."

HEAVY MANUFACTURING - A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engaged in the manufacturing, fabrication, assembly, processing, and packaging of natural and man-made materials, chemicals, synthetics, and other organic and

inorganic products.

HEIGHT OF BUILDING — The vertical distance measured from the average elevation of the existing grade at the location of the building to the highest point of the roof for flat roofs; to the deckline of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs; provided that chimneys, spires, towers, mechanical penthouses, tanks and similar projections of the building not intended for human occupancy, shall not be included in calculating the height. If there are two or more separate roofs on a single building, the height of such building shall be calculated from the highest roof.

HEIGHT OF SIGN — The vertical distance measured from ground level to the highest point on the sign, or its supporting structure.

HELIPORT —

- A. **PERSONAL USE HELIPORT** — A helicopter landing area (sometimes known as a "helistop") licensed by the Pennsylvania Department of Transportation for the purpose of picking up and discharging passengers or cargo. No fueling, helicopter repair or storage area(s) are permitted in conjunction with the operation of a personal use heliport.
- B. **COMMERCIAL HELIPORT** — A landing area for helicopter which includes facilities for fueling, repair and storage of helicopters and which is licensed by the Pennsylvania Department of Transportation.

HIGHWAY ACCESS POINT — The point at which vehicular traffic enters or exits a public right- of-way from an abutting land use.

HISTORIC STRUCTURES — Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- B. Certified or preliminarily determine by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior.
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION — Any lawful occupation or business activity performed for financial gain which is conducted in whole or in part by the resident(s) from his/her primary residence, where the occupation is secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained.

HOMEOWNER'S ASSOCIATION — A community association combining individual homeownership with shared use or ownership of common property and facilities. The homeowner owns the lot, including the interior and exterior of the individual home, while the association owns and maintains the common facilities.

HOSPITAL - A building or portion thereof providing health-care services that offers therapeutic, clinical, temporary, or emergency medical, dental, or surgical care procedures to the sick and injured, and licensed by the Commonwealth to provide such facilities and services.

HOTEL — A building which provides six or more rental rooms with private sleeping facilities for transient guests and which has the following characteristics:

- A. Access to rental rooms via internal, common hallways leading to and from one central lobby.
- B. Parking in a lot(s) convenient to the main building entrance(s).
- C. Two or more stories in height.
- D. Few, if any, outdoor recreational facilities.
- E. Small landscaped areas.

IMPERVIOUS SURFACE – the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials that allow for water to infiltrate into the soil, as determined by the township.

INDEPENDENT LIVING UNIT — A single-family detached, single-family semidetached, or single-family attached dwelling unit within a continuing care retirement community.

INDOOR RECREATION/AMUSEMENT - An indoor facility designed to accommodate sports such as bowling, ice-skating, roller skating/blading, skateboarding, and the like, as well as arcade games and indoor sport courts. This use shall also include fitness studios, yoga studios, and gyms.

JUNKYARD — An area of land, with or without buildings, used for storage of used and discarded materials, including but not limited to wastepaper, rags, metal, building material, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of one or more unlicensed, wrecked or disabled vehicles, or the major part thereof, shall be deemed to constitute a junkyard.

KENNEL - An establishment licensed by the commonwealth to operate and house cats, dogs, or other permitted household pets, and where breeding, boarding, training, or selling of animals is conducted.

LAUNDRY SERVICE - A business or use that provides washing, cleaning, and drying machines for hire or rent, to be used by customers on the premises.

LIBRARY/COMMUNITY CENTER - A facility building, lot, parcel, use, or group of facilities, buildings, and uses that is open to the general public or a subset thereof (i.e. senior

citizens) for educational, social, or recreational programs and other community uses, and owned and operated by a civic, educational, municipal, philanthropic, religious, or tax-exempt entity.

LIGHT MANUFACTURING - A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engagement in the light manufacturing of beverages, confections/baked goods, food products(exclusive of meats and fish packing, and the rendering or refining of fats and oils), cosmetics, pharmaceuticals, ceramics, clothing, plastics, electrical goods, furniture, hardware, tools, dies, patterns, professional and scientific instruments, jewelry, time pieces, optical goods, musical instruments and toys, electronic, small parts assembly and/or manufacture, printing, publishing, lithographing, and other similar processes. The processing, fabrication, assembly, treatment packaging, incidental storage, and distribution of such products is included under this use.

LOT — A contiguous tract, parcel or unit of land intended for use, development, leasehold or transfer or ownership, and for which a deed description is recorded or is intended to be recorded at the office of the Recorder of Deeds for Montgomery County, and/or Berks County if the lot overlaps the county boundary.

LOT AREA — The horizontal land area of a lot, further defined as follows:

- A. **GROSS LOT AREA** — The total horizontal land area lying within the lot or tract boundaries.
- B. **NET LOT AREA** — Gross lot area minus:
 - (1) The area lying between the street center line and the ultimate right-of-way line or equivalent right-of-way line.
 - (2) The land area of the access strip to rear, flag or interior lots.
 - (3) One-half of all land area within slopes of 15% or greater, as defined by the soil survey or by accurate contour mapping.
 - (4) The entire surface area of all lakes or ponds.

LOT LINE — Any property boundary line of a lot, further defined as follows:

- A. Front lot line is the line identical with the ultimate right-of-way line or equivalent right-of-way line. (Also known as "street line.")
- B. Rear lot line is the line or lines most nearly parallel or concentric to the front lot line.
- C. Side lot lines are the lines most nearly perpendicular or radial to the front lot line. On a corner lot, the side lot line shall be the line or lines most nearly perpendicular or radial to the higher classification of street, where applicable, as described in the Township Comprehensive Plan and as determined by the township. The remaining line shall be considered the rear lot line.
- D. A lot which fronts on more than one street shall have a front lot line on each street frontage.

LOT LINE DEVELOPMENT — A development alternative, permitted only in specified

districts, which allows a building to be constructed contiguous with one lot line, thereby increasing the yard area on the opposite side of the building for useful purposes.

LOT WIDTH — The horizontal distance between side lot lines, measured at the building line, parallel or concentric to the ultimate right-of-way line. For a corner lot, lot width shall be measured parallel or concentric to the ultimate right-of-way line of the higher classification of street, where applicable.

LOT, INTERIOR — Also known as rear or flag lot. A lot which conforms in all respects to the dimensional requirements of the district in which it is located, except that road frontage and access is limited to an access strip, as defined herein. This definition does not include the commonly- used, wedge-shaped lots located on a cul-de-sac turnaround.

MANUFACTURED HOME — Refer to "dwelling types."

MARIJUANA DISPENSARY - A person, corporation, partnership, association, trust, or other entity, or any combination thereof which holds a permit issued by the Pennsylvania Department of Health to dispense medical marijuana. The term includes the facility from which medical marijuana is dispensed.

MEDICAL CLINIC/OFFICE - A building or group of buildings for the office of more than one dentist and/or physician or for multiple offices by a group of dentists and physicians whose practices are not related, and are used for the diagnosis, examination, surgery, or other treatment of persons as outpatients and for laboratories incidental thereto.

MICROBREWERY/MICRODISTILLERY/MICROWINERY- A facility specializing in the production, packaging, sampling, sale, and on- or off-premises consumption of beer, wine, cider, malt beverages and/or distilled liquors. Production of beer, wine, cider, malt beverages and/or distilled liquors shall not exceed a combined total of 100,000 gallons annually.

MINI WAREHOUSE — A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods and wares.

MIXED USE - A building which contains both residential dwelling unit(s) and at least one nonresidential use.

MOBILE HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more lots, improved with the necessary utility connections and other appurtenances necessary for the placement thereon of manufactured homes.

MOBILE FOOD VENDOR - A self-contained food service operation, located in a readily movable motorized, wheeled, or towed vehicle, used to store, prepare, display, or serve food intended for individual portion service.

MODULAR HOME — Refer to "dwelling types."

MOTEL — A building or group of buildings which provides rental rooms with private sleeping and bathroom facilities for transient guests, and which generally has the following characteristics:

- A. Access to the rental rooms via independent, exterior doors.
- B. Parking adjacent to the individual rental rooms.

- C. One- or two-story construction.
- D. Outdoor recreation facilities such as a swimming pool and playground equipment.
- E. Significant landscaped area.

MOTOR HOME — A self-powered recreation vehicle used to provide transient living facilities.

MOTOR VEHICLE SALES AGENCY — A commercial use for the sale and repair of motor vehicles, including new and used cars, trucks and/or farm equipment; having both indoor and outdoor display areas, and providing maintenance and repair services for vehicle owners.

NATIVE PLANT — A plant native to Pennsylvania, as identified in the most recent edition of the Vascular Flora of Pennsylvania, Annotated Checklist and Atlas.

NO-IMPACT HOME-BASED BUSINESS — A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- H. The business may not involve any illegal activity.

NONCONFORMING LOT — A lot or site which does not comply with the applicable dimensional regulations, including those related to site area, lot area and lot width, in this chapter or amendments hereafter enacted where such lot was lawfully in existence prior to enactment of this chapter or amendments.

NONCONFORMING SIGN — Any sign legally existing at the time of the passage of this chapter that does not conform in use, location, height or size to the regulations of Article XXIV, Sign Regulations.

NONCONFORMING STRUCTURE — A structure which does not comply with the applicable dimensional regulations, including those relating to density, impervious surfaces, building coverage, building height and setbacks in this chapter or amendments hereafter enacted where such structure was lawfully in existence prior to enactment of this chapter. Such structures including, but are not limited to, buildings, fences and swimming pools.

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

NONRESIDENTIAL ACCESSORY STRUCTURE - A building or structure erected for uses customarily incidental to a legally established non-residential use.

NURSING HOME UNIT — A living arrangement within a continuing care retirement community that provides nursing care and related medical services on a twenty-four-hour basis to two or more individuals because of illness, disease, or physical or mental infirmity, and including specially designed memory care units. Provides care for those persons not in need of hospital care.

OUTDOOR LIVING AREA — Any improved outdoor area extending from or attached to a dwelling unit and designed for the exclusive use of the residents of that dwelling unit; including balconies, patios, porches or similar areas, but not including structures such as porticos, which simply provide shelter access to a dwelling unit.

OUTDOOR RECREATION/AMUSEMENT - Land or facilities providing regularly scheduled recreation-oriented activities in an outdoor setting. Examples of such facilities include, but are not limited to: miniature golf courses, swimming pools, sport courts, athletic fields, parks/playgrounds, trails, and similar uses which are not enclosed in buildings and are operated on a commercial or membership basis, primarily for the use of patrons who do not reside on the same lot or premises. Outdoor recreation shall include any accessory use, such as snack bars, pro shops, clubhouses, country clubs, or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use. Outdoor recreation shall not include amusement parks or overnight camping.

OUTDOOR STORAGE/DISPLAY - The outdoor keeping of inventory, stock, material, merchandise, or any goods in an unroofed or open area for more than 24 hours for sale or storage purposes.

OVERNIGHT LODGING - Overnight lodging includes hotels, motels, inns, bed-and-breakfasts, and similar uses where guests may rent a room on a nightly basis for a fee.

PARKLAND - Public lands held for conservation and open space preservation, including open space dedicated to Douglass Township or Montgomery County. All parkland is limited to uses of a primarily passive, non-intensive, and non-motorized nature, including, but not limited to, picnicking, walking, running, hiking, bicycling, horseback riding, fishing, ice skating, boating, birdwatching, tennis, basketball, roller hockey, wildlife sanctuary, playground, forest preserve, watershed protection area, and playing fields.

PARKING SPACE — An open or covered area with a dust-free all-weather surface for the storage of one automobile, accessible via a driveway.

PARKING STRUCTURE - A building or structure designed and used for the parking of motor vehicles open to customers, patrons, or tenants of a business or residence, all or parts of which may be above or below ground.

PERSONAL SERVICE/CARE - A building or portion thereof engaged in providing service involving the care of a person or personal items. A personal care business requires direct physical contact with the customer in the performance of a physical service. Examples include barbers, beauticians, nail manicurists, estheticians, tattoo parlors, tanning salons, massage parlors, tailors, and dry cleaners.

PLACE OF WORSHIP - A church, synagogue, temple, mosque, or other place of religious worship, including any accessory use or structure, such as administrative facilities and adjunct residential uses.

PLAYFIELD — A common area with a subdivision or land development for neighborhood residents to use for informal, active recreation purposes such as "sand-lot" ball games and other activities requiring a large lawn area, away from homes or other buildings, for their proper conduct. Playfields are not included for formalized programs such as little league baseball or midget football, which should be conducted on more appropriate facilities. Standards for the playfield shall be:

- A. Minimum area: 15,000 square feet.
- B. Minimum horizontal dimension: 125 feet.
- C. Maximum grade: 3%.
- D. Location: Reasonably centralized on the tract.

PUBLIC UTILITY — Includes:

- A. Any business activity regulated by a governmental agency in which the business is required by law to:
 - (1) Serve all members of the public upon reasonable request;
 - (2) Charge just and reasonable rates subject to review by a regulatory body;
 - (3) File tariffs specifying all of its charges; and
 - (4) Modify or discontinue its service only with the approval of the regulatory agency; and
- B. Any body or board authorized to enact ordinances or adopt resolutions for Douglass Township (Montgomery County) pursuant to the provisions of the Municipalities Authorities Act, as amended (53 Pa.C.S.A. § 5601 et seq.) [formerly the Municipalities Authorities Act of 1945 (53 P.S. § 301 et seq.)].

PUBLIC UTILITY USE — Any business or other activity carried on by a public utility.

RECREATION VEHICLE SALES AGENCY — A commercial use for the sale and repair,

and/ or rental of new and/or used recreation vehicles, having both indoor and outdoor display areas, and providing maintenance and repair services.

RECREATIONAL VEHICLE (RV) — An enclosed piece of equipment dually used as both a vehicle, a temporary travel home or a full time home. RV's shall include the following: truck camper, folding trailer, travel trailer, teardrop trailer, hybrid trailer, fifth wheel trailer, park model, toterhome, toy hauler, campervan, motor coach, motor home, or any similar vehicle.

REFORESTATION — The process of creating woodlands with three distinct layers of vegetation: canopy trees, understory shrubs or trees, and herbaceous ground cover plants.

REPAIR SERVICES - A repair service shall include any business where the primary function is the repair of appliances, small business or electronic machines and similar products.

RESEARCH FACILITY - A use, building, structure, or group of buildings and structures in which are located facilities for scientific research, training, investigation, experimentation, or testing, but not facilities for the manufacture, production, or sale of products, except as incidental to the primary purpose or on a limited pilot scale.

RESIDENTIAL ACCESSORY STRUCTURE- A building or structure erected for the private use of the owner or occupant of a single-family dwelling unit (attached or detached), which is situated on the same lot as the residence, and used for common household purposes, storage, or vehicular parking. This includes but is not limited to a detached garage, storage shed, gazebo, deck, private greenhouse, private stables, barn, carport, children's playhouse, home gardens or shelter for pets. Residential swing sets shall not be considered structures.

RESTAURANT, DINE-IN - A building or portion thereof where food and beverages are sold for direct consumption on the premises to persons seated within the building or within an outdoor dining area. Customers are normally served by a restaurant employee while seated at a table or counter. A dine-in restaurant may include carry-out services, but shall not include establishments where food service is subordinate or incidental to the consumption of alcoholic beverages, entertainment, or the sale of merchandise or non-food-related services.

RESTAURANT, TAKE OUT - A building or portion thereof where food and beverages are sold primarily in disposable containers for take-out and where food/beverages are primarily consumed off-site. Customers generally pay for their food/beverage prior to consumption either at a counter or by paying ahead of time. Limited sit-down to occupy not more than 20% of the gross leasable floor area of the use. Retail bakeries may be included in this use.

RETAIL ESTABLISHMENT - A building or portion thereof involved in the sale, lease, or rental of new or used products, not including vehicle or machinery sales/rental.

RIDING ACADEMY/STABLE – A stable for the commercial housing of horses or for a private riding club.

RIGHT-OF-WAY — A strip of land, over which are provided access rights for various purposes, including vehicular travel, storm drainage and utility lines. Rights-of-way are further defined as follows:

- A. **LEGAL RIGHT-OF-WAY** — The road or street right-of-way legally in the public domain. Generally, an old, legal right-of-way will be substandard by comparison with current requirements, may overlap the lot as described by deed description and

shall be superseded by the ultimate right-of-way.

- B. **ULTIMATE RIGHT-OF-WAY** — The road or street right-of-way projected as necessary for adequate handling of current or future traffic volumes, as defined in the Township's Comprehensive Plan. Upon approval of a plan in compliance with this chapter and Chapter 230, Subdivision and Land Development, of the Douglass Township Code, the ultimate right-of-way shall become the legal right-of-way.
- C. **EQUIVALENT RIGHT-OF-WAY** — A road or street right-of-way required to be reserved where private streets are permitted. The width shall be determined by the street's function, in accordance with Chapter 230, Subdivision and Land Development, of the Douglass Township Code.

RIPARIAN AREA — Land adjacent to a stream, lake, pond, or other water body. Riparian areas form the transition between the aquatic and the terrestrial environment.

ROOMING HOUSE — A single-family detached dwelling which is used, in addition, to provide rental rooms for not more than six nontransient persons.

SANITARY LANDFILL — Any site used to dump, bury or deposit, store or treat any waste materials constituting "solid waste" as defined in the Solid Waste Management Act (Act of July 7, 1980, P.L. 380, 35 P.S. § 6018.101 et seq.) enacted by the Commonwealth of Pennsylvania, as amended to the date of this chapter, and any regulations promulgated pursuant thereto.

SATELLITE USE — A commercial establishment in the shopping center, located independent of other buildings, and frequently near the road frontage of the center. These uses are often ancillary to large stores in the center, but may also include highway-oriented or other commercial uses such as gasoline stations and fast-food restaurants.

SELECTIVE CUTTING — A method of removing small groups of trees scattered throughout a woodland in order to retain the biodiversity of the woodland while allowing limited harvesting of trees.

SENIOR LIVING FACILITY - This use may include nursing homes and retirement communities.

SEWAGE FACILITIES, CENTRAL — A sewage disposal system in compliance with all state and local regulations, approved by the Pennsylvania Department of Environmental Protection and applicable sewer authority, and providing service to multiple customers. Public sewer systems are included in this definition. Such use shall include a sanitary sewage equalization or holding tank, a sanitary treatment plant, a package sewage treatment plant and other similar sanitary sewage detention or treatment facilities

SHOPPING CENTER — A group of commercial establishments, planned and developed as an integrated architectural and functional unit, providing convenient on-site parking and controlled, common vehicular and pedestrian access.

SHORT-TERM TRANSIENT LODGING OR VACATION RENTAL - Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient lodging or vacation rental for up to 30 consecutive days, regardless of whether there is concurrent, partial, or full occupancy by

the owner or another when not in use as a short-term transient lodging or vacation rental.

SIGHT DISTANCE — The distance required by a driver traveling at a given speed to stop the vehicle after an object on the roadway becomes visible to the driver (Pennsylvania Code, Title 67, Chapter 441, "Access to and Occupancy of Highways by Driveways and Local Roads," as amended).

SINGLE AND SEPARATE OWNERSHIP — The ownership of a contiguous land area as one or more lots by one owner, whether a person, partnership, corporation or other legal entity, irrespective of the fact that parts of the land may have been acquired at different times or that the area may be divided into parts on any plan or plat.

SOIL SURVEY — The Montgomery County Soil Survey of 1967, prepared by the Natural Resources Conservation Service of the United States Department of Agriculture.

SOLID WASTE MANAGEMENT FACILITY — A sanitary landfill, solid waste transfer station, solid waste incinerator or other facility for treating, including recycling, storing or disposition of "solid waste" as defined in the Solid Waste Management Act (Act of July 7, 1980, P.L. 380, 35 P.S. § 6018.101 et seq.) enacted by the Commonwealth of Pennsylvania, as amended to the date of this chapter, and any regulations promulgated pursuant thereto.

SOLAR ENERGY FACILITY - An alternative energy facility that consists of one or more ground-mounted, free-standing, or building-integrated solar collection devices, solar-energy-related equipment and other associated infrastructure with the principal use intention of generating electricity or otherwise converting solar energy to a different form of energy primarily for off-site use.

SPECIAL EXCEPTION — A form of permitted use, authorized by this chapter, under the jurisdiction of the Zoning Hearing Board. The Zoning Hearing Board is empowered to grant permission for special exceptions, consistent with the public interest, in compliance with standards and procedures established in this chapter.

STEALTH DESIGN – A telecommunications facility that is designed or located in such a way that the facility is not readily recognizable as telecommunications equipment. Such methods include, but are not limited to, architecturally screened roof-mounted antennas or building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

STEEP SLOPE — A grade of 15% or greater as determined by the soil survey or accurate contour mapping.

STREAM — Includes all rivers, creeks, brooks, tributaries and other flowing surface waters within a natural channel. More specifically, a perennial or intermittent water body having a defined channel (excluding man-made ditches) which contains flow from surface and/or ground water sources during at least a portion of an average rainfall year.

STREAM BANK STABILIZATION — A method of repairing eroded stream banks employing required grading, stone, fabric, soil, or other natural materials.

STREAM, MAPPED — Streams mapped on the adopted "Douglass Township Riparian Corridor Conservation District Map," (Attachment A, as amended) including any adjacent wetlands, and/ or water bodies draining into the identified stream.

STREAM, UNMAPPED — Any perennial stream (waterway that has continuous flow in parts of its bed all year round), located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream.

STREET LINE — A line identical with the front lot line and ultimate right-of-way line.

STREET OR ROAD — A public or private right-of-way serving primarily as a means of vehicular and pedestrian travel, furnishing access to abutting properties, and which may also be used for utilities, shade trees and stormwater control.

STUDIO - The workshop and/or gallery of an artist, sculptor, photographer, or performance artist (musician, actor, dancer, etc.). Such use may be open to the public and offer educational events, private lessons, and may include the retail sale of artist work.

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

SUPERMARKET/GROCERY STORE - A retail store selling a variety of foods and household items.

SUPERVISORS — The duly elected governing body of Douglass Township. Also known as the "Board of Supervisors."

SWIMMING POOL – A body of water or receptacle for water having a depth at any point of eighteen (18) inches or greater which is primarily used or intended to be used for swimming or bathing, and which otherwise meets one of the following definitions:

- A. **SWIMMING POOL, ABOVE-GROUND** – A pool constructed at ground level, regardless of its dimensions
- B. **SWIMMING POOL, IN GROUND** – A pool constructed below ground level, regardless of its dimensions
- C. **SWIMMING POOL, PORTABLE** – An above-ground swimming pool that is installed and designed to be removed and stored and is not intended to be fixed in one place.

TAVERN/BAR- Any building or portion thereof wherein alcoholic beverages are served or sold at retail for consumption on the premises, of which the principal business is the sale of such beverages, and where the sale of such beverages comprises at least 75% or more of gross receipts. Such facilities shall be licensed by the Pennsylvania Liquor Control Board.

TEMPORARY — A building, trailer or sign that is not expected to remain in place longer than one year is considered temporary. If the building or trailer is intended to be retained after one year, the building or trailer must be made permanent; or application made, in writing, to the Board of Supervisors to extend the length of the time allowed for the building or trailer to remain temporary.

THEATER - Any building or portion thereof that is used primarily for the screening of films or for the viewing of live performances such as dance, dramatic, oratorical, musical, or similar performance art purposes. Such use may include associated offices, ticket windows, and limited food/beverage service when licensed with the appropriate agency.

TOT LOT — A confined, developed neighborhood play area primarily for use by preschool children. Low maintenance play equipment and structures shall be used and confined by a gated fence, a minimum of three feet high. Sitting areas shall be provided for parents' convenience while supervising children. Shade trees shall be provided for sitting and play areas. When a tot lot is placed abutting a playfield, practical measures, such as fencing and orientation of facilities, shall be used to reduce conflicts, especially from flying objects such as balls and frisbees. Tot lot dimensions shall be:

- A. Minimum area: 2,500 square feet.
- B. Minimum horizontal dimension: 50 feet.
- C. Location: at convenient, centralized intervals.
- D. A tot lot shall consist of two separate areas. One area shall be intended for children ages two to five, and the other for children ages six through 12. Each area will consist of one bank of three swings and one multilevel deck play structure with posts warranted for 99 years. Each deck play structure shall have ADA-compliant access and contain, at a minimum, three slides, three climbing structures, and two activities that can be accomplished from a wheel chair. At a minimum the equipment shall be ADA compliant, IPEMA certified, and be installed to meet current Consumer Safety Performance Specification for Playground Equipment for Public Use. Each area will include safety surfacing and a timber or other suitable border to contain the surfacing material. Each area shall also have access and pathways that are ADA compliant. It is estimated that the contracted cost for installation of each area of the tot lot will be \$35,000 in 2002 dollars. Thus, the total contracted cost for installation of both required areas of a tot lot shall be \$70,000, in 2002 dollars. Said cost can be expected to increase in future years as a result of inflation, and the figures set forth herein shall be adjusted accordingly.

TOURIST HOME — A single-family detached dwelling which is used, in addition, to provide sleeping accommodations for not more than 10 transient persons, for compensation.

TOWNSHIP ENGINEER — A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer or assistant engineer for Douglass Township.

ULTIMATE RIGHT-OF-WAY LINE — The dividing line between a lot and the outside limit of the ultimate right-of-way of a public street. Identical with front lot line and street line.

USED CAR LOT or LOT FOR SALE OF RECREATION VEHICLES — A commercial use for the sale and/or rental of used cars, trucks and/or recreation vehicles, which has only outside display areas, a small building for office purposes and generally not providing repair or maintenance services for vehicle purchasers beyond preparation for sale.

VEGETATIVE COVER — The land area devoted to vegetative coverage, including, but not limited to lawns, trees, shrubs, flowers and gardens.

WAREHOUSE/STORAGE FACILITY - A building, structure, lot, parcel, or use engaged in the storage, wholesale, and distribution of manufactured equipment, goods, materials, products, or supplies, but excluding bulk storage of chemicals and materials that are explosive, inflammable, or hazardous to adjoining properties.

WATER BODY — An intermittent or perennial stream, pond, or lake that is either natural or man-made provided that the bed is composed primarily of substrates associated with flowing water, ponds, or lakes.

WATER SURVEY — An inventory of the source, quantity, yield and use of groundwater and surface water resources with Douglass Township.

WETLANDS — Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. More specifically, an area meeting the official wetland definition of the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1; or the Pennsylvania Department of Environmental Protection Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations; or the U.S. Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology or the most recently amended reports, will be considered a wetland for the purposes of this chapter. In the event the definition of a wetland accepted by the U.S. Army Corps of Engineers conflicts with the definition of a wetland accepted by the Pennsylvania Department of Environmental Protection, or Environmental Protection Agency, the more restrictive definition shall apply.

YARD — The area(s) of the lot which must remain free of buildings or other structures, and may be used as lawn or planted area, parking or driveway space, in compliance with the provisions of this chapter. Yard is further defined as follows:

- A. **FRONT YARD** — A yard which extends across the full width of a lot, for a depth equal to the minimum front yard setback distance required by the specific regulations of this chapter, measured from the ultimate right-of-way line.
- B. **REAR YARD** — A yard which extends across the full width of a lot, for a depth equal to the minimum rear yard setback distance required by the specific regulations of this chapter, measured from the rear lot line.
- C. **SIDE YARD** — A yard which extends along a side lot line from the required front yard to the required rear yard, the minimum width of which shall be the minimum specified by the regulations of this chapter, measured from the side lot line.

YARD LINE — A line which locates and delineates the minimum yard setback requirements, measured from the front, rear and side lot lines.

ARTICLE III

Use Regulations

§ 265-36. Regulation of uses.

Except as provided for by law, no building, structure, land, lot or premises shall be used for any purposes other than as permitted in this Chapter.

§ 265-37. Intent.

It is the intent of this article to provide clear and specific standards for uses permitted within the various Douglass Township zoning districts, including standards for uses that are permitted in more than one district.

§ 265-38. Interpretation and Applicability.

- A. When a use is proposed the Zoning Officer shall make the final determination on which use classification described herein best defines or matches the use proposed. If a proposed use meets the definition of more than one use classification, as defined herein, the most specific use classification which matches most precisely the proposed use shall be used.
- B. When a proposed use does not precisely match a use classification defined herein, the Zoning Officer shall determine which described use it most closely matches. If the principal use proposed is similar in most respects to a given described use, then the proposed use shall be classified according to the use defined herein.
- C. All uses permitted by right, by conditional use, or by special exception, shall be subject to the use regulations herein, as well as any applicable district regulations, and any other applicable provisions as are specified in the Township Code. If there is a conflict between the use regulations herein and any other applicable regulations, the more restrictive regulation shall apply, unless otherwise noted.
- D. A building, structure, lot, or premises shall be permitted only one principal use, except as may be provided for in this Chapter.
- E. A building, structure, lot, premises, or use shall not be altered, partitioned, or subdivided in any manner for the purpose of creating an additional principal use, or additional accessory uses, except as may be provided for in this Chapter.

§ 265-39. Permitted uses.

- A. Use by right. In any given district, a use is permitted by right when it is listed as such in the district regulations, provided it can comply with the applicable use regulations stated herein, and provided a use and occupancy permit has been duly issued by Douglass Township, as specified in this Chapter.
- B. Use by conditional use approval. In any district, a use is permitted by conditional use approval, provided it is listed and meets the conditions in the district regulations, and provided it can comply with the applicable use regulations stated herein. In addition, the use is subject to approval or denial by the Douglass Township Board of Supervisors. If approved, the Township Board of Supervisors may impose further conditions to ensure the protection of adjacent uses and the health, safety and general welfare of the residents. Following approval and conditions of the Township Board of Supervisors, the use is subject to all other applicable federal, state, and local codes, permits, regulations, and standards expressed in this Ordinance.
- C. Use by special exception. In any district, a use is permitted by special exception, provided it is listed as such in the district regulations, and provided it can comply with

the applicable use regulations stated herein. In addition, the use is subject to approval or denial by the Douglass Township Zoning Hearing Board. If approved, the Zoning Hearing Board may impose further conditions to ensure the protection of adjacent uses and the health, safety and general welfare of the residents. Following approval and conditions of the Zoning Hearing Board, the use is subject to all other applicable federal, state, and local codes, permits, regulations, and standards expressed in this Ordinance.

D. Accessory uses permitted.

- (1) An accessory use is permitted if it is listed as a permitted accessory use in the district use provisions. Accessory uses not listed as such are not permitted, except when the Zoning Officer determines a use qualifies as “subordinate and customarily incidental to” the principal use of the subject tract.
- (2) Accessory uses, when permitted, are subject to the district regulations, the provisions of the use regulations established herein, and all other applicable sections of this Ordinance.
- (3) Any proposed use that is accessory to a use that is permitted by conditional use, special exception, or variance shall require the same level of review and approval.

E. Uses not permitted. Any use not listed in the district in question is not permitted.

F. Use by variance. Any use not permitted in the district regulations or conforming to the use regulations or applicable provisions of this Chapter, may be permitted if a variance for relief of those requirements is granted by the Zoning Hearing Board. If approved, the Zoning Hearing Board may impose further conditions to ensure the protection of adjacent uses, and the health, safety, and general welfare of the residents. Following approval and conditions of the Zoning Hearing Board, the use is subject to all other applicable federal, state, and local codes, permits, regulations, and standards expressed in this Chapter.

§ 265-40. Legal status of uses.

A. The following terminology is assigned to uses, based upon their method of institution. Refer to Article XXVI of this Chapter for treatment of these various circumstances.

- (1) Conforming use. The use meets all applicable standards and regulations as established in this Ordinance.
- (2) Nonconforming use. The use does not meet all applicable standards and regulations as established in this Ordinance.
- (3) Legally nonconforming use. The use does not meet all applicable standards and regulations as established in the Zoning Ordinance, but the use or property received the required Township approval through the variance process or was legally instituted prior to the adoption of this Ordinance or the applicable Zoning Ordinance standard.

- (4) Illegal use. A use which may or may not conform to zoning, but never received the appropriate Township approval.
- B. A use created by special exception, variance, or conditional use approval may only undergo alteration, addition, expansion, or intensification of the use by reapplication and re-approval of the body granting original approval.

§ 265-41. Categories of permitted uses.

A. Accessory uses.

(1) **Use A-1: Residential Accessory Structure.** A building or structure erected for the private use of the owner or occupant of a single-family dwelling unit (attached or detached), which is situated on the same lot as the residence, and used for common household purposes, storage, or vehicular parking. This includes but is not limited to a detached garage, storage shed, gazebo, deck, private greenhouse, private stables, barn, carport, children's playhouse, home gardens or shelter for pets. Residential swing sets shall not be considered structures. The following additional requirements shall apply:

- (a) All residential accessory structures shall require a zoning permit. Construction or alteration of residential accessory structures greater than 260 square feet in area shall require a building permit and use and occupancy permit with inspections.
- (b) An accessory building having less than 260 square feet may be erected within side or rear yards, provided:
 - [1] It is located at least as far back from the street line as the foremost portion of the principal building, and
 - [2] The distance from the accessory building to the side and rear property line is at least 10 feet. Residential accessory structures in mobile home parks shall comply with the setback requirements of Use C-6: Mobile Home Park.
- (c) There shall be no distinction between permanent accessory buildings and nonpermanent accessory buildings.
- (d) Accessory buildings having 260 square feet or more shall comply with the yard regulations applicable to the principal building on the lot.
- (e) Residential accessory structures 260 square feet or less shall not exceed 12 feet in height. Residential accessory structures greater than 260 square feet shall not exceed 20 feet in height.
- (f) Accessory buildings must be at least 5 feet from any other building or structure.

(2) **Use A-2: Nonresidential Accessory Structure.** A building or structure erected for uses customarily incidental to a legally established non-residential use. The following additional regulations shall be satisfied:

- (a) All nonresidential accessory structures shall require a zoning permit. An accessory structure shall not be used to establish a new or unrelated use on the premises.
- (b) Nonresidential accessory buildings must be at least 5 feet from any other building or structure and shall comply with the yard and setback requirements applicable to the principal building on the lot.
- (c) Nonresidential accessory buildings or structures are limited in size to 25% of the ground floor area of the principal building which it serves.
- (d) Nonresidential accessory buildings shall not exceed 20 feet in height.

(3) **Use A-3: Agricultural Accessory Structure.** A building or structure on a parcel that is primarily used for cultivation of agricultural crop production for sale to the public.

- (a) All agricultural accessory structures shall require a zoning permit.
- (b) Agricultural accessory structures must be at least 5 feet from any other building or structure.
- (c) Agricultural accessory structures shall not exceed 20 feet in height. A maximum height of 75 feet is permitted by special exception.
- (d) Structures for livestock shall not be located in the front yard.
- (e) All agricultural accessory structures shall be located at least 100 feet from any property line.

(4) **Use A-4: Commercial Vehicle Parking.** 48-hour parking of commercial vehicles over 10,000 pounds gross vehicle weight shall comply with the following regulations in residential zoning districts:

- (a) In the R-A District one vehicle may be parked on each conforming lot, provided the vehicle is owned or operated by a person residing on the lot. Vehicles used for agricultural purposes on the premises where they are parked are exempt from this regulation.
- (b) Parking more than one commercial vehicle from the same company on a residential lot is prohibited.
- (c) For more than one vehicle on a conforming R-A lot, or for one or more vehicles on a conforming lot in the R-1, R-2, R-3, or R-4 Districts, approval as a Special Exception must be granted by the Zoning Hearing

Board, with the right to review by the Township Planning Agency and Engineer, in compliance with the following criteria:

- [1] Sufficient turning area must be provided and used on the lot so that the vehicle(s) will not have to back onto or off of the street; this requirement does not apply to residential streets.
- [2] No such vehicles shall be parked in a front yard area.
- [3] A minimum setback of 10 feet shall be required from a side or rear property line, which area shall be provided with an opaque fence or screen planting to a height of 6 feet.
- [4] Any such vehicle which creates noise louder than a typical automobile shall not be left running on the lot for a period exceeding 10 minutes. A typical automobile shall not be left running on the lot for a period to exceed 10 minutes.

(d) All other Township regulations regarding noise, sanitation, etc. shall be strictly enforced.

(5) **Use A-5: Fences and Walls** . Any artificially constructed barrier or structure of any material or combination of materials, erected to enclose or screen areas of land which may be located within the yard requirement of the zoning district. Fences erected on 5 or more acres for agricultural purposes are exempt from the requirements of this Chapter, but must comply with §265-10 Obstruction to Vision at Intersections Prohibited. No fence will be permitted to be erected or maintained in the Township except in conformance with the regulations contained in this article. Freestanding walls and hedges that serve the same purposes as a fence shall be governed by this article as if they were fences. The following additional regulations shall be satisfied:

- (a) If the fence is wood cover or wood frame, the framework must face onto the interior of the lot, unless the fence is so designed to provide equal frame and cover area to adjoining lots.
- (b) If the fence is open metal mesh, supported by posts and frames of either pipe or wood, the posts and frames must be on the interior of the mesh.
- (c) If the fence is of masonry construction, A finished side of all fences must be provided to the exterior side.
- (d) All fences for stormwater management areas shall have a minimum of 3 inches of clearance from the ground for the passage of stormwater.
- (e) In the R-A, R-1, R-2, R-3, R-4, and LC Zoning Districts, the following regulations apply:
 - [1] Within the front yard of any lot, as defined herein, including both street frontage for a corner lot or a lot with double frontage, fences

or walls may not exceed 4 feet in height, except in the case of a retaining wall. A sight triangle shall be provided.

[2] Behind the front yard line, as defined herein, fences may not exceed 6 feet in height.

[3] For corner lots, fences or walls shall comply with §265-10 of this Chapter, by providing sight triangles.

[4] No fence or wall may be placed closer to a street than the ultimate right-of-way line as defined herein.

(f) In the IN, GC, MU, M-1, and M-2 Zoning Districts, the following regulations apply:

[1] Within the front yard of any lot, as defined herein, including all street frontages, fences or walls constructed of solid materials which block visibility may not exceed 4 feet in height, except in the case of a retaining wall.

[2] Within the front yard of any lot, as defined herein, including all street frontages, fences constructed of open materials such as mesh, posts or rails, which allow good visibility may not exceed 6 feet in height.

[3] For corner lots, fences or walls shall comply with §265-10 of this Chapter by providing sight triangles, regardless of the type of fence construction.

[4] No fence or wall may be placed closer to a street than the ultimate right-of-way line as defined herein.

(6) **Use A-6: Home Occupations.** Any lawful occupation or business activity performed for financial gain which is conducted in whole or in part by the resident(s) from their primary residence, where the occupation is secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained. All home occupations shall meet the following requirements:

(a) The home occupation shall be conducted by the residents of the dwelling.

(b) The home occupation shall not occupy more than 25 percent of the total floor area of the dwelling or 500 square feet, whichever is less.

(c) There shall be no employees other than the residents of the dwelling.

(d) There shall be no exterior displays of goods visible from the outside.

(e) There shall be no storage of materials or products outside a principal or accessory building or other structure.

(f) There shall be no external alterations which are not customary in residential buildings.

(g) There shall be no impact on abutting properties.

- (h) There shall be no required deliveries or trash pick-up in excess of that required normally in residential areas.
- (i) There shall be no direct retail sales on the premises.
- (j) Office or studio of a doctor, dentist, teacher, artist, architect, tutor, landscape architect, musician, lawyer, engineer or practitioner of similar character (Use E-2 Business/Professional Office and Use D-27 Studio), barber shop, beauty shop, shop of dressmaker or tailor (Use D-20 Personal Service), and family day care homes (Use A-7 Family Day Care Home) shall have the following additional requirements:
 - [1] There shall be no more than one employee who does not reside in the dwelling.
 - [2] There shall be no more than four visitors associated with the home occupation at any one time.
 - [3] Signs must meet the requirements of Article XXIV Sign Regulations.
- (k) Home occupations not specifically listed above shall meet the following requirements:
 - [1] There shall be no visitors at any time associated with the home occupation.
 - [2] There shall be no parking spaces required in addition to those required for the residence.
 - [3] There shall be no signs.
- (7) **Use A-7: Family Day Care Home.** A family residence other than the adult or child's own home in which day care is provided at any one time up to 6 people, who are not relatives of the resident caregiver. Family day care homes are permitted as accessory uses in the R-1, R-2, R-3, L-C districts by-right, and in the MU and LOR by conditional use. Family day care homes shall meet the following requirements:
 - (a) Registration. Each operator of a child or adult day care center, family day care home or group day care home shall register with Douglass Township prior to the initiation or modification of such use. The operator must certify compliance with all aspects of this Chapter as well as all other applicable Douglass Township requirements and Commonwealth of Pennsylvania requirements for child and adult care.
 - (b) Inspection. The operator of a child or adult day care facility shall permit authorized agents of Douglass Township to enter the property to inspect

such use for compliance with requirements of this section and all other applicable township ordinances and state statutes and regulations.

- (c) Day care facilities must hold an approved Pennsylvania Department of Public Welfare (child day care) or Department of Aging (adult day care) certificate or license, as appropriate and comply with all applicable state regulations, including those standards governing adequate indoor space, accessible outdoor play space and any applicable state or local building and fire safety codes. Administrators providing day care services must conduct background checks on all job applicants to determine their suitability for employment in a day care program.
- (d) For residences abutting residential streets, permitted on-street parking areas may be used for non-resident employee parking and passenger drop off/pick up space, provided that the child drop off/pick up is conducted on the same side of the road as the subject property.
- (e) For residences abutting semi-controlled access and collector streets, one additional off-street parking space shall be provided for non-resident employee and one safe passenger drop off/pick up space measuring at least 10 feet by 20 feet shall be provided. In addition, the off-street parking area shall be designed so that vehicles can turnaround in the parking area in order to avoid the danger of backing onto a street.
- (f) Each home shall have a minimum of 40 square feet of indoor space for each child, measured wall-to-wall, inclusive of space occupied by cupboards, shelves, furniture and equipment, but exclusive of halls, bathrooms, offices, kitchens, locker rooms and related areas.
- (g) Each home shall have a minimum of 30 square feet of outdoor play space for each child, to be located only in the rear yard of the residence.
- (h) The outdoor play area shall not be located within 10 feet of an adjoining property line.
- (i) The outdoor play area shall be surrounded by a safety fence impenetrable by children or small animals, with a minimum height of 4 feet and constructed of materials suitable to the existing residential environment.
- (j) Time of operation shall be limited to the hours between 6:00 A.M. and 7:00 P.M.
- (k) Outdoor play shall be limited to the hours between 8:00 A.M. and 7:00 P.M.
- (l) In the Limited Office Residential Overlay District, the minimum lot area shall be 15,000 square feet.

(8) **Use A-8: Outdoor Storage/Display.** The outdoor keeping of inventory, stock, material, merchandise, or any goods in an unroofed or open area for more than 24 hours for sale or storage purposes. Seasonal items and vehicles are excluded from these provisions.

- (a) All outdoor storage areas shall be enclosed by a fence, wall or planting screen adequate to conceal the facilities from the street or abutting properties to limit the visual and acoustic impacts of these functions. Storage outside enclosed by a fence or landscape screen shall conceal stored items from view at a 5-foot level when standing at the street or property line.
- (b) Outdoor storage must be kept within the building setback lines and may not infringe on the minimum vegetative area. No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, no required parking areas, and no part of the required front yards, shall be occupied by outside storage. No more than 50% of the lot area shall be used in outdoor storage
- (c) No flammable or explosive liquids, solids or gasses shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
- (d) No materials or waste shall be deposited upon the lot in such form or manner that they may be transferred off the lot by natural causes of forces.
- (e) All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers. All outdoor storage areas shall be set back a minimum of 5 feet from all parking areas.

(9) **Use A-9: Accessory Roof-Mounted Solar Energy System.** An alternative energy system that consists of one or more building mounted or integrated solar collection devices and solar energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar energy to a different form of energy and is an accessory use to a residential, industrial, institutional, agricultural, or commercial use. Accessory ground-mounted renewable energy systems shall be sized and intended to be used to generate electricity for the principal use to which it is accessory.

- (a) When located on a flat roof, solar energy systems under this use are exempt from the district height requirements.

- (b) When located on a sloped roof, solar energy systems under this use shall not exceed the highest point of the roof to which it is attached.
- (c) A three-foot setback from all roof ridges shall be provided for roof-mounted solar panels to ensure that firefighters may access the roof in a quick and safe manner.
- (d) A 1.5-foot setback from all roof hips and valleys shall be provided for roof-mounted solar panels to ensure that firefighters may access the roof in a quick and safe manner if solar panels are installed on both sides of the roof hip or valley.
- (e) Installed solar modules shall be constructed with at least one anti-reflective layer to reduce reflectivity.

(10) **Use A-10: Accessory Ground-Mounted Renewable Energy System.** An alternative energy system that consists of one or more ground mounted or free-standing solar or wind collection devices and solar or wind energy related equipment and other associated infrastructure with the primary intention of generating electricity or otherwise converting solar or energy to a different form of energy and is an accessory use to a residential, industrial, institutional, agricultural, or commercial use. Accessory ground-mounted renewable energy systems shall be sized and intended to be used to generate electricity for the principal use to which it is accessory. Accessory ground-mounted wind energy systems are only permitted with special exception approval.

- (a) The minimum lot size for accessory ground-mounted renewable energy systems is 1 acre.
- (b) Accessory ground-mounted renewable energy systems shall not be permitted in front yards. Solar energy system components are prohibited between the building line and a street unless the applicant demonstrates that the rear yard location will not result in acceptable solar access and can be installed to meet all other requirements. Energy system components shall not encroach upon any stormwater management facility or right-of-way or easement, including but not limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.
- (c) Accessory ground-mounted solar energy systems shall not exceed 15 feet in height. An accessory ground-mounted solar energy system may exceed the applicable maximum accessory structure height if it will cover an impervious surface parking area. Height may not exceed the height of the primary structure that the parking area serves. Minimum height of the parking canopy must allow clearance for emergency service and service vehicles.

- (d) Ground-mounted or freestanding wind energy systems shall not exceed 60 feet in height.
 - (e) Accessory ground-mounted solar energy systems must meet the applicable setbacks for the zoning district in which the system is located. A ground-mounted or freestanding solar energy module or array may not extend into any applicable yard setback when oriented at minimum design tilt. Wind energy systems shall be set back from property lines a distance equal to the total height of the wind turbine from all inhabited structures off-site, overhead utility lines, and public roads or rights-of-way.
 - (f) Installed solar modules shall be constructed with at least one anti-reflective layer to reduce reflectivity.
 - (g) For purposes of determining compliance with coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and freestanding renewable energy collectors, including solar photovoltaic cells, panels, arrays, and inverters shall be considered pervious coverage provided that pervious conditions are maintained underneath the solar photovoltaic cells, panels, and arrays.
 - (h) There shall be a minimum of thirty feet between the ground and the lowest part of the rotor blade for wind energy systems. No blades may extend over parking areas, driveways, or sidewalks.
 - (i) Noise from wind energy systems shall not exceed 50 decibels.
 - (j) A plot plan shall be submitted with the application.
- (11) **Use A-11: Outdoor Dining.** An eating area with tables and chairs that is located outside of and accessory to Use D-16: Microbrewery/Microdistillery/Microwinery, D-22: Restaurant, Dine In, or D-23: Restaurant, Take Out. The following additional regulations shall be satisfied:
- (a) Outdoor dining shall not obstruct or interfere with pedestrian circulation on or off-site and shall have unobstructed aisles and entrances. When conducted in the right-of-way, a minimum of five feet of sidewalk width shall remain unobstructed.
 - (b) A minimum of five feet shall be maintained between fire hydrants and outdoor dining areas.
 - (c) If located in a parking lot or street right-of-way, the outdoor dining area shall be physically separated from drive aisles, parking spaces, or any motor vehicle traffic area by a railing, fence, planter box, or combination thereof.

(d) If located in a parking lot, minimum parking requirements for the principal use shall still apply.

(e) Applicable outdoor dining areas must meet all required building codes.

(12) Use A-12: Communications Antennae. The following regulations shall apply:

(a) An antenna that is attached to an existing communications tower, smoke stack, water tower or other tall structure is permitted in all zoning districts. The height of the antenna shall not exceed the height of the existing structure by more than 15 feet. If the antenna is to be mounted on an existing structure a full site plan is not required.

(b) An antenna that is either ground mounted, not mounted on an existing structure, or is more than 15 feet higher than the structure on which it is mounted requires a special exception in all districts except for the M-1 Office and Light Industrial and M-2 Manufacturing Industrial Districts.

(c) All other uses ancillary to the antenna and associated equipment (including a business office, maintenance depot, vehicle storage, etc.) are prohibited, unless otherwise permitted in the zoning district in which the antenna is located.

(d) Standards of Approval of All Communication Antennae:

[1] Antenna Height. The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved.

[2] Setbacks from Base of Antenna Support Structure. The minimum distance between the base of the support structure and any property line shall meet the requirements of §265-14.

[3] Antennae Support Structure Safety. The applicant shall demonstrate that the proposed antennae and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, electromagnetic fields or radio frequency interference. A structural analysis shall be provided. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.

[4] Fencing. A fence shall be required around the antenna support structure and other equipment, unless the antenna is mounted on an existing structure. The fence shall be a maximum of 8 feet in height.

[5] Screening/Softening Buffer. A screening/softening buffer shall be provided for the support structure, the fence surrounding the

support structure and any other ground level features (such as a building) in accordance with §230-47 of the township's subdivision and land development ordinance. The applicant may use any combination of existing vegetation, new vegetation, topography, walls, decorative fences or other features, provided an effective buffer is created. If the antenna is mounted on an existing structure, and other equipment is housed inside an existing structure, buffering is not required.

- [6] In order to reduce the number of antenna support structures needed in the community in the future, the proposed support structure shall be required to accommodate other users, including other communication companies, and local police, fire and ambulance companies.
- [7] The applicant must demonstrate that it is licensed by the Federal Communication Commission.
- [8] Antennae shall utilize stealth design. Antenna support structures under 200 feet in height should be painted silver or have a galvanized finish retained in order to reduce the visual impact. Support structures may be painted in order to reduce visual impact. Support structures may be painted green up to the height of nearby trees. Support structures 200 feet in height or taller, or those near airports, shall meet all Federal Aviation Administration (FAA) regulations. No antenna support structure may be artificially lighted except when required by the FAA.
- [9] A full site plan submission is required for all antenna sites except those utilizing existing structures. The plan shall show the antenna, antenna support structure, building, fencing, buffering, access and all other applicable items required in the Township Subdivision and Land Development Ordinance.

(e) Standards of Approval of Special Exceptions.

- [1] The applicant is required to demonstrate, using technological evidence, that the antenna must go where it is proposed in order to satisfy its function in the company's grid system.
- [2] If the applicant proposes to build a tower (as opposed to mounting the antenna on an existing structure), it is required to demonstrate that it contacted the owners of tall structures within a one-quarter mile radius of the site proposed, asked for permission to install the antenna on those structures, and was denied for reasons other than economic ones. This would include smoke stacks, water towers,

tall buildings, antenna support structures of other communications providers, other communications towers (fire, police, etc.) and other tall structures. The Township may deny the application to construct a new tower if the applicant has not made a good faith effort to mount the antenna on an existing structure.

- (13) **Use A-13: Drive-Through Facility.** Any building, design, facility, or structure, or portion thereof, from which a business, product, or service is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during the transaction:
- (a) A minimum of eight automobile waiting spaces shall be required for single-lane drive-through facilities and six per lane for double-lane drive-through facilities. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through circulation, parking or deliveries to the tract.
 - (b) These vehicle stacking spaces shall not interfere with parking spaces, drive aisles, or internal circulation of the site.
 - (c) Use A-13: Drive-Through Facility will require an additional ten thousand (10,000) square feet of lot area.
 - (d) Ingress to the drive-in facility shall occur from an aisleway within the interior circulation of the lot, and not directly from a principal or minor arterial highway.
 - (e) Egress from the drive-in facility shall not occur within 15 feet from a pedestrian entrance or exitway to the building.
 - (f) A clearly marked crosswalk shall connect the entryway(s) to the parking lot and shall be situated perpendicular to the drive-through stacking lane.
 - (g) A drive-through facility shall not be located within the front yard area.
 - (h) Lighting for all drive-through service areas shall be installed in a manner that safely, but not excessively, illuminates the drive-through areas without spillage onto adjacent uses or parcels.
 - (i) Landscaping for all drive-through service areas shall be installed in a manner which safely shields the stacking lanes, drive-through aisle and drive-in windows from view of neighboring uses or parcels.
- (14) **Use A-14: Mobile Food Vendor.** A self-contained food service operation, located in a readily movable motorized, wheeled, or towed vehicle, used to store, prepare, display, or serve food intended for individual portion service. The following shall apply:

- (a) Mobile food vendors must comply with all federal, state, and local licensing, which includes obtaining a business license, up-to-date records on health inspections, as well as any and all other permitting regulations and all business tax, sales tax, and other tax requirements.
 - (b) Mobile food vendors shall not be permitted to park and operate for more than seven consecutive days unless operation is part of a special event or if authorized by the township to do so. A zoning permit is required for operation greater than seven consecutive days in a 30-day period.
 - (c) Insurance. Mobile food vendors must maintain all motor vehicle insurance coverage required by applicable state and federal laws and regulations.
 - (d) Hours of Operation. Mobile food vendors may operate between 6am and 10pm unless otherwise restricted by the property owner. The Township may permit extended hours of operation upon written permission from the property owner, provided that extended hours do not violate Township noise or nuisance ordinance requirements.
 - (e) Mobile food vendor operations, including any canopies, signage, equipment, and seating areas, may not occupy more than four parking spaces per vendor. Vendors not parked within designated parking spaces shall not block fire lanes, designated traffic lanes, or ingress or egress to or from a building or street, and shall not impede vehicle circulation.
 - (f) All applicable parking requirements for the principal use on the lot shall be met.
 - (g) Mobile food vendors shall serve pedestrians only. Drive-through or drive-in service is prohibited.
 - (h) Waste collection. The area of a mobile food service vehicle operation must be kept neat and orderly at all times. During each period of operation at a location, the operator must provide proper trash receptacles for public use that are sufficient and suitable to contain all trash generated by the mobile food service vehicle. All trash receptacles must be emptied when full, and all waste must be removed prior to departure of a mobile food service vehicle from a location.
- (15) **Use A-15: Swimming Pool.** A body of water or receptacle for water having a depth at any point of eighteen (18) inches or greater which is primarily used or intended to be used for swimming or bathing. The following additional regulations shall be satisfied:
- (a) Construction Permit and Approval

- [1] Before any work is commenced on the construction of a swimming pool or on any alteration, addition, remodeling or other improvement to a swimming pool, an application for a permit for construction, together with plans and specifications pertinent to the construction, as well as explanatory data, shall be submitted to the Township. No part of the work shall be commenced until approval has been granted to the applicant by a written permit. No concrete shall be placed until a satisfactory inspection has been made by the Township .
- [2] All plans, including a plot plan, shall bear the name and seal of a registered architect or registered engineer. The plot plan shall show the location of all buildings and the proposed pool on the property, distances to all property lines in the immediate vicinity of the swimming pool and dwelling, and the location of wells, sewage disposal systems and enclosure or fence around the pool.
- [3] Standard pools, properly designed by established swimming pool companies and having the approval of a registered engineer or registered architect shall be acceptable when accompanied by suitable plans and specifications, including information required above.

(b) Enclosure

- [1] Every swimming pool shall be completely surrounded by a fence, wall or similar enclosure not less than four (4) feet in height, which shall be so constructed with no openings, holes or gaps larger than two (2) inches in any dimension. If the fence or wall is a picket fence, the horizontal dimensions maintained shall not exceed four (4) inches. A dwelling, wall, or accessory building may be used as part of such enclosure.
- [2] All gates or door openings through such enclosure shall be equipped with a self- closing, self -latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any dwelling or accessory building which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area. Fences shall be erected around all existing swimming pools no later than June 1, 1989.

(c) Location on the property

- [1] A swimming pool shall be located at the rear or along the side of the dwelling where practicable.

- [2] There shall be a minimum of three (3) feet of concrete, stone, brick or block sidewalk or other all weather surface around all pools, except portable above -ground pools.
- [3] Swimming pools or appurtenances including decks and shelters shall be set back from property lines the same distance as required by the Zoning Chapter for buildings or structures in the District where such facilities are located.
- [4] No swimming pool shall be located so as to interfere with the operation of a well or on- site sewer system, or be located where there is potential danger of a sewer system discharging into the pool or onto the adjacent area around the pool.

(d) Design and Construction Requirements

- [1] Material. The material used for lining a swimming pool shall be light in color, impervious and shall provide a tight tank with easily cleaned surfaces. Uncovered sand or dirt bottoms are prohibited.
- [2] Walls and Bottoms. All pool walls and bottoms shall be designed to withstand water pressure from within and to resist the pressure of earth or ground water when the pool is empty.
- [3] Steps, Ladders, Handholds. One or more steps, ladders, stepholes or handholds shall be provided for all pools. The coping of the swimming pool, if not higher than eight (8) inches above the water surface, shall be considered a handhold.
- [4] Make -Up Water. Pools shall be equipped with suitable facilities for adding make- up water as required. There shall be no physical connection between the water supply line and the pool system. When make- up water is added to the pool, the inlet shall be at least six (6) inches above the pool water surface.
- [5] Drainage Outlet. No pool water shall be drained at the curb, along the gutter line of any street or on the surface of any street.
- [6] Recirculation. Provision shall be made for complete circulation of water throughout the pool. The system shall be designed and constructed so that there is a turnaround at least once every twelve (12) hour period. Recirculation systems shall consist of pumping equipment, hair -and -lint catcher, filters, together with all necessary pipe connections to the pool inlets and outlets, facilities and pipe connections necessary for backwashing or cleaning filters.

[7] Safety Equipment. Life preservers, ropes and poles shall be readily available at the pool site.

(e) Portable Pools

[1] Above -ground pools are not subject to permit or design requirements as set forth herein. Above ground pools are subject to permitting requirements under the International Pool and Spa Code. However, all such pools having walls less than four (4) feet in height shall be enclosed in accordance with the provisions of §265-41(15)(b).

[2] Portable above-ground pools having walls four (4) feet or greater in height are excluded from the fencing requirement only if such pools are equipped with access ladders which may be raised and locked in a near vertical position when the pool is unattended. An above -ground pool as described in this paragraph which is served by a ladder or steps which cannot be raised and locked to prevent access by small children shall be enclosed in accordance with §265-41(15)(b).

(f) Property Rights. No swimming pool shall be so located or maintained as to interfere unduly with the enjoyment of the property rights of others.

(g) Shielding Lights. Lights used to illuminate any swimming pool shall be so arranged to reflect light away from adjoining premises.

(h) Unnecessary Noise. It shall be unlawful for any person to make, continue or cause to be made or continued at any swimming pool, any loud, unnecessary or unusual noise which disturbs, injures or endangers the comfort, health, peace or safety of others.

(i) Impervious Surface. Pool water shall be calculated as impervious surface.

(j) Electrical Connections.

[1] All electrical installations shall conform to the specifications of the National Electrical Code. No electric wires or conductors shall cross, either overhead or underground, on any part of the swimming pool, nor shall any electric wiring be installed parallel to any pool wall closer than five (5) feet, if underground, unless enclosed in a rigid conduit, or within five (5) feet, if overhead.

[2] All underwater lights must be watertight, self- contained units with ground connections running from a waterproof junction box to a proper grounding facility or medium. All underground electric

wires supplying current to said lights within a distance of five (5) feet of a pool wall shall be enclosed in rigid conduits.

- [3] All metal fences, enclosures or railings, or other electrically conductive components near or adjacent to a swimming pool, which might become electrically charged as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

(16) **Use A-16: Accessory Dwelling Unit.** An accessory dwelling unit (ADU) is a dwelling unit that is accessory to a single-family dwelling that is located on the same lot. Use A-16: Accessory Dwelling Unit is only permitted upon special exception approval by the Zoning Hearing Board in the R-A, R-1, and R-2 Districts and when the following requirements are met:

- (a) **Limitation.** One ADU may be permitted per lot where use C-2: Single Family Detached Dwelling is established as the principal use of the lot.

- (b) **Occupancy.**

- [1] The use permit for the ADU shall be in effect only so long as either the principal dwelling or the ADU is occupied by the owner of record of the property.

- [2] An ADU shall only be occupied by the owner of record or an immediate family member of the owner of record of the property that is related to the owner of record by blood, marriage, or adoption.

- [3] No more than three people shall occupy an ADU.

- [4] A separate EDU is required for the use.

- (c) **Design and development standards.**

- [1] **Dimensional requirements.** ADUs shall meet the setback and coverage requirements for principal structures in the underlying zoning district.

- [2] **Attached ADUs.** All ADUs shall be attached to the principal building or within the principal building. They shall have an entrance separate from the entrance to the primary residence. This entrance may not be a part of the front facade of the primary residence.

- [3] **Maximum size.** The maximum permitted floor area of an ADU shall be the lesser of 40% of the living area of the primary residence or 1,200 square feet.

- [4] **Maximum building height.**

[a] ADUs attached to the primary residence shall not increase or exceed the height of the existing primary residence.

[5] Parking. Required parking spaces associated with the accessory unit shall share the driveway of the primary residence and conform to all applicable standards of the underlying zoning district. Parking shall comply with the requirements of Article XXV Off-Street Parking.

[6] General design. The design of the accessory unit shall relate to the design of the primary residence by use of similar exterior wall materials, window types, door and window trims, roofing materials, and roof pitch. Windows on the ADU shall be offset from neighboring residences to preserve privacy.

[7] An ADU may not be a mobile home, motor home, or trailer.

B. Agricultural uses.

(1) **Use B-1: Agricultural uses.** The active use of land for growing and harvesting of crops, as food for humans or animals, and also including nursery, greenhouse production, horticulture, and forestry uses; and/or the raising, consumption and/or selling of livestock as a source of meat, poultry, dairy products, hides or other animal products. Agricultural use and agricultural purpose shall be interchangeable terms. The following additional regulations shall apply:

- (a) The tract is at least 5 acres and buildings used in the keeping or raising of livestock or poultry shall be setback a minimum of 100 feet from an ultimate right-of-way line and 50 feet from any other property line.
- (b) At least 50 percent of a parcel, lot, or tract must be actively used for agricultural purposes as defined in Article II to qualify as an agricultural use.
- (c) The keeping of animals other than domesticated pets shall be limited to lots of at least one acre, provided that less than 50 percent of the lot is used for livestock purposes. This includes chickens, and their shelter must be setback at least 50 feet from a property line. Free ranging of livestock is not permitted for properties of one acre or less.

(2) **Use B-2: Agritourism Enterprise.** Activities conducted on and accessory to a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation. These activities must be directly related to agricultural or natural resources. Typical agritourism enterprises include but are not limited to: U-pick operations, Christmas tree farm/cut your own, wineries and winery tours/tastings, corn mazes, farm-related interpretive facilities and exhibits, agriculturally related educational and learning experiences, events/fairs/festivals, on-site farm/garden/nursery tours,

horseback riding, event space, recreation-related operations(outfitters/fishing and hunting facilities/bird-watching/cross-country skiing). Agritourism enterprises are permitted as a by-right use in the R-A district.

- (a) Applicants must submit a land development plan identifying the location of the agritourism enterprise, all farm buildings, dwellings, existing and proposed driveways, access drives, parking areas, vehicle turn around areas, location of sanitary facilities (if required) and buffer and landscaping.
 - (b) Parking shall be in compliance with Article XXV. Parking is not permitted in the street right-of-way.
 - (c) Sanitary facilities shall be provided in accordance with PA DEP requirements.
 - (d) All prepared food for sale must be prepared in accordance with applicable federal, state, or local regulations.
 - (e) Permanent structures associated with agritourism enterprises shall comply with the dimensional regulations in the R-A Residential Agriculture District.
 - (f) The applicant shall submit evidence that all state and federal requirements have been met prior to the issuance of a final occupancy permit.
 - (g) If the activities will involve periodic special events, compliance with the regulations for each activity shall be required. All building permits and ADA requirements to meet the building code must be completed.
- (3) **Use B-3: Community Garden.** Land managed and maintained by public/nonprofit organization or group of individuals to grow and harvest food crops and/or ornamental plants for use or donation. This use is permitted by conditional use in all zoning districts.
- (a) Community gardens shall comply with the lot size and dimensional restrictions of the district in which they are located.
- (4) **Use B-4: Riding Academy/Stable.** A riding academy, livery, or commercial boarding of horses shall be permitted, provided that:
- (a) Animal sheds and storage buildings shall not be located closer than 100 feet to any property line.

C. Residential uses.

- (1) **Use C-1: Country Residence.** A single family detached home on lots of at least 4 acres in the R-A District and 2 acres in the R-1 District. County residences are

permitted in the Residential Cluster Development Overlay by conditional use in the R-1 and R-A if the following conditions are met:

- (a) It is infeasible to develop the tract in question for cluster development under the Residential Cluster District due to factors such as the size or shape of the tract or the location of natural features.
 - (b) The proposed development will not have a disruptive effect on the existing topography, floodplains, wetlands, mature woodlands or other natural features on the site.
 - (c) The proposed development shall be consistent with good design principles and land development practices. Specifically, it shall be designed to minimize views of dwellings from exterior roads, and to avoid "stripping out" of lots along those roads.
 - (d) The tract in question can be developed in a manner consistent with community goals as expressed in the Douglass Township Open Space Plan.
- (2) **Use C-2: Single Family Detached Dwelling.** A building designed for and occupied exclusively as a residence for only one family and not attached to any other building or dwelling units.
- (3) **Use C-3: Single Family Attached Dwelling (Townhouse).** A townhouse or rowhouse is a single-family attached or semi-detached (in the case of end units) dwelling within a multi-dwelling building, consisting of at least 3 but no more than 5 such dwelling units, with each unit occupying the total space from ground to roof, and joined to each other by not more than 2 vertical, common party walls, which also serve as the lot line dividing the properties. Townhouses may be 1, 2, or 3-level dwelling units, provided they do not exceed the district height limitation.
- (4) **Use C-4: Single Family Semi-Detached Dwelling (Twin).** A two-family building with dwelling units placed side-by-side, with each occupying the total space from ground to roof, and joined to each other by a vertical, common party wall, but otherwise surrounded by yard areas. When lotted, each dwelling unit may be on a separate lot, with the common boundary between the two lots running along the common party wall.
- (5) **Use C-5: Two Family Detached Dwelling (Duplex).** A two-family building with two separate dwelling units, one over the other so that they share a common horizontal partition. When lotted, a duplex shall be entirely on one lot.
- (6) **Use C-6: Mobile Home Park.** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more lots, improved with the necessary utility connections and other appurtenances necessary for the

placement thereon of manufactured homes. Mobile home parks shall comply with the following regulations:

- (a) Mobile home parks may contain manufactured homes of singular width, multiple width, or both, single-family detached modular homes, conventionally built single-family detached homes, or a mixture of any of the above.
- (b) Travel trailers and motor homes or similar non-powered or self-powered transient vehicles are prohibited.
- (c) Not more than 40 percent of the total number of dwelling units in a manufactured home development may be conventionally-built or modular single-family detached dwellings.
- (d) No part of any manufacture home development shall be used for nonresidential purposes, except such uses that are required for the district servicing, recreation and well-being of the residents and for the management and maintenance of the development, and are not otherwise prohibited by any provisions of this Chapter.
- (e) Nothing in this Chapter shall be deemed as prohibiting the rental, sale or resale of a manufactured home located on a manufactured home stand and connected to the pertinent utilities. Similarly, a model or display area is permissible on a temporary basis provided those models are developed in accordance with all applicable regulations of this Chapter, and other applicable ordinances and use of the models for sales or rental promotion ceases when the project is fully developed.
- (f) Accessory uses and structures customarily incidental to the maintenance, servicing and well-being of manufactured home development residents shall be permitted only as part of an approved development plan for the site.
- (g) Accessory uses on individual manufactured home lots, customarily incidental to manufactured homes, or other dwellings, such as storage sheds, shall be permitted on the individual manufactured home lots provided the site design provisions of this section and other applicable ordinances are complied with.
- (h) Added rooms specifically designed by the manufactured home manufacturers for enlargement of manufactured homes and other additions architecturally compatible with the unit may be joined onto a manufactured home provided all site design requirements and other applicable ordinances are met.

- (i) Conditional Use Criteria. A manufactured home park development may be allowed by the Township Board of Supervisors as a conditional use in the R-3 Residential District only, pursuant to the procedure specified in accordance with §265-255 of this Chapter and subject to the following standards. The burden of proving compliance with these standards shall be on the applicant. All manufactured home park developments shall comply with the provisions of the R-3 Residential District.

- [1] The tract of land to be developed shall be in one ownership, or shall be the subject of an application filed by the owners of the entire tract, and it shall be agreed that the tract shall be developed under single direction and in the manner approved.
- [2] Any parcel to be used as a manufactured home development must have a minimum tract size of 10 contiguous acres of land.
- [3] At least 50 percent of the site must be composed of developable land as defined in this Chapter.
- [4] Any site proposed for a manufactured home park development shall not be subject to adverse environmental influence, such as swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
- [5] Any site proposed for a manufactured home development shall not be subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare, as defined by the governing body and all appropriate ordinances.
- [6] The location of all manufactured home developments shall be protected by screening or other appropriate means against any undesirable off-site views or any adverse influence (such as heavy commercial or industrial use, heavy traffic or brightly lighted activities) from adjoining streets and areas.
- [7] Manufactured home developments shall not be located directly abutting conventionally-built single-family detached housing of significantly different unit value and density than the proposed manufactured homes, except where extensive natural buffering exists and will be retained, or can be created, so as to functionally and visually separate the two sites, or where compatible units of modular or conventionally-built homes will be located in the manufactured home development adjacent to the existing residences. The developer shall provide any necessary transition between differing residential structural types, unit values and densities within the manufactured home development tract.

[8] Any tract intended for a manufactured home development must have direct access to a feeder-type road (or a road of a higher classification), as defined by the Township Comprehensive Plan or Ultimate Right-of-Way Ordinance, which the Township governing body deems capable of accommodating the transport of manufactured home units, upon recommendation of the Township Engineer. Plans evidencing provision for safe and efficient ingress and egress to and from the public streets and highways servicing the manufactured home development district, without causing undue confusion or interference with the normal traffic flow, shall be submitted to the Township governing body and must be approved by the Township Engineer, who shall make the determination based on the adequacy of the thoroughfare to carry the additional traffic generated by the manufactured home development.

[9] The applicant shall demonstrate to the satisfaction of the governing body that he has complied with or will comply with all requirements of Chapter 179 of Title 25, Part I, Subpart D, Article II of the Rules and Regulations of the Pennsylvania Department of Environmental Resources, and with all other pertinent regulations of the Commonwealth of Pennsylvania which are applicable to manufacture home parks.

- (j) Density. The total number of dwelling units in a manufactured home park development shall not exceed a maximum density of four per developable acre. All area not contained in development acreage as defined in this Chapter shall be excluded from density calculations. If for any reasons this maximum density is not attainable on a particular tract due to the need to conform to the site design requirements of this section, the maximum permissible density shall be reduced accordingly.
- (k) The lot size and dimensional standards otherwise required under the R-3 Residential District for single-family detached dwellings shall apply to lots which will be used for modular homes or conventionally-built single-family detached homes located within the manufactured home park development.
- (l) Site Design.

[1] Setback from Tract Boundary. No manufactured home or other primary building may be located closer than 50 feet from any boundary of a manufactured home park development regardless of whether that boundary abuts a lot, water body, road or other right-

of-way. In the event a manufactured home park development abuts another such development, this may be reduced to 25 feet.

- [2] Setback from Internal Streets. In no case shall the long side of a manufactured home, or any side of another primary building or accessory use, be located closer than 25 feet to the ultimate right-of-way line of any public street, or the equivalent right-of-way line of private interior roadways, or to the edge of any common pedestrian walkway, within a manufactured home development; provided, however, that the short side of a manufactured home may be located no closer to these facilities than 20 feet. No more than six homes in a row shall have the same setback; where varied setbacks are utilized, the difference shall be at least 4 feet.
- [3] Setback from Common Parking Facilities. No manufactured home or accessory use shall be located within 25 feet of the edge of pavement of any common parking area.
- [4] Lot Size. All manufactured home lots in a manufactured home development, regardless of tenure, shall have a minimum lot size of 6,500 square feet, when on-lot parking is provided, except that this may be reduced to no less than 6,000 square feet when common parking is provided.
- [5] Lot Width. No individual manufactured home lot shall be less than 60 feet in width at the building setback line. No individual manufactured home lot shall be less than 25 feet in width at the right-of-way line of a public street or the equivalent right-of-way line of a private street, as applicable, on curved streets or cul-de-sac turnarounds.
- [6] Side and Rear Setbacks. No manufactured home or accessory buildings may be located closer than 4 feet to any side or rear lot line of an individual manufactured home lot, provided however, that all minimum requirements of §265-41.C.1.6.8 must be met, and provided further that accessory buildings may be located on the lot line if physically joined to each other with a common wall located on the property line.
- [7] Unit Location on Individual Lots. Manufactured homes placed on individual lots are encouraged to utilize the minimal setbacks specified in §265-41.C.1.6.6, and to be placed off-center on the lots so as to provide a larger usable open yard space and outdoor living area in one section of the lot.

[8] Distance between Structures. Manufactured homes and roofed structures or areas attached thereto shall be separated from each other, and from other buildings and structures, other than accessory structures, at their closest points by a minimum of 20 feet, provided however, that whenever two manufactured homes have their longer sides parallel or essentially parallel to each other for more than 25 percent of the length of either, the minimum distance between the two manufactured homes shall be 30 feet. The sides shall be considered essentially parallel if they form an angle of less than 45 degrees when extended to intersect.

[9] Lot Coverage. The maximum coverage of any individual manufactured home lot by all primary and accessory buildings and structures, including covered patios or decks, shall be no greater than 25 percent.

[10] Height. No structure built in a Manufactured Home development District shall exceed a height of three stories or a minimum of 35 feet.

[11] Preservation of Natural Features. No manufactured home or other structure shall be located within an area defined as floodplain by the Township Flood Plain Ordinance, nor shall any manufactured home be placed on steeply sloped land having a natural grade of 15 percent or greater, nor shall said steep slope land be graded to a lesser percentage slope for the purpose of accommodating a manufactured home, unless approved by the Board of Supervisors upon recommendation of the Township Engineer and Planning Agency.

[12] Design Alternative. In addition to the modification of requirements permitted by §265-24 of this Chapter, the following regulations are designed to encourage clustering of lots for site design flexibility, preservation of natural features, and to maximize accessibility to recreation areas upon approval of the governing body, following a written request from the applicant:

[a] Minimum lot size and width may be reduced up to a maximum of 10 percent, provided at least 50 percent of all lots so reduced shall directly abut a part of the common open space for a distance of at least 20 feet.

[b] An area equal to that by which each lot is reduced shall be added to the minimum common open space required by the R-3 District. All other regulations remain as stated herein.

- (m) **Service Buildings.** The structure or structures containing the management office and other common facilities shall be conveniently located for the use intended. Consolidation of laundry, recreation, management, and other common facilities in a single building and location is encouraged, if the single location will adequately serve all manufactured home lots.
 - (n) **Maintenance.** Prior to development plan approval, provisions shall be established for the maintenance of all common elements, acceptable to the Board of Supervisors upon recommendation of the Township Solicitor.
- (7) **Use C-7: Multifamily Development.** A detached residential building containing three or more dwelling units with units arranged in a variety of combinations including side-by-side, over and under, or back-to-back with another dwelling unit. The following additional standards shall be satisfied:
- (a) The dwelling units may share outside access and internal hallways, lobbies, and similar facilities.
 - (b) The dwelling units cannot be individually lotted, but shall share a lot or parcel on which the building is located; except under condominium law.
 - (c) Any accessory use on the same lot with and that is determined to be customarily incidental to this use by the Zoning Officer is permitted. Such accessory use(s) may include but is not limited to any administrative offices, laundry facilities, refuse collection facilities, or recreation facilities that are used exclusively by residents, their visitors, or employees.
- (8) **Use C-8: Multifamily Conversion.** The remodeling or alteration of a single-family home to a multifamily use.
- (a) Conversion of single-family houses to multifamily is permitted by Special Exception in the L-C District, provided there are no more than five dwelling units in any one building.
- (9) **Use C-9: Independent Living Unit.** A single-family detached, single-family semi-detached, or single-family attached dwelling unit within a Continuing Care Retirement Community.
- (10) **Use C-10: Assisted Living Unit.** A dwelling unit within a Continuing Care Retirement Community providing a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living.
- (11) **Use C-11: Nursing Home Unit.** A living arrangement within a Continuing Care Retirement Community that provides nursing care and related medical services on

a 24-hour basis to two or more individuals because of illness, disease, or physical or mental infirmity, and including specifically designed memory care units. Provides care for those persons not in need of hospital care.

(12) **Use C-12: Active Adult Community.** A planned residential community with usable open space and recreation facilities. On-site services like a medical office or café that serve only the residents of the community are permitted. Each residential unit will only be permanently occupied by persons aged 55 or above with the following exceptions:

- (a) A spouse under 55 years if married to a resident over that age.
- (b) Up to two children, or one child and one child-in-law, over 18 years of age, residing with at least one parent over 55 years of age whose presence is required to care for that parent.
- (c) A spouse under 55 years of age who is the surviving member of a previously qualified household.
- (d) A live-in nurse or similar caretaker whose presence is required to care for an occupant over 55 years of age.
- (e) Any adult child with special needs that must reside with at least one qualified parent.

D. Commercial uses.

(1) **Use D-1: Adult Use.** A building or portion thereof that includes an adult bookstore, adult dancing establishment, adult motion picture theater, or similar use where specified sexual activities are performed or where specified anatomical areas are viewed by persons other than the artist and one other person with the consent of the client. Adult uses are permitted in the General Commercial District only when authorized by the Zoning Hearing Board as a special exception in compliance with the standards and criteria of Article I and Article XII, GC: General Commercial District. The following shall apply:

- (a) Any adult use shall not be located within 500 feet of a residential zone, church, playground, park or any other adult use unless a waiver is obtained as provided for in §265-41.D.1.c hereof.
- (b) Any adult use shall not be located within 1,000 feet of a school unless a waiver is obtained as provided for in §265-41.D.1.c hereof.
- (c) A waiver shall be granted upon the following conditions:

[1] In the case of an adult use to be located within 500 feet of a residential zone, church, playground, park or any other adult use:

- [a] When 51 percent of the persons owning real estate or residing on real estate or operating a business, within 500 feet of the proposed adult use have approved of the waiver allowing such use in writing; and
- [b] When the applicant for the proposed adult use has complied with §265-26 of this Chapter where applicable.
- (d) In the case of an adult use to be located within 1,000 feet of a school:
 - [1] When 51 percent of the persons owning real estate or residing on real estate or operating a business, within 500 feet of the proposed adult use have approved of the waiver allowing such use in writing; and
 - [2] When 51 percent of the parents of minor children who attend any school located within 1,000 feet of the proposed adult use have approved of the waiver allowing such use in writing; and
 - [3] When the applicant for the proposed adult use has complied with §265-26 where applicable.

(2) **Use D-2: Automobile Sales and Rental.** A commercial use for the sale, rental, and repair of motor vehicles, including new and used cars, trucks, recreational vehicles, and/or farm equipment, having both indoor and outdoor display areas, and providing maintenance and repair services for vehicle owners. Such use shall include fleet services. The following additional standards shall apply:

- (a) Vehicles shall not be displayed on above-ground platforms and shall be displayed to appear similar to customer parking. Fleet vehicles or vehicles used in providing the loan or lease service shall be separated from required customer parking areas.
- (b) Outdoor display shall be limited to motor vehicles.
- (c) Any new buildings shall be of such size, scale, building materials, and general appearance so as to conform to the general nature of surrounding buildings and not detract from the intent of this Code to preserve the appearance of the area. Minimum visual and functional conflict will be created the proposed use and nearby uses.
- (d) Except for incidental emergency repair work, vehicle repairs and service are to be conducted indoors.
- (e) No temporary storage of vehicles is permitted on the abutting roadway.
- (f) No parking or storage of vehicles or supplies may be located within 25 feet of the ultimate right-of-way of any street.

- (g) No streamers, pennants, flags, balloons or similar ornamentation shall be hung, strung or affixed to buildings, structure, or vehicles.
 - (h) Anticipated noise and congestion created by the use will be comparable to the levels created by the uses permitted in the zoning district where the use is permitted.
- (3) **Use D-3: Automobile Repairs & Service.** Such use shall include the general repair of automobiles, trucks, and the like, and the sale of auto parts and supplies. Service may include but is not limited to car washing and detailing, painting, body repairs, maintenance, and general repairs.
- (a) Painting and body work and/or other service and/or repair shall be conducted only within buildings upon the property.
 - (b) The sale of gasoline, diesel fuel, and kerosene shall be prohibited.
 - (c) The outdoor display and sale of vehicles is prohibited.
 - (d) Vehicles shall not be parked or stored for repair or service within the front yard setback.
 - (e) All storage, including parts, tires, refuse, and similar articles shall be stored within a building or fully enclosed area.
 - (f) Any new buildings shall be of such size, scale, building materials, and general appearance so as to conform to the general nature of surrounding buildings and not detract from the intent of this Code to preserve the appearance of the area. Minimum visual and functional conflict will be created the proposed use and nearby uses.
 - (g) Anticipated noise and congestion created by the use will be comparable to the levels created by the uses permitted in the zoning district where the use is permitted.
- (4) **Use D-4: Bank/Financial Institution.** A building or portion thereof where the primary use is the processing of credit or monetary transactions, including a savings and loan association, credit union, and other financial establishment.
- (a) Use A-13: Drive-Through Facility may be established as an accessory use to a bank provided that all requirements of the use are met.
- (5) **Use D-5: Bed and Breakfast.** A single-family dwelling that provides a maximum of three guest rooms for six guests on an overnight basis for periods not to exceed 14 days. A bed and breakfast is permitted only as a conversion of a single-family detached dwelling in the Limited Office Residential Overlay District.

- (6) **Use D-6: Car Wash.** A commercial facility and/or structures used for the purpose of cleaning the exterior and/or interior surfaces of motor vehicles, whether self-service or operated by attendants or employees.
- (7) **Use D-7: Club/Lodge.** A building or portion thereof that houses the headquarters or meeting place of members of a non-profit organization where educational, social, or recreational activities take place.
- (8) **Use D-8: Convenience Store.** A mini food market where retail trade intended for quick sale and carry-out is the principal use. Such use shall not specialize in a particular product, but offer an array of different items.
- (9) **Use D-9: Event Facility.** A location, building, site or structure that is not a restaurant which is rented as a place for the purpose of accommodating a group of diners, guests, or other attendees for functions such as banquets, wedding receptions, parties, entertainment, meetings, conferences, performances, and/or similar gatherings.
- (10) **Use D-10: Farmers Market.** A market held in an open area in a structure where groups of individual sellers offer for sale to the public such items as agricultural produce, seasonal fruits, fresh flowers, and items customarily sold or dispensed at farmers' markets from booths, tables, or vehicles located on site.
 - (a) All farmers' markets and their vendors comply with all federal, commonwealth and local laws relating to the operation, use, and enjoyment of the market premises.
 - (b) Farmers' markets may be held in the same fixed location and may be conducted year-round or may be operated on an occasional or periodic basis as a seasonal or temporary use.
- (11) **Use D-11: Funeral Home.** A building or portions thereof used for human funeral services. Such facilities may contain provisions for chapel, embalming, viewing, and other services used in preparation of the dead, including the storage of caskets, supplies, and funeral vehicles.
- (12) **Use D-12: Fuel Service Station.** An area of land, together with any structure, thereon, used for the retail sale of motor fuel and lubricants and ancillary services.
 - (a) All automobile servicing activities except those performed at fuel pumps shall be performed within a completely enclosed building.
 - (b) Minimum setback of fuel pumps from the ultimate right-of-way: 25 feet.
 - (c) Minimum setback of parking (any portion) from fuel pumps: 30 feet.
 - (d) Fuel pumps shall not interfere with parking spaces or internal circulation.

(e) If fuel service islands are provided in addition to any non-fuel station use (e.g. convenience food store) 5,000 square feet of lot area must be produced in addition to the 25,000 square feet otherwise required under the provisions of this section.

(f) Canopies shall meet the following requirements:

[1] Canopies shall be set back at least fifteen feet from property lines and ultimate right-of-way lines and fifty feet from abutting residentially zoned properties.

[2] Canopies shall have a maximum height of sixteen feet measured to the underside of the canopy. For slanted canopies, this 16-foot maximum can be measured at the portion of the canopy closest to the street.

[3] Individual canopies shall have a maximum area of 3,600 square feet; multiple canopies shall be separated by a minimum distance of 15 feet.

[4] Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy, using a full cutoff flat lens luminaire.

[5] Canopies shall be designed to be architecturally compatible with structures in the surrounding area with regard to color and building materials. Colors shall be compatible with buildings in the neighborhood, and pitched roofs shall be used wherever possible.

(g) The following accessory uses are permitted:

[1] Use D-8: Convenience Store

(13) **Use D-13: Kennel.** An establishment licensed by the commonwealth to operate and house cats, dogs, or other permitted household pets, and where breeding, boarding, training, or selling of animals is conducted.

(a) A minimum lot size of ½ acre shall be required for interior pens. If outdoor boarding of animals, outdoor pens, or animal runways are provided, the minimum lot size shall be 1 acre.

(b) Kennels shall be set back a minimum of 100 feet from the ultimate right of way line and 50 feet from any other property line. Accessory pens and runways shall be kept a minimum of 100 feet from any property line, and are not to be used for the boarding of animals.

(c) Interior pens shall be soundproofed so that animal noises will not be heard off-premises.

- (14) **Use D-14: Laundry (Self-Service).** A business or use that provides washing, cleaning, and drying machines for hire or rent, to be used by customers on the premises.
- (a) It shall be demonstrated to the Township Zoning Officer that adequate provisions will be made for wastewater disposal.
- (15) **Use D-15: Marijuana Dispensary.** A person, corporation, partnership, association, trust, or other entity, or any combination thereof which holds a permit issued by the Pennsylvania Department of Health to dispense medical marijuana. The term includes the facility from which medical marijuana is dispensed.
- (a) A dispensary may not be located within 1,000 feet of the property line of a state licensed public, private or parochial school or a day-care center.
- (16) **Use D-16: Microbrewery/Microdistillery/Microwinery.** A facility specializing in the production, packaging, sampling, sale, and on- or off-premises consumption of beer, wine, cider, malt beverages and/or distilled liquors. Production of beer, wine, cider, malt beverages and/or distilled liquors shall not exceed a combined total of 100,000 gallons annually. Such use may be associated with Use D-22: Restaurant, Dine-In. The following additional standards shall apply:
- (a) The facility shall be licensed by the Pennsylvania Liquor Control Board.
 - (b) Use A-11: Outdoor Dining may be established as an accessory use to a Dine-In Restaurant provided that all requirements of the use are met.
 - (c) Any brewery, winery, or distillery that produces a net volume greater than 100,000 gallons annually shall be treated as Use H-5: Light Manufacturing.
- (17) **Use D-17: Mixed Use.** A building which contains both residential dwelling unit(s) and at least one nonresidential use. The following additional standards shall be satisfied:
- (a) Dwelling units shall not be located on the ground floor of any mixed-use building. This shall not preclude incidental pedestrian entrances on the ground floor that lead to a dwelling elsewhere in the building.
 - (b) Regardless of the number of residential dwelling units proposed, the use regulations for Use C-8: Multifamily Development shall apply to all mixed use buildings.
 - (c) Only those uses which are expressly permitted in the applicable zoning district shall be permitted in a mixed use building. All applicable use regulations shall apply to mixed use buildings.
- (18) **Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House).** Overnight lodging includes hotels, motels, inns, bed-and-breakfasts, and

similar uses where guests may rent a room on a nightly basis for a fee. The following additional standards shall be satisfied:

- (a) No cooking facilities shall be allowed in guest rooms.
 - (b) Use D-22: Restaurant, Dine In is permitted as an accessory use.
- (19) **Use D-19: Parking Structure.** A building or structure designed and used for the parking of motor vehicles open to customers, patrons, or tenants of a business or residence, all or parts of which may be above or below ground. Parking structures shall be constructed to the following minimum standards indicated below:
- (a) Retail store fronts or other business uses on the street level shall be required on major collector or higher classification highways.
 - (b) For structures not on a major collector or higher classification highway, parking structures shall have a minimum setback of 30 feet from the public right-of-way and shall comply with any more restrictive setback or other yard requirements for the zoning district in which it is located. A minimum twenty-foot wide planting strip shall be provided between the face of the parking structure and the public right-of-way.
 - (c) The wall of the parking structure facing a public street or right-of-way shall be treated in such a manner as to partially screen street-level parking. Undecorated appearances of parking structures are not permitted.
- (20) **Use D-20: Personal Service/Care.** A building or portion thereof engaged in providing service involving the care of a person or personal items. A personal care business requires direct physical contact with the customer in the performance of a physical service. Examples include barbers, beauticians, nail manicurists, estheticians, tattoo parlors, tanning salons, massage parlors, tailors, and dry cleaners. When such use requires a license from the Commonwealth Department of Professional Occupations, proof of licensure shall be provided to the township.
- (21) **Use D-21: Repair Services.** A repair service shall include any business where the primary function is the repair of appliances, small business or electronic machines and similar products.
- (a) This use does not include auto or vehicle repair.
 - (b) All items shall be repaired on the premises.
 - (c) No outside storage is permitted.
- (22) **Use D-22: Restaurant, Dine-In.** A building or portion thereof where food and beverages are sold for direct consumption on the premises to persons seated within the building or within an outdoor dining area. Customers are normally

served by a restaurant employee while seated at a table or counter. A dine-in restaurant may include carry-out services, but shall not include establishments where food service is subordinate or incidental to the consumption of alcoholic beverages, entertainment, or the sale of merchandise or non-food-related services. See also Use D-23: Restaurant, Take Out and Use D-16: Microbrewery/Microdistillery/Microwinery.

- (a) Use A-11: Outdoor Dining may be established as an accessory use to a Dine-In Restaurant provided that all requirements of the use are met.
- (23) **Use D-23: Restaurant, Take Out.** A building or portion thereof where food and beverages are sold primarily in disposable containers for take-out and where food/beverages are primarily consumed off-site. Customers generally pay for their food/beverage prior to consumption either at a counter or by paying ahead of time. Limited sit-down to occupy not more than 20% of the gross leasable floor area of the use. Retail bakeries may be included in this use. See also Use D-22: Restaurant, Dine-In and Use D-16: Microbrewery/ Microdistillery/ Microwinery.
 - (a) Use A-13: Drive-Through Facility may be established as an accessory use to a Take-Out Restaurant provided that all requirements of the use are met.
 - (b) Use A-11: Outdoor Dining may be established as an accessory use to a Take-Out Restaurant provided that all requirements of the use are met.
- (24) **Use D-24: Retail Establishment.** A building or portion thereof involved in the sale, lease, or rental of new or used products, not including vehicle or machinery sales/rental.
- (25) **Use D-25: Shopping Center.** A group of commercial establishments, planned and developed as an integrated architectural and functional unit, providing convenient on-site parking and controlled, common vehicular and pedestrian access.
 - (a) In order to maintain the retail nature of the center, no more than 25% of the uses shall be non-retail uses.
 - (b) In order to provide architectural variety, no individual section or strip of stores shall exceed 150 feet in length without an offset greater than 6 feet in depth.
 - (c) Anchor stores, large retail stores, banks, supermarkets, and other spaces which constitute a separate or detached building on the lot or premises of the shopping center, shall provide a green buffer no less than ten feet wide along all walls of the building not identified as the main entrance or containing drive-in facilities.

- (d) Load/unload zones, dumpsters, and service structures shall not be located in front of the building façade and shall not face the public streets surrounding the shopping center.
- (e) Shopping centers with more than four businesses or establishments shall provide pedestrian and path systems to the major collector or higher classification highway on which they take ingress and egress, and to adjacent commercial or residential neighborhoods. Such paths shall be separate and distinct from required parking and aisleways.
- (f) Satellite uses may be proposed in the initial shopping center plan approval process, or be added to the shopping center following initial plan approval in compliance with the following regulations:
 - [1] The permitted number of satellite uses shall be determined by multiplying the tract size in acres by .40. However, in no case shall be maximum number of satellite uses exceed five regardless of the tract size.
 - [2] Not more than 10 percent of the total allowable building coverage for shopping centers shall be devoted to satellite uses.
 - [3] Total building coverage of the shopping center, including satellite uses, shall not exceed 30 percent.
 - [4] Access to parking and service areas intended for satellite uses shall be taken only from driveways within the shopping center, and shall not connect directly to an abutting street.
 - [5] Parking and service areas intended for satellite uses shall be separated from primary shopping center parking area by landscaped barrier islands to direct and control traffic flow. Such landscaped islands shall adhere to the applicable regulations of the Township's Subdivision and Land Development Ordinance.
- (26) **Use D-26: Short-Term Transient Lodging or Vacation Rental.** Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient lodging or vacation rental for up to 30 consecutive days, regardless of whether there is concurrent, partial, or full occupancy by the owner or another when not in use as a short-term transient lodging or vacation rental.
- (27) **Use D- 27: Studio.** The workshop and/or gallery of an artist, sculptor, photographer, or performance artist (musician, actor, dancer, etc.). Such use may be open to the public and offer educational events, private lessons, and may include the retail sale of artist work.
- (28) **Use D-28: Tavern/Bar.** Any building or portion thereof wherein alcoholic beverages are served or sold at retail for consumption on the premises, of which

the principal business is the sale of such beverages, and where the sale of such beverages comprises at least 75% or more of gross receipts. Such facilities shall be licensed by the Pennsylvania Liquor Control Board.

- (29) **Use D-29: Supermarket/Grocery Store.** A retail store selling a variety of foods and household items.

E. Office Uses.

- (1) **Use E-1: Animal Care.** A facility specializing in the care of dogs, cats, or other common household pets. Such use may include veterinary care and the grooming, training, and the like for household pets. The following additional standards shall be satisfied:

(a) Boarding of animals shall only be for the purposes of medical care.

- (2) **Use E-2: Business/Professional Office.** A building or portion thereof consisting of workspaces for the conducting of business by employees and which may involve public access or appointment-only customer/client interaction. Such use shall not include the offices of therapeutic, medical or dental professionals, which are defined as E:4 Medical Clinic/Office. Such use includes corporate headquarters and administration buildings.

- (3) **Use E-3: Hospital.** A building or portion thereof providing health-care services that offers therapeutic, clinical, temporary, or emergency medical, dental, or surgical care procedures to the sick and injured, and licensed by the Commonwealth to provide such facilities and services.

- (4) **Use E-4: Medical Clinic/Office.** A building or group of buildings for the office of more than one dentist and/or physician or for multiple offices by a group of dentists and physicians whose practices are not related, and are used for the diagnosis, examination, surgery, or other treatment of persons as outpatients and for laboratories incidental thereto.

- (5) **Use E-5: Research Facility.** A use, building, structure, or group of buildings and structures in which are located facilities for scientific research, training, investigation, experimentation, or testing, but not facilities for the manufacture, production, or sale of products, except as incidental to the primary purpose or on a limited pilot scale.

F. Recreation/Entertainment Uses.

- (1) **Use F-1: Golf Course.** A golf course, including chip and putt and similar uses, may include a clubhouse, restaurant, and other accessory uses, and shall be subject to the following provisions:

(a) No building shall be closer than 100 feet to any lot line.

- (b) A seventy-five foot screening buffer shall be provided, in accordance with the provisions of this chapter, along all side and rear property lines.
 - (c) Fencing or netting not to exceed 150 feet in height is required for driving ranges.
- (2) **Use F-2: Indoor Recreation/Amusement.** An indoor facility designed to accommodate sports such as bowling, ice-skating, roller skating/blading, skateboarding, and the like, as well as arcade games and indoor sport courts. This use shall also include fitness studios, yoga studios, and gyms.
- (3) **Use F-3: Outdoor Recreation/Amusement.** Land or facilities providing regularly scheduled recreation-oriented activities in an outdoor setting. Examples of such facilities include, but are not limited to: miniature golf courses, swimming pools, sport courts, athletic fields, and similar uses which are not enclosed in buildings and are operated on a commercial or membership basis, primarily for the use of patrons who do not reside on the same lot or premises. Outdoor recreation shall include any accessory use, such as snack bars, pro shops, clubhouses, country clubs, or similar uses which are designed and intended primarily for the use of patrons of the principal recreational use. Outdoor recreation shall not include amusement parks or overnight camping.
- (4) **Use F-4: Theater.** Any building or portion thereof that is used primarily for the screening of films or for the viewing of live performances such as dance, dramatic, oratorical, musical, or similar performance art purposes. Such use may include associated offices, ticket windows, and limited food/beverage service when licensed with the appropriate agency.
- (5) **Use F-5: Parkland.** Public lands held for conservation and open space preservation, including open space dedicated to Douglass Township or Montgomery County. All parkland is limited to uses of a primarily passive, non-intensive, and non-motorized nature, including, but not limited to, picnicking, walking, running, hiking, bicycling, horseback riding, fishing, ice skating, boating, birdwatching, tennis, basketball, roller hockey, wildlife sanctuary, playground, forest preserve, watershed protection area, and playing fields.

G. Community Service and Institutional Uses.

- (1) **Use G-1: Adult/Child Day Care Center.** Such use shall include both day care services for adults as well as day care services for children: a facility in which adult daily living services are provided for four or more adults not related to the operator, and/or a facility in which care is provided for seven or more children at any one time, where the child care areas are not being used as a family residence.
 - (a) Day care centers are permitted as an accessory use to Use G-9: Place of Worship by conditional use.

(b) All day care facilities shall conform to the following criteria and standards as well as the requirements of the district in which they are located.

[1] Registration. Each operator of a child or adult day care center, family day care home or group day care home shall register with Douglass Township prior to the initiation or modification of such use. The operator must certify compliance with all aspects of this Chapter as well as all other applicable Douglass Township requirements and Commonwealth of Pennsylvania requirements for child and adult care.

[2] Inspection. The operator of a child or adult day care facility shall permit authorized agents of Douglass Township to enter the property to inspect such use for compliance with requirements of this section and all other applicable township ordinances and state statutes and regulations.

[3] Day care facilities must hold an approved Pennsylvania Department of Public Welfare (child day care) or Department of Aging (adult day care) certificate or license, as appropriate and comply with all applicable state regulations, including those standards governing adequate indoor space, accessible outdoor play space and any applicable state or local building and fire safety codes. Administrators providing day care services must conduct background checks on all job applicants to determine their suitability for employment in a day care program.

(c) Use G-1 Day Care Center and Use G-2 Group Day Care Home shall meet the following requirements:

[1] The requisite outdoor play area shall only be located in the rear yard of the subject property.

[2] The outdoor play area shall be located within the building setback lines of the property on which it is located.

[3] Parking shall be provided per §265-230.G. One safe passenger unloading space measuring 10 feet by 20 feet shall be provided for each 10 children that the center is licensed to accommodate. (Group day care homes only need one passenger unloading space, regardless of the number of children.) In addition, the off-street parking area shall be designed so that vehicles can turnaround or otherwise avoid backing onto a street to exit.

[4] The outdoor play area shall be surrounded by a safety fence impenetrable by children or small animals, with a minimum height

of 4 feet. The Board of Supervisors may increase the minimum height when necessary for safety reasons.

[5] Any signs shall comply with standards in this Chapter governing the use of signs.

[6] Outdoor play shall be limited to the hours between 8:00 A.M. and 7:00 P.M.

[7] In residential and institutional districts, no group day care home or child day care center shall be established within 500 feet of another such use, private nursery or kindergarten.

[8] For group day care homes, there shall be no external alteration of existing buildings, except as may be necessary for reasons of safety. Fire escapes and outside stairways, where practicable, shall be located on the rear of the building.

[9] For group day care homes, the time of operation shall be limited to the hours between 6:30 A.M. and 7:00 P.M.

d. Adult day care centers shall comply with the requirements of §265-230.G.1 (parking), Article XXIV (signs), and § 265-41.G.1.c.9 (hours of operation).

(2) **Use G-2: Group Day Care Home.** A facility in which care is provided by a resident caregiver for more than six but less than twelve children at any one time, where the childcare areas are being used as a family residence. See Use G-1 for relevant regulations.

(3) **Use G-3: Cemetery.** Land used or intended to be used for the burial of the deceased, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with the cemetery and within its boundaries.

(a) A forty-foot buffer strip, unoccupied except for landscaping and walkways, shall be provided between any building or burial site and the cemetery property line.

(b) Entrance features, including gates, fountains, statuary, identification signs and the like shall not exceed 12 feet in height.

(c) Where interior roads are provided, they shall be paved according to municipal standards and shall have a minimum width of 12 feet for one-way and 20 feet for two-way. There shall be no dead-end roads, unless provided with a turnaround having a center-line radius of at least 40 feet.

(d) Cemeteries shall be permitted as an accessory use to Use G-9: Place of Worship by conditional use.

(4) **Use G-4: Continuing Care Retirement Community.** A community providing independent, assisted, and nursing home living arrangements for person(s) 55 years of age and older as part of a planned community.

(a) Permitted uses within the CCRC include:

- [1] Use C-9: Independent Living Unit
- [2] Use C-3: Single-Family Detached Dwelling
- [3] Use C-4: Single-Family Attached Dwelling (no more than four units shall be attached in any building)
- [4] Use C-5: Single-Family Semi-Detached Dwelling (Twin)
- [5] Use C-7: Multifamily Development (not to exceed 24 units in any building)
- [6] Use C-10: Assisted Living Unit
- [7] Use C-11: Nursing Home Unit
- [8] Accessory uses customarily incidental to any of the above uses, including but not limited to dining and kitchen facilities, healthcare facilities, and recreation facilities.

(b) Maximum density shall be 10 dwelling units per gross acre. Assisted living and nursing home units shall be included in that density calculation at the ratio of three beds per one independent living unit. No more than 30 percent of the total number of units shall be independent living units.

(c) Dimensional standards:

- [1] Minimum tract area: 10 acres
- [2] Minimum tract frontage: 200 feet on a public or private street.
- [3] Tract building setback: All CCRC buildings shall be set back a minimum of 40 feet from tract boundaries and ultimate rights-of-way.
- [4] Minimum building setbacks:
 - [a] From the curb lines of interior streets and drives: 25 feet
 - [b] From off-street parking areas: 15 feet
 - [c] From adjacent buildings on the same site: 25 feet, or the average height of the two adjacent buildings, whichever is greater.

[d] Single-family detached, semi-detached, and attached independent living unit buildings shall have two side yards (where applicable), each a minimum of 8 feet, with a minimum of 16 feet separation between sides of such buildings.

[e] Building height:

- I. Single-family detached, semi-detached, and attached independent living units: 35 feet or 3 stories.
- II. Assisted living and nursing home unit buildings: 45 feet.

[f] Maximum impervious coverage: 75% of gross tract area, excluding any area within the right-of-way of a street offered for dedication to Douglass Township

[g] Maximum building coverage: 35% of gross tract area.

(5) **Use G-5: Educational Facility.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses that provides a broad educational curriculum to individuals enrolled therein, and is licensed by the State Department of Education, including private and public kindergartens, elementary, junior and senior high schools, colleges, universities, and theological schools.

(a) Educational facilities are permitted as an accessory use to Use G-9: Place of Worship by conditional use.

(6) **Use G-6: Emergency Services.** Such use shall include ambulance, fire, police, rescue, and other emergency services of a municipal or volunteer nature.

(7) **Use G-7: Library or Community Center.** A facility building, lot, parcel, use, or group of facilities, buildings, and uses that is open to the general public or a subset thereof (i.e. senior citizens) for educational, social, or recreational programs and other community uses, and owned and operated by a civic, educational, municipal, philanthropic, religious, or tax-exempt entity.

(8) **Use G-8: Senior Living Facility.** This use may include nursing homes and retirement communities.

(9) **Use G-9: Place of Worship.** A church, synagogue, temple, mosque, or other place of religious worship, including any accessory use or structure, such as administrative facilities and adjunct residential uses. This use shall not include associated schools or cemeteries.

(a) The following accessory uses are permitted by conditional use. A traffic study shall be submitted with the application:

[1] Use G-5: Educational Facilities

[2] Use G-3: Cemeteries

[3] Use G-1: Daycare Centers

H. Industrial Uses.

(1) **Use H-1: Artisan Manufacturing.** A facility specializing in the manufacture and production of goods created on-site by a craftsperson using hand tools and/or small-scale, light mechanical equipment. Examples of such work include pottery, fiber crafts, sculpture, leathercraft, jewelry, soaps, metalwork, cabinetry, stained glass, textile production, candle-making, hand-made food products, and fabrication of crafts of similar scale and intensity. Artisan manufacturing may also include demonstration/instruction in the production processes, offices and the display or retail sale of goods produced on-site. The following additional regulations shall be satisfied:

- (a) Artisan manufacturing shall not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property.
- (b) Artisan manufacturing shall occupy a maximum of 5,000 square feet; any use meeting the standards of Use H-1: Artisan Manufacturing but which exceeds 5,000 square feet shall be considered Use H-5: Light Manufacturing.

(2) **Use H-2: Data Center.** A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations. The following shall apply:

- (a) Power generators, water cooling and storage facilities, and other mechanical and associated infrastructure serving the use shall not be visible from any adjacent street, use, or building.
- (b) Ground level and roof top mechanical equipment shall be screened.
- (c) Generator testing shall be limited to weekdays between 8:00 am and 5:00 pm.

(3) **Use H-3: Heliport.** A landing area for helicopters that is licensed by the Pennsylvania Department of Transportation. A personal use heliport is used for picking up and discharging passengers or cargo, and does not include fueling, helicopter repair, or storage areas. A commercial heliport includes facilities for fueling, repair, and storage of helicopters. The following shall apply:

- (a) Personal use heliports shall be permitted as a special exception in the M-1 and M-2 Districts, only when licensed by the Bureau of Aviation of the Pennsylvania Department of Transportation (PENNDOT), and subject to the standards of the district in which it is located. In addition, no personal use heliport shall be located closer than 50 feet from the property line of the parcel on which it is located or 100 feet from a residential district or use.
- (b) Commercial heliports shall be permitted as a special exception in the M-2 District only when licensed by the Bureau of Aviation of PENNDOT and complying with all pertinent PENNDOT standards, and subject to the standards of the M-2 District. In addition, no structure or storage area for helicopters shall be located closer than 100 feet from any residential district or use, of which at least 50 feet shall be maintained as a green area and planted in grass, shrubs and/or trees.
- (c) Signs, parking for cars, screening and green area must conform to the requirements for the district in which it is located.
- (d) Fencing, which does not interfere with the landing of the helicopters, shall be required whenever necessary to restrict pedestrian access.
- (e) It shall be unlawful to take off or land a helicopter anywhere within Douglass Township except at a site for which a permit, issued by the Township as hereinafter provided, is in force unless landing or takeoff is done:
 - [1] When necessary for law enforcement purposes or for emergencies;
or
 - [2] On an occasional basis (not more than 2 landings and takeoffs per year in one location) not including the activities listed under 3)a.i. above.
- (f) Permits for establishing, using and maintaining sites shall be issued to the owner or leasee of a site by a Zoning Officer within 30 days after the granting of a Special Exception by the Zoning Hearing Board. Notwithstanding the locational requirements set forth herein, a permit will be issued for a helicopter landing and takeoff in conjunction with a special event such as an athletic contest, a holiday celebration, commercial promotion, parade or similar activity provided that the Township is given at least one week's notice and the landing area is approved by a safety specialist from the Pennsylvania Department of Transportation Bureau of Aviation.
- (g) The permit shall be deemed automatically revoked if:

[1] The Pennsylvania Department of Transportation Bureau of Aviation revokes the license or refuses to re-license the site after one of its periodic inspections (said inspections are made at least annually); or

[2] Thirty days after the Zoning Officer has notified the permit holder in writing that the site is no longer in compliance with the requirements set forth herein for the initial granting of the permit, provided the alleged defect has not been cured within said 30-day period.

(h) Procedure after Revocation. When the site permit has been revoked, the owner or lessee shall forthwith cause the site to be closed to all helicopter operations by publishing such notices and warnings, and employing such markings as are customary to accomplish this purpose.

(4) **Use H-4: Heavy Manufacturing.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engaged in the manufacturing, fabrication, assembly, processing, and packaging of natural and man-made materials, chemicals, synthetics, and other organic and inorganic products. Public utility buildings shall fall under this use.

(a) Marijuana growing or processing shall be considered a H-4: Heavy Manufacturing use and shall comply with the requirements of the Medical Marijuana Act, the regulations of the Department of Health, and all other regulations from the Commonwealth of Pennsylvania and the County of Montgomery. In accordance with the Medical Marijuana Act, a grower/processor may only conduct their operations within an indoor, enclosed, secure facility equipped with an electronic locking system and electronic surveillance.

(5) **Use H-5: Light Manufacturing.** A facility, building, lot, parcel, use, or group of facilities, buildings, and uses engagement in the light manufacturing of beverages, confections/baked goods, food products(exclusive of meats and fish packing, and the rendering or refining of fats and oils), cosmetics, pharmaceuticals, ceramics, clothing, plastics, electrical goods, furniture, hardware, tools, dies, patterns, professional and scientific instruments, jewelry, time pieces, optical goods, musical instruments and toys, electronic, small parts assembly and/or manufacture, printing, publishing, lithographing, and other similar processes. The processing, fabrication, assembly, treatment packaging, incidental storage, and distribution of such products is included under this use.

(6) **Use H-6: Solid Waste Management Facility.** A sanitary landfill, solid waste transfer station, solid waste incinerator or other facility for treating including recycling, storing, or disposition of “solid waste” as defined Solid Waste Management Act (Act of July 7, 1980, P.L. 380, 35 P.S. 6018.101 et seq.) enacted

by the Commonwealth of Pennsylvania, as amended to the date of this Chapter, and any regulations promulgated pursuant thereto. Except as otherwise specifically provided in this section, a sanitary landfill or a solid waste management facility shall be permitted as a conditional use only if the application and the use proposed thereby comply with all applicable requirements set forth in this Chapter and any other Ordinance of Douglass Township, and specifically with this Article and in addition, with the following requirements:

- (a) The applicant shall pay at the time of submission of the conditional use application an application fee in an amount as set from time to time by resolution of the Board of Supervisors and shall deposit with the Township an amount equal to 5% of the estimated construction cost of the proposed facility, the minimum deposit and maximum deposit being as set from time to time by resolution of the Board of Supervisors, to be applied to the reasonable legal and engineering costs to the Township for review of the application and for preparation of studies and agreements in connection therewith, which shall include all such costs incurred by the Township until final approval and issuance of occupancy permit and beginning of lawful operation. The applicant may elect to pay 1/2 of the deposit at the time of submission of the application and the balance at the time of approval of conditional use. In place of a deposit the applicant may elect to produce an irrevocable letter of credit issued by a bank or savings-and-loan association doing business in Montgomery County, Pennsylvania, satisfactory to the Board of Supervisors. A refund of the excess of the deposit over such costs will be made to the applicant. The following conditions as well as any other reasonable conditions may be imposed by the Board of Supervisors. A refund of the excess of the deposit over such costs will be made to the applicant.
- (b) The following conditions as well as any other reasonable conditions may be imposed by the Board of Supervisors. A refund of the excess of the deposit over such costs will be made to the applicant.

[1] The applicant shall be required to pay a user fee as set from time to time by resolution of the Board of Supervisors per ton based upon the quantity of solid waste processed at the solid waste management facility. Such user fee may be subject to adjustment from time to time by reference to the Consumer Price Index, U.S. All items as compiled by the United States Department of Labor, Bureau of Labor Statistics, or similar index, provided the minimum user fee shall be \$1 per ton. The user fee shall apply to each solid waste management facility. Thus, the user fee is applicable in regard to disposal of incinerator ash at a landfill in Douglass

Township even though the user fee already has been paid for processing at an incinerator.

- [2] The applicant may be required to permit access to its operational and financial records for the purpose of periodic review by a Governmental Advisory Board consisting of three Supervisors of Douglass Township, one member appointed by the Board of Supervisors of Douglass Township and one member appointed by Montgomery County.
 - [3] The applicant may be required to offer unconditionally to purchase properties containing residential buildings at the time of the application located within 500 feet of the boundary line of the tract on which the sanitary landfill and/or solid waste management facilities is proposed. The offer to purchase such residential properties shall include the residential structures, together with the minimum lot size permitted by this chapter for a single-family detached residence. To determine the amount to be offered to each property owner, a panel of three qualified appraisers shall be retained. One appraiser shall be selected by the owner of the property in question and a second appraiser selected by the applicant for conditional use approval. The two appraisers so selected shall together select a third appraiser. The reasonable cost of the appraisals shall be paid by the applicant. The applicant may be required to offer unconditionally an amount equal to the mean appraised value of the property based on the three appraisal reports, plus 25% of such mean value. Such properties when purchased shall remain part of the tract on which the sanitary landfill and/or solid waste management facility is located and owned by the owner thereof so long as such landfill or facility continues to operate. The value shall be determined as the value existed immediately preceding the application and as unaffected by it.
 - [4] The applicant at its expense may be required to improve the road network to Route 100 in accordance with a plan approved by the Township. Reference shall be made to § 265-124.D hereinafter set forth.
- (c) The applicant shall provide satisfactory documentation to indicate that the proposed application has been approved by Montgomery County as consistent with its municipal waste management plan.
 - (d) The applicant shall comply with all applicable federal and state regulations.

(e) Dimensional standards:

[1] Minimum lot size (exclusive of existing rights-of-way of public roads): eight acres; provided, however, that the minimum lot size for a sanitary landfill shall be 50 acres.

[2] Minimum lot width at building line: 500 feet. (Applicable to sanitary landfill only.)

[3] Minimum building setback measured from:

I. The ultimate right-of-way line: 200 feet.

II. An abutting district boundary line: 200 feet.

III. Any other property line: 200 feet.

[4] Maximum building height: 120 feet, provided, however, that this height limitation shall not apply to the height of the stack.

(f) A solid waste management facility for municipal waste shall not allow dumping, burying, depositing, storing, incinerating, treating or disposition of solid waste other than municipal waste as defined in the Solid Waste Management Act (Act of July 7, 1980, P.L. 380, 35 P.S. § 6018.101 et seq.) enacted by the Commonwealth of Pennsylvania, as amended to the date of this chapter, and the ash, residue, reject material and other material generated from such municipal waste. A solid waste management facility for municipal waste permitted as conditional use hereunder shall not dispose of any ash, residue, reject material and other material generated from such municipal waste at a landfill within Douglass Township unless such landfill conforms to the criteria and requirements set forth in this section and accepts such waste from the solid waste management facility exclusively and no other waste. Reject material and other material generated from such municipal waste shall be limited to municipal waste delivered to the solid waste management facility which cannot be processed because of its nature or because of a temporary operational failure at the solid waste management facility. In no event shall the ash, residue, reject material and other material generated from such municipal waste disposed in such landfill exceed 25% of the material processed at the solid waste management facility during any given period of 30 days.

(g) Vehicular access.

[1] Any Township road used to provide access to a solid waste management facility shall be paved and maintained in good condition in accordance with the standards of Pennsylvania

Department of Transportation relating to the type of heavy truck traffic resulting from such facility.

- [2] The Board of Supervisors may designate safe and adequate access roads and prohibit the use of other roads, except for local trash collection purposes.
 - [3] Applicant at its expense may be required to upgrade access roads to the facility in accordance with a plan approved by the Board of Supervisors.
 - [4] The costs of upgrading and maintaining access roads to the solid waste management facility shall be paid by the solid waste management facility operation in a manner suitable to the Supervisors.
 - [5] When acquisition of private property is necessitated by the plan approved by the Board of Supervisors, the Township may use its power of condemnation to obtain the land at the expense of the applicant.
- (h) The site shall be fenced and secured by gates which can be locked. In addition, appropriate precautions shall be taken to prevent waste from escaping the site because of wind or otherwise. Fencing, walls and other enclosures may be required for this purpose. Any such escaping waste shall be collected daily and properly disposed.
 - (i) The solid waste management facility site shall be graded and provided with appropriate drainage facilities to minimize runoff, prevent erosion, and to prevent collection of stagnant water.
 - (j) There shall be no dumping, depositing, storage, incineration, treatment or disposition of waste within 50 feet of any public road or any property line of the solid waste management facility and reasonable visual screening composed of trees and so forth shall be provided. Such visual screening shall include evergreen trees in a solid double row with a minimum height of nine feet and, in addition, shade trees with a two-inch caliper and a minimum height of nine feet in a number equivalent to one tree for every 50 linear feet of buffer. In addition, there shall be no dumping, depositing, storage, incineration, treatment or disposition of waste within 50 feet of any dwelling, church, school or other occupied building.
 - (k) The highest elevation of a landfill shall not exceed 35 feet above the highest point of natural elevation within the landfill area of the site before the disposal operation began. Final grading of the landfill area shall be done in a manner which leaves the site potentially useful. New

landscaping shall be planted to protect against erosion and improve the appearance of the land after final grading.

- (l) Buildings shall be constructed on the site to house equipment other than motor vehicles when not in use.
- (m) All buildings shall be equipped with fire and smoke detection and extinguishing facilities in accordance with regulations of the Pennsylvania Department of Labor and Industry, the National Fire Protection Association, and/or other more stringent regulations, if determined appropriate by the Board of Supervisors.
- (n) An on-site scale shall be used to weigh all solid waste delivered to the site and complete records shall be maintained by the operator, which records shall be available for inspection by the Board of Supervisors.
- (o) A certified copy of all reports, data, plans and other material or information required to be submitted to the Pennsylvania Department of Environmental Protection also shall be submitted to the Board of Supervisors.
- (p) A tire cleaning area shall be provided on the access road within the solid waste management facility site. All tires on all trucks leaving the solid waste management facility site shall be cleaned.
- (q) An environmental assessment statement shall be submitted to the Board of Supervisors, and shall include the following:
 - [1] A description of all proposed facilities;
 - [2] A physical description of the environment affected including summary technical data and maps and diagrams adequate to permit an assessment of potential environmental impact by commenting agencies and the public. Highly technical and specialized analysis and data should be attached as appendices or footnoted with adequate bibliographic references;
 - [3] The interrelationship and cumulative environmental and economic impacts of the proposed solid waste management facility when coupled with other solid waste processing or disposal facilities shall be stated and supported by adequate technical analysis;
 - [4] The sources of data used to identify, quantify or evaluate any and all environmental consequences must be expressly noted;
 - [5] The relationship of the proposed solid waste management facility to land use plans, policies and controls for the affected area, including a statement as to how the proposed solid waste

management facility may conform or conflict with the objectives and specific terms of existing or proposed federal, state, county or Township land use plans, policies and controls; An on-site scale shall be used to weigh all solid waste delivered to the site and complete records shall be maintained by the operator, which records shall be available for inspection by the Board of Supervisors.

[6] An analysis of:

- I. The primary and secondary effects on the solid waste management facility and its capacity to stimulate or induce changes in patterns of social and/or economic facilities;
- II. The impact on existing community facilities and activities, changes in natural conditions, and so forth; and
- III. The effect on natural and cultural features such as streams, mountains, historic sites, landmarks, principal roads, lakes and towns;

[7] Specific data relating to the impact of the solid waste management facility on local vehicular traffic, and designating the routes to be utilized by vehicles seeking access to that proposed facility;

[8] Specific data relating to the impact of the solid waste management facility on local water supplies, streams and rivers;

[9] Specific data relating to the impact of the solid waste management facility on natural or man-made local storm drainage facilities and areas;

[10] Specific data relating to the impact of the solid waste management facility on the existing flood hazard areas of the Township, including details of any measures or precautions which may have to be taken in order to provide adequate flood control in the Township;

[11] A statement of any probable adverse environmental effects which cannot be avoided (such as water or air pollution, undesirable land use patterns, damage to life systems, congestion, threats to health or other consequences adverse to the environment). Included for purposes of contrast should be a clear statement of how other avoidable adverse effects will be mitigated;

- [12] The relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity. This section should contain a brief discussion of the extent to which the proposed action involves short-term environmental gains at the expense of long-term losses, or the converse, and a discussion of the extent to which the proposed action forecloses future options. In this context, the words "short-term" and "long-term" should be viewed in terms of the environmentally significant consequences of the proposed action;
 - [13] The aesthetic impact of the proposed action including its impact upon visual quality of the surround community;
 - [14] An analysis of the success and/or failure of similar projects;
 - [15] A statement of any adverse effects on employment, taxes and property values;
 - [16] A statement of any effects on desirable community growth;
 - [17] A statement describing the location and impact of the project on nearby recreation areas.
 - [18] Such other information as reasonably required by the Board of Supervisors, Planning Agency, Engineer, and/or Solicitor.
- (r) Contents of application. An application for a conditional use for a solid waste management facility shall contain the following:
- [1] A topographical drawing, prepared by a professional engineer, registered in the Commonwealth of Pennsylvania, to a scale no greater than one inch equals 100 feet, showing:
 - I. Location of site relative to public roads;
 - II. Owners of adjacent properties;
 - III. Proposed fencing and improvements;
 - IV. Proposed screening and buffering;
 - V. Cross sections showing the existing grades and the proposed grades upon completion and closure;
 - VI. Location of equipment cleaning and tire cleaning areas; and
 - VII. Location of weighing scales, firefighting equipment and all facilities, including buildings.

- [2] The names and current addresses of any and all persons who own any interest, real or equitable, in the real estate which is the subject of the application;
- [3] The names and current addresses of any and all persons having any ownership interest in any corporations or other business entities which may be set forth in answers to §265-41.G.6.r.2 above, where such persons possess an ownership interest of 10% or more (ownership shall include constructive ownership as defined by Internal Revenue Code, Section 318 as now in effect);
- [4] The names and current addresses of any and all persons having any ownership interest in the operation or proposed operation, maintenance and use of the solid waste management facility in question;
- [5] The names and current address of any and all persons having any ownership interest in any corporations or other business entities which may be set forth in answer to §265-41.G.6.r.4 above, where such persons possess an ownership interest of 10% or more (ownership shall include constructive ownership as defined by Internal Revenue Code, Section 318 as now in effect);
- [6] The identities and qualifications of personnel designated to manage and operate the proposed facility, together with their intended responsibilities;
- [7] All requirements of the Pennsylvania Solid Waste Management Act and regulations and standards of the Department of Environmental Protection relating to solid waste processing and disposal system are incorporated herein by reference, and the applicant shall be required to submit any and all plans, applications, data, materials, studies and information to the Board of Supervisors as is required to be submitted to the Pennsylvania Department of Environmental Protection pursuant to said Act, regulations and standards. All such materials shall be certified by the applicant to be true and correct copies of original materials filed with that department;
- [8] Statements indicating expected useful life of the solid waste management facility and the condition and proposed uses of said site upon termination of operation, and any limitations on future uses due to proposed use;
- [9] An access road survey, which shall include the following

[10] Statements as to the estimated number of vehicles which are expected to use the site on a daily basis during the first two years of operations and as to the estimated weight thereof; and

[11] A plan indicating all roads anticipated to be used as access roads.

[12] Statement of applicant's prior experience, if any, in operating solid waste management facilities;

[13] An environmental assessment statement as required by §265-41.G.6.q, above.

[14] A certified copy of all reports, data, plans and other material or information required to be submitted to the Pennsylvania Department of Environmental Resources also shall be submitted to the Board of Supervisors.

(s) Permits, inspections, operations.

[1] Application for renewal shall be on a year-to-year basis, and the license fee shall be as set from time to time by resolution of the Board of Supervisors.

[2] The Board of Supervisors and/or its authorized representatives, from time to time, shall inspect the solid waste management facility and operation to assure continued compliance with this chapter. The solid waste management operator shall make the site available for inspection when requested to do so. All inspection expenses shall be borne by the operator.

[3] For the purposes of this chapter, the terms "applicant" and "operator" shall be synonymous and shall mean those individuals, authorities, private firms, or others who are responsible for making application(s) to the Board of Supervisors and for operating the solid waste management facilities.

(t) Transfer of permit. No permit issued hereunder may be transferred or assigned unless and until an application is received from the proposed transferee setting forth the information required by § 265-41.G.6.r, above.

(u) Denial of access to certain vehicles. The operator of any solid waste management facility shall be required to deny access to the facility for a period of 30 days to any person or business entity whose vehicles used in delivering solid waste thereto:

- [1] Do not have loads fully enclosed within the truck body or which are not covered by appropriate covering and restraining devices;
 - [2] Are discovered by the Township to be utilizing routes other than those designated in the operating permit.
- (v) Cleaning of litter required. The operator of any solid waste management facility shall be required to clean litter each day from all feeder roads utilized by trucks depositing solid waste therein for a distance of 1,500 feet in each direction from the entrance of the facility.
- (w) Vector control procedures. Vector control procedures shall be carried out a minimum of twice each month, or more often as required, to prevent health hazards or nuisances. The permittee shall submit a control program for the approval of the Board of Supervisors, including evidence of a contractual agreement for services within an exterminator. The permit is required to submit proof of extermination to the Board of Supervisors.
- (x) Waste remaining at transfer stations. There shall be no solid waste remaining at a transfer station at the end of a working day unless it is stored in containers constructed to be watertight, leakproof, weatherproof and rodentproof. Special provisions shall be made for the transfer of bulky waste (e.g., tree branches and stumps, appliances, junk automobiles, machinery) at the transfer station, otherwise such waste shall be excluded from the provisions stated in § 265-41.G.6.i, above.
- (y) Emergency operation plans; storage of material. All solid waste management facilities shall have a written emergency operational plan to provide for an alternative waste handling system during periods when the facility is inoperative. These plans shall delineate the procedures to be following in case of equipment breakdown which will required stand-by equipment, extension of operating hours or diversion of solid waste to other facilities. Solid waste materials shall not be stored at a permitted facility for more than 24 hours before ultimate disposition by transfer, disposal in a landfill, or incineration, except for material to be recycled such as glass, metal, paper, rags and so forth, and material to be processed at an incinerator or resource recovery facility which is stored within the confines of a building in a holding pit or bunker. Under no circumstances shall such pit or bunker be built with a capacity larger than will accommodate or hold a six-day supply of material for the incinerator or resource recovery facility.
- (z) Vehicles to originate from transfer-transport facility; load capacity. Twenty-five percent of all vehicles delivering solid waste generated outside of Douglass Township to an incinerator or resource recovery

facility within Douglass Township shall originate from a transfer-transport facility permitted by the Pennsylvania Department of Environmental Protection and shall have a load capacity of not less than 40 cubic yards.

- (aa) Limitation of facilities. Not more than one incinerator and one resource recovery facility and one trash transfer station utilizing a total of not more than three compactors shall be permitted to be in existence and to operate within this district at any time.
- (bb) Limitation of capacity. No incinerator or resource recovery shall have a design capacity of greater than 750 tons in a twenty-four-hour period.
- (cc) Indemnification. The owner and/or operator of a solid waste management facility shall agree to indemnify and hold the Township harmless from any liability in connection with the permitting, construction and/or operation of the solid waste management facility and/or any sanitary landfill within Douglass Township accepting ash, residue, reject material and other materials generated therefrom.
- (dd) Waiver of requirements. The Board of Supervisors for good cause may, in its discretion, waive any of the requirements set forth in this section.

(7) **Use H-7: Solar Energy Facility.** An alternative energy facility that consists of one or more ground-mounted, free-standing, or building-integrated solar collection devices, solar-energy-related equipment and other associated infrastructure with the principal use intention of generating electricity or otherwise converting solar energy to a different form of energy primarily for off-site use. Solar energy facilities are permitted by conditional use in the M-2.

(a) General Regulations

[1] Solar energy systems shall be installed in compliance with all applicable state and federal building, construction, and fire codes, including regulations with respect to stormwater management and impervious cover.

[2] Solar energy systems shall be operated in compliance with all federal, state, and local laws and regulations.

(b) Setbacks

[1] Solar energy facilities, including all collection devices and arrays, shall comply with district setback requirements. Solar energy facility components shall not encroach upon any stormwater management facility or right-of-way or easement, including but not

limited to water, stormwater, sanitary sewer, natural gas, telephone, and electrical easements.

[2] Setbacks for building-mounted solar energy facilities shall meet the following requirements.

[a] Solar energy facilities mounted on a pitched roof must meet the following requirements; or an alternative design that provides safe access to the roof, and roof ridge, that is approved by the township building inspector.

- I. The design must provide at least three (3) access ways from the edge of roof to the ridge of the roof that are a minimum of two (2) feet wide. A side of a pitched roof which does not carry a solar energy facility may count as two (2) access ways as long as the roof is more than five (5) feet wide.
- II. A two (2)-foot minimum setback from the roof ridgelines shall be provided for roof-mounted solar modules to allow available space for firefighters to penetrate the roof to create ventilation. Solar modules may be installed along the roof slope up to the ridge when an adequate alternative smoke ventilation method is provided and approved by the township building inspector.
- III. A one and a half (1.5)-foot setback from all roof hips and valleys shall be provided if solar modules are installed on both sides of the roof hip or valley.

[b] Solar energy facilities mounted on a flat roof must meet the following requirements; or an alternative design that provides safe access to the roof that is approved by the township building inspector.

- I. A three (3)-foot setback from a minimum of two (2) roof edges shall be provided for roof mounted solar modules to ensure that firefighters may access the roof in a quick and safe manner.

(c) Height

[1] For a building-mounted facility installed on a sloped roof, the highest point of the facility shall not exceed the highest point of the roof to which it is attached as allowed by setback requirements.

[2] For a building-mounted facility installed on a flat roof, the highest point of the facility shall be permitted to exceed the district's height limit of up to six (6) feet above the rooftop which it is attached.

[3] Ground-mounted or freestanding solar energy facilities shall not exceed 25 feet in height.

(d) Design and Installation

[1] The design and installation of solar energy facilities shall conform to applicable industry codes and standards, including, but not limited to, those of the International Code Council (ICC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), and other similar certifying and professional organizations such as the American Society of Civil Engineers and the American Society of Mechanical Engineers.

[2] All exterior electrical and/or plumbing lines shall be buried below the surface of the ground and be placed in a conduit.

[3] All solar energy facility components shall be clearly labeled with a warning concerning voltage and other important electrical safety information. The universal isolation switch, or equivalent device, shall be easily accessible by first responders and clearly labeled.

[4] For purposes of determining compliance with building coverage standards of the applicable zoning district, the total horizontal projection area of all ground-mounted and freestanding solar collectors, including solar photovoltaic cells, modules, arrays, inverters and solar hot air or water collector devices, shall be considered as pervious coverage so long as pervious conditions are maintained underneath the solar photovoltaic cells, modules, arrays, and solar hot air or water collector devices. The following components of a ground-mounted solar energy facility shall be considered included in the calculations for lot coverage requirements:

[a] Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

[b] All mechanical equipment of the solar energy facility, including any pad mounted structure for batteries, switchboard, transformers, or storage cells.

[c] Paved access roads servicing the solar energy facility.

- [1] An applicant shall locate a solar energy system so that tree removal is not required to the extent practical and shall be subject to any applicable tree replacement regulations found in the Subdivision and Land Development Ordinance.
- [2] Solar modules shall be positioned to prevent solar glare upon any neighboring properties or any public or private street, and to prevent additional heat load upon neighboring properties. The latest version of the Solar Glare Hazard Analysis Tool (SGHAT) shall be used per its user's manual to evaluate solar glare. The full report shall be sent to the municipality at least 30 days before the first public meeting that will discuss the project.
- [3] All equipment for solar energy facilities including any structure for batteries or storage cells shall be completely enclosed by a minimum eight (8)-foot high fence with a self-locking gate. Batteries and storage cells shall not be stored within the setback areas.
- [4] The applicant will provide a stormwater management plan prepared by an engineer for the facility that will minimize the impact of stormwater leaving the site and promote infiltration on-site through the use of stormwater BMPs. A stormwater management plan required by the municipal stormwater management ordinance may be used for this requirement with approval from the township engineer.
- [5] Solar energy facilities shall not be used to display advertising or decoration, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners, lights or similar items. Manufacturers and equipment information, safety warnings, and ownership information may be displayed on solar energy facility equipment provided such information complies with applicable sign regulations.
- [6] It is the responsibility of the owner of the solar energy facility to obtain any necessary solar easements from neighboring landowners to ensure solar access. The Township does not guarantee and will not protect any individual property rights with respect to solar access.
- [7] The grazing of animals, to include but not be limited to sheep and goats, to control vegetation growing underneath solar arrays is permitted as customarily incidental to a solar energy facility principal use subject to the lot size requirements specified in this Chapter.

[8] Buffers are required per §230-47 of the township's subdivision and land development ordinance.

[9] Lighting. Lighting of the solar energy facility shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

(e) Decommissioning Requirements

[1] The owner of the solar energy facility is required to notify Douglass Township immediately upon cessation or abandonment of the operation.

[2] If a solar energy facility remains nonfunctional or inoperative for a continuous period of two years, the facility shall be deemed to be abandoned and shall constitute a public nuisance, unless the owner demonstrates good faith intent to sell and maintain the facility. Within six months of abandonment, the owner shall remove the system after a demolition permit has been obtained in accordance with the following:

[a] Any aboveground mechanical equipment, wiring, and structural components shall be removed.

[b] Underground wiring and structural components shall be removed and the resulting void space filled.

[c] When a solar energy facility is removed, any disturbed earth as a result of the removal of the system shall be restored, graded and reseeded.

[d] The owner shall ensure that the site's soils are tested as part of the decommissioning process to ensure there is no contamination. If there is contamination, the owner shall be responsible for site remediation.

(f) Financial Security.

[1] The deposit, executions, or filing with the Douglass Township Clerk of cash, bond, or other form of security reasonably acceptable to the Douglass Township attorney and/or engineer, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. The amount of the bond or security shall be [110] % of the cost of removal of the solar energy facility and restoration of the property with an escalator of [2] % annually for the life of the solar energy facility. The decommissioning

amount shall be reduced by the amount of the estimated salvage value of the solar energy facility.

[2] In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to Douglass Township, which shall be entitled to maintain an action thereon. The cash deposit, bond, or security shall remain in full force and effect until restoration of the property is completed.

(8) **Use H-8: Sewage Treatment Plant.** Such use shall include a sanitary sewage equalization or holding tank, a sanitary treatment plant, a package sewage treatment plant and other similar sanitary sewage detention or treatment facilities.

(9) **Use H-9: Warehouse/Storage Facility.** A building, structure, lot, parcel, or use engaged in the storage, wholesale, and distribution of manufactured equipment, goods, materials, products, or supplies, but excluding bulk storage of chemicals and materials that are explosive, inflammable, or hazardous to adjoining properties.

- (a) Exterior storage of boats, trailers, recreational vehicles, and commercial vehicles are permitted by conditional use. Storage of these vehicles shall be in the rear yard.
- (b) A screening buffer shall be provided to mitigate the visual impact on adjoining properties per §230-47 of the township's subdivision and land development ordinance.
- (c) The maximum size of a warehouse/storage facility shall be 150,000 square feet. A self-storage facility shall be limited to 35,000 square feet of rentable space.
- (d) A traffic impact study shall be submitted with the application.
- (e) Plans submitted shall demonstrate available on-site queuing areas for trucks to avoid any queuing on public roads. Plans shall include electric hookups to minimize truck idling of temperature-controlled loads, where applicable.

(10) **Use H-10: Contractor Service.** Offices and supply/fabrication shops for services rendered in the building trades.

ARTICLE IV

R-A Residential Agriculture District

§ 265-42. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. The purpose of this district is:

- A. To promote a transition from rural, resource conservation and agricultural areas to low density residential areas that are compatible with the existing neighborhoods and uses in the district.
- B. To foster protection of sensitive environmental features while allowing for development appropriate to the district.
- C. To insure the conservation of natural resources.
- D. To encourage the preservation of open space and recreational uses.
- E. To maintain rural character, discourage road frontage development, and preserve existing agriculture and conservation uses.
- F. To provide for residential development at relatively low densities compatible with existing development and appropriate environmental concerns within this district.
- G. To limit the residential demand for public services to avoid costly infrastructure improvements and development.

§ 265-43. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

- A. By-Right Uses.
 - (1) Use B-1: Agricultural Use
 - (2) Use C-2: Single Family Detached Dwelling
 - (3) Use B-2: Agritourism Enterprise
 - (4) Use D-26: Short-Term Transient Lodging or Vacation Rental
 - (5) Use F-5: Parkland
- B. Special Exception Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes when authorized as a special exception by the Zoning Hearing Board:
 - (1) Use F-1: Golf Course
 - (2) Use F-3: Outdoor Recreation/Amusement
 - (3) Use B-4: Riding Academy/Stable
 - (4) Use D-13: Kennel.
- C. Conditional Uses.
 - (1) Use B-3: Community Garden
- D. Accessory Uses. The following accessory uses are permitted by right when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) Use A-1: Residential Accessory Structure
 - (2) Use A-3: Agricultural Accessory Structure
 - (3) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle. Farm vehicles are exempt from this requirement.
 - (4) Use A-5: Fences and Walls
 - (5) Use A-6: Home Occupations
 - (6) Use A-7: Family Day Care Home

- (7) Use A-9: Accessory Roof-Mounted Solar Energy System
- (8) Use A-10: Accessory Ground-Mounted Solar Energy System
- (9) Use A-12: Communications Antennae.
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
- (10) Use A-15: Swimming Pool
- (11) Use A-16: Accessory Dwelling Unit

§265-44. Dimensional Requirements. The following dimensional standards shall apply to all uses in the R-A District.

R-A Residential – Agriculture Dimensional Requirements	
Minimum lot area	2 acres for Use C-3: Single Family Detached Dwelling 5 acres for all other uses.
Minimum lot width	150 feet at the building line
Minimum front yard setback	50 feet, measured from the ultimate right-of-way line
Minimum side yard setback	20 feet, measured from the lot boundary line. Each lot shall have at least 2 side yards
Minimum rear yard	25 feet, measured from the rear lot boundary line
Maximum building coverage*	10%
Maximum impervious coverage**	15%
Maximum height	35 feet

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

ARTICLE V

R-1 Residential District

§ 265-45. Declaration of Legislative Intent. It is the intent of the R-1 Residential District to establish reasonable standards that control and promote the continuation of agricultural uses and limited single-family detached dwelling unit development in Douglass Township. The district will direct low-density residential uses into areas of Douglass Township that are not now served and are not intended to be served by future extension of public sewer and water facilities.

§ 265-46. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

- A. By-Right Uses.
 - (1) Use B-1: Agricultural Use
 - (2) Use C-2: Single-Family Detached Dwelling
 - (3) Use D-26: Short-Term Transient Lodging or Vacation Rental
 - (4) Use F-5: Parkland
- B. Conditional Uses.
 - (1) Use B-3: Community Garden
- C. Accessory Uses. The following accessory uses are permitted by right when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
 - (1) Use A-1: Residential Accessory Structure
 - (2) Use A-3: Agricultural Accessory Structure
 - (3) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle.
 - (4) Use A-5: Fences and Walls
 - (5) Use A-6: Home Occupations
 - (6) Use A-7: Family Day Care Home
 - (7) Use A-9: Accessory Roof-Mounted Solar Energy System
 - (8) Use A-10: Accessory Ground-Mounted Solar Energy System
 - (9) Use A-12: Communications Antennae.
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
 - (10) Use A-15: Swimming Pool
 - (11) Use A-16: Accessory Dwelling Unit

§265-47. Dimensional Requirements. The following dimensional standards shall apply to all uses in the R-1 District.

R-1 Dimensional Requirements	
Minimum lot area	1 acre (43,560 sq. ft.)
Minimum lot width	150 feet at the building line
Minimum front yard setback	50 feet, measured from the ultimate right-of-way line
Minimum side yard setback	20 feet, measured from the lot boundary line. Each lot shall have at least 2 side yards.
Minimum rear yard	25 feet, measured from the rear lot boundary line
Maximum building coverage*	10%
Maximum impervious coverage**	15%
Maximum height	35 feet

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

ARTICLE VI

R-2 Residential District

§265-48. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of the R-2 District to promote and control single-family detached dwelling unit development in the areas of the Township that are served or planned for public sewer and water service. The district will provide for differing lot sizes for provision of sewer and water facilities. In addition, the district allows for a transition of residential densities surrounding the Gilbertsville core.

§265-49. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

- A. By-Right Uses
 - (1) Use B-1: Agricultural Use
 - (2) Use C-2: Single Family Detached Dwelling
 - (3) Use D-26: Short-Term Transient Lodging or Vacation Rental
 - (4) Use F-5: Parkland
- B. Conditional Uses

- (1) Use B-3: Community Garden
- C. Accessory Uses. The following accessory uses are permitted by right when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) Use A-1: Residential Accessory Structure
 - (2) Use A-3: Agricultural Accessory Structure
 - (3) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle.
 - (4) Use A-5: Fences and Walls
 - (5) Use A-6: Home Occupations
 - (6) Use A-7: Family Day Care Home
 - (7) Use A-9: Accessory Roof-Mounted Solar Energy System
 - (8) Use A-10: Accessory Ground-Mounted Solar Energy System
 - (9) Use A-12: Communications Antennae.
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
 - (10) Use A-15: Swimming Pool
 - (11) Use A-16: Accessory Dwelling Unit

§265-50. Dimensional Requirements. The following dimensional requirements shall apply to all uses in the R-2 Residential District. Refer to §265-30, §265-31, and §265-32 for additional design standards for residential developments.

Lot Size	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Max. Building Coverage*	Max. Impervious Coverage**	Max. Height	Facilities Required
40,000 sq. ft.	150 ft.	50 ft.	20 ft.	25 ft.	15%	30%	35 ft.	No sewer, no water
30,000 sq. ft.	125 ft.	45 ft.	20 ft.	25 ft.	15%	30%	35 ft.	Central water, no sewer
20,000 sq. ft.	100 ft.	40 ft.	20 ft.	25 ft.	15%	30%	35 ft.	Central sewer, no central water
15,000 sq. ft.	100 ft.	35 ft.	20 ft.	25 ft.	15%	30%	35 ft.	Central sewer and central water

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

§265-51. Sewer and Water Facilities. Development in the R-2 District that is served by non-public sewer and/or water facilities shall have these central systems subject to approval of the Board of Supervisors, Pennsylvania Department of Environmental Protection, and appropriate sewer or water authority. Central water facilities shall conform with §265-74 of this Chapter.

ARTICLE VII

R-3 Residential District

§ 265-52. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of this Article to establish reasonable controls in appropriate locations for single-family detached, two-family and single-family attached dwellings, as well as mixes of the above dwelling types. Furthermore, it is the intent of this Article to:

- A. Encourage an appropriate mix of dwelling types and densities in Douglass Township.
- B. Promote a variety of income levels, age groups and lifestyles within the Township.
- C. Protect the Township from challenges to the Zoning Ordinance and map by providing for a diversity of housing types.
- D. Encourage compact development thereby reducing the cost of provision of public services.
- E. Encourage innovative residential development and use of a variety of building configurations.
- F. Create visual interest and relate development more sensitively to environmental features.
- G. Provide for more recreational facilities than would otherwise be provided.

§265-53. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

- A. By-Right Uses
 - (1) Use C-2: Single Family Detached Dwelling
 - (2) Use C-3: Single Family Attached Dwelling (Townhouse)
 - (3) Use C-4: Single Family Semi-Detached Dwelling (Twin)
 - (4) Use C-5: Two Family Detached Dwelling (Duplex)
 - (5) Use D-26: Short-Term Transient Lodging or Vacation Rental
 - (6) Use F-5: Parkland
- B. Conditional Uses.
 - (1) Use C-6: Mobile Home Parks
 - (2) Use B-3: Community Garden
- C. Special Exception Uses.
 - (1) Use G-2: Group Day Care Home
- D. Accessory Uses.
 - (1) Use A-1: Residential Accessory Structure
 - (2) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle.
 - (3) Use A-5: Fences and Walls
 - (4) Use A-6: Home Occupations
 - (5) Use A-7: Family Day Care Home
 - (6) Use A-10: Accessory Roof-Mounted Solar Energy System
 - (7) Use A-15: Swimming Pool

§265-54. Minimum Tract Size. The minimum tract size for R-3 development proposals shall be 5 acres.

§265-55. Mix and Density Requirements. All residential developments shall meet the following mixing requirements:

- A. On tracts of less than 10 acres, the development shall include at least two of the following housing types: single family detached, single family semi-detached, single family attached, two family detached. To qualify as one of the two required housing types, a housing type must comprise at least twenty-five percent (25%) of the total housing units in a mixed residential development.
- B. On tracts of 10 acres or more, the development shall include at least three of the following housing types: single family detached, single family semi-detached, single family attached, two family detached. To qualify as one of the three required housing types, a housing type must comprise at least fifteen percent (15%) of the total housing units in a mixed residential development.
- C. To create variety along the streetscape, housing types shall be mixed along a street.
- D. The maximum permitted density is four dwelling units per acre. In addition to the maximum permitted densities set forth above, the development in all respects must conform to all other requirements of this Chapter including, but not limited to, dimensional standards set forth in §265-56, other standards set forth in §265-30, §265-31, and §265-32, general regulations set forth in §265-57, parking regulations set forth in Article XXV and open space requirements set forth in §265-58 so that the choice of dwelling types, mixing percentages or other factors may require a lower density than the maximum indicated in the table below.

§265-56. Dimensional Requirements. The following dimensional requirements shall apply to all uses in the R-3 district. It is emphasized that these standards are intended to permit maximum flexibility in the design of the development plan.

A. Area, Width, Yard and Building Coverage Regulations.

	Use C-2: Single Family Detached Dwelling	Use C-4: Single Family Semi-Detached Dwelling	Use C-5: Two Family Detached Dwelling (Duplex)	Use C-3: Single Family Attached Dwelling (Townhouse), when lotted
Minimum lot area	7,500 sq. ft. per Du	4,500 sq. ft. per Du	4,500 sq. ft. per Du	2,000 sq. ft. per Du
Minimum lot width at building line	60 ft.	30 ft.	70 ft.	20 ft. for interior units 45 ft. for end units
Minimum front yard[^]	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side yard	25 ft. agg. 10 ft. min.	15 ft. (one side)	25 ft. agg. 10 ft. min.	15 ft. ^{^^}
Minimum rear yard	25 ft.	25 ft.	25 ft.	25 ft.
Maximum building coverage*	25%	30%	30%	40%
Maximum impervious coverage**	35%	40%	40%	60%
Maximum building height	35 ft.	35 ft.	35 ft.	35 ft.
Minimum setback from semi-controlled access street	75 ft. from ultimate right-of-way	75 ft. from ultimate right-of-way	75 ft. from ultimate right-of-way	75 ft. from ultimate right-of-way
Minimum setback from collector street	50 ft. from ultimate right-of-way	50 ft. from ultimate right-of-way	50 ft. from ultimate right-of-way	50 ft. from ultimate right-of-way
Minimum setback from feeder street	30 ft. from ultimate right-of-way	30 ft. from ultimate right-of-way	30 ft. from ultimate right-of-way	30 ft. from ultimate right-of-way

[^]Front yard setback shall be measured from the ultimate right-of-way of residential streets, equivalent right-of-way of private streets, or edge of paving of parking access driveways and parking areas.

^{^^}For single-family attached dwelling units, any yard which is not clearly a front or rear yard shall be considered a side yard.

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

B. The minimum distance between buildings when lotting is not used in the R-3 shall be:

- (1) For buildings with less than 3 percent window or other transparent surface on facing walls (see definition in Article III) the minimum distance between buildings shall be 40 feet.

- (2) For buildings with more than 3 percent window area or other transparent surface on facing walls the minimum distance between buildings shall be 50 feet.

§265-57. General Regulations.

- A. Sewer and Water Facilities. All development in the R-3 District shall be served by central water facilities and central sewer facilities acceptable to the Board of Supervisors, subject to approval of the Pennsylvania Department of Environmental Protection, appropriate sewer authority, and water authority. Central water facilities shall conform with §265-74 of this Chapter. When central water and/or sewer are not available, development of single-family detached dwelling units may be done on lots conforming to the standards of §265-50 of this Chapter.

§265-58. Open Space Requirements. A minimum of 15 percent of the gross area of any tract proposed for R-3 District Development must be permanently preserved as open space via deed restriction from further subdivision or uses not prescribed by this ordinance with a conservation easement, unless a predetermined use can be identified during the planning phase for future public improvement or benefit.

A. Central Open Space Location Requirements

- (1) At least twenty-five percent (25%) of the required open space shall be located in one, contiguous primary park that meets the following standards:
 - (a) The primary park shall be located near the middle of the development and shall be easily and conveniently accessible by sidewalk or paved trail from all dwelling units in the development.
 - (b) The primary park shall be improved with either a gazebo, pavilion, pond, or paved patio area with a fountain, along with appropriate seating, to help identify the park as the central gathering place for the development. These improvements shall be a minimum of 300 square feet in size.
 - (c) The primary park shall be at least fifteen thousand (15,000) square feet in size.
 - (d) When streets abut a primary park, the opposite side of the street from the primary park shall have building front facades facing the park rather than parking lots or detention basins.
- (2) At least 40 percent of all lots (rounded up to the nearest whole number) in the development must border or be directly across the street from central open space with the front facades of homes facing the central open space.

B. Central Open Space Design Requirements

- (1) When feasible, existing healthy trees and shrubs shall be preserved within central open space areas per §230-45 of the township's subdivision and land development ordinance.
- (2) All portions of central open space areas, except for those areas under sidewalks, water, furnishings, and recreational structures, shall be landscaped with trees, shrubs, ground cover, or grass.
- (3) Detention basins and other stormwater impounding areas, except for permanent wet ponds, may not be located in central open space areas used to meet the minimum amount of required central open space.

§265-59. Buffer Requirements. Buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

ARTICLE VIII

R-4 Residential District

§265-60. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is intent of this Article to establish reasonable controls and standards of performance for apartment dwellings in those areas of Douglass Township where the existing community character, superior road access (to feeder or higher classification roads), proximity to commercial and employment centers, and the presence of planned extension of sewer and water facilities would most readily accommodate the highest intensity of residential dwelling type permitted in the Township.

§265-61. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses.

- (1) Use C-2: Single Family Detached Dwelling
- (2) Use C-3: Single Family Attached Dwelling (Townhouse)
- (3) Use C-4: Single Family Semi-Detached Dwelling (Twin)
- (4) Use C-5: Two Family Detached Dwelling (Duplex)
- (5) Use C-7: Multifamily Development
- (6) Use D-26: Short-Term Transient Lodging or Vacation Rental
- (7) Use F-5: Parkland

B. Conditional Uses

- (1) Use B-3: Community Garden

C. Special Exception Uses

- (1) Use G-2: Group Day Care Home

D. Accessory Uses

- (1) Use A-1: Residential Accessory Structure
- (2) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle.
- (3) Use A-5: Fences and Walls
- (4) Use A-6: Home Occupations
- (5) Use A-10: Accessory Roof-Mounted Solar System

§265-62. Dimensional Requirements.

- A.** The following dimensional requirements shall apply to all uses in the R-4:

	Use C-2: Single Family Detached Dwelling	Use C-4: Single Family Semi- Detached Dwelling (Twin)	Use C-5: Two Family Detached Dwelling (Duplex)	Use C-3: Single Family Attached Dwelling (Townhouse)	Use C-7: Multifamily Development
Minimum tract size	10 acres	10 acres	10 acres	10 acres	10 acres
Maximum density	11 dwelling units/acre	11 dwelling units/acre	11 dwelling units/acre	11 dwelling units/acre	11 dwelling units/acre
Minimum lot area	7,500 sq. ft. per Du	4,500 sq. ft. per Du	4,500 sq. ft. per Du	2,000 sq. ft. per Du	10,000 sq. ft. per building, with at least 2,500 sq. ft. provided per Du
Minimum lot width	60 ft.	30 ft.	70 ft.	20 ft. for interior units 45 ft. for end units	100 ft.
Minimum side yard	25 ft. agg. 10 ft. min.	15 ft.	25 ft. agg. 10 ft. min.	15 ft.^	15 ft.
Minimum rear yard	25 ft.	25 ft.	25 ft.	25 ft.	30 ft.
Maximum building coverage*	25%	30%	30%	40%	25%
Maximum impervious coverage**	35%	40%	40%	60%	60%
Maximum building height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Maximum building length	N/A	N/A	N/A	N/A	200 Ft.
Minimum building setback from controlled access or semi-controlled access streets	75 ft. from ultimate right- of-way	75 ft. from ultimate right-of-way	75 ft. from ultimate right- of-way	75 ft. from ultimate right- of-way	75 ft. from ultimate right- of-way
Minimum building setback from collector streets	60 ft. from ultimate right- of-way	60 ft. from ultimate right-of-way	60 ft. from ultimate right- of-way	60 ft. from ultimate right- of-way	60 ft. from ultimate right- of-way
Minimum building setback from feeder and residential streets	50 ft. from ultimate right- of-way	50 ft. from ultimate right-of-way	50 ft. from ultimate right- of-way	50 ft. from ultimate right- of-way	50 ft. from ultimate right- of-way
Minimum building setback from parking areas and parking access drives	25 ft. from edge of paving	25 ft. from edge of paving	25 ft. from edge of paving	25 ft. from edge of paving	25 ft. from edge of paving
Minimum building setback from property lines	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.

^For single-family attached dwelling units, any yard which is not clearly a front or rear yard shall be considered a side yard.

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways,

walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

B. The minimum building spacing for Use C-3: Single Family Attached Dwelling and Use C-7: Multifamily Development in the R-4 shall be:

- (1) Minimum distance between buildings with less than 3 percent window or other transparent surface on facing walls: 40 feet (see definition of FACING WALLS in Article II).
- (2) Minimum distance between buildings with more than 3 percent window or other transparent surface on facing walls: 40 feet.
- (3) Minimum distance between buildings where one or both facing wall(s) contains an outdoor living area: 60 feet.

§265-63. General Regulations.

- A. Sewer and Water Facilities. All development in the R-4 District shall be served by central water facilities and central sewer facilities acceptable to the Board of Supervisors, and subject to approval by the Pennsylvania Department of Environmental Resources, appropriate sewer authority and water authority. Central water facilities shall conform with §267-71 of this Chapter.

§265-64. Parking Requirements.

A. Minimum Setbacks for Parking Areas:

<u>From</u>	<u>Distance in Feet</u>
Tract Boundary Line	20
Ultimate Right-of-Way	10
Edge of Paving of a Private Street or Another Parking Area	10
Any Building	25

§265-65. Open Space Requirements. A minimum of 15% percent of the gross area of any tract proposed for R-4 District Development must be permanently preserved as open space via deed restriction from further subdivision or uses not prescribed by this ordinance with a conservation easement, unless a predetermined use can be identified during the planning phase for future public improvement or benefit.

A. Open Space Location Requirements

- (1) At least twenty-five percent (25%) of the required open space shall be located in one, contiguous primary park that meets the following standards:
 - (a) The primary park shall be located near the middle of the development and shall be easily and conveniently accessible by sidewalk or paved trail from all dwelling units in the development.
 - (b) The primary park shall be improved with either a gazebo, pavilion, pond, or paved patio area with a fountain, along with appropriate seating, to help identify

the park as the central gathering place for the development. These improvements shall be a minimum of 300 square feet in size.

(c) The primary park shall be at least fifteen thousand (15,000) square feet in size.

(d) When streets abut a primary park, the opposite side of the street from the primary park shall have building front facades facing the park rather than parking lots or detention basins.

(2) At least 40 percent of all lots (rounded up to the nearest whole number) in the development must border or be directly across the street from central open space with the front facades of homes facing the central open space.

B. Central Open Space Design Requirements

(1) When feasible, existing healthy trees and shrubs shall be preserved within central open space areas per §230-45 of the township's subdivision and land development ordinance.

(2) All portions of central open space areas, except for those areas under sidewalks, water, furnishings, and recreational structures, shall be landscaped with trees, shrubs, ground cover, or grass.

(3) Detention basins and other stormwater impounding areas, except for permanent wet ponds, may not be located in central open space areas used to meet the minimum amount of required central open space.

§265-66. Buffer Requirements. Buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

ARTICLE IX

Residential Cluster Development Overlay

§265-67. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this chapter. The intent of this Article is to establish standards and criteria which permit Cluster Development of lands in the R-A and R-1 Residential-Agriculture Districts and the R-2 Residential District. In addition, the Open Space Regulations of this Article also govern the preservation and use of Common Open Space in the R-3 and R-4 Residential Districts, Articles VII and VIII of this Chapter. Furthermore, it is the intent of this Article to:

- A. Preserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains, and wetlands, by setting them aside from development.
- B. Reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of development on steep slopes.
- C. Preserve scenic views and elements of the Township's rural character, and to minimize perceived density, by minimizing views of new development from existing roads.
- D. Provide greater design flexibility and efficiency in the siting of services and infrastructure, by reducing the road length, utility runs, and the amount of paving required for residential development.
- E. Create compact neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity.
- F. Implement the goals of the Douglass Township Open Space Plan and the Pottstown Metropolitan Regional Comprehensive Plan.
- G. To provide for the preservation and maintenance of open land within Douglass Township to achieve the above-mentioned goals and for active or passive recreational use by residents.

§265-68. Applicability. Lots proposed for residential development within the R-A and R-1 Districts or the R-2 Residential District which meet the following criteria must be submitted as a Residential Cluster Development subject to the provisions of this Article.

- A. Tract Location. When the land is located in the R-A, R-1, or R-2 Districts;
- B. Tract Size. When the gross area of the tract is equal to or greater than 20 acres at the time of the passage of this ordinance amendment;
- C. Proposed Use. When the proposed use of a tract is for the development of single-family detached homes; and
- D. Public Sewer Proximity. When any portion of the tract is within 1/3 of a mile from the nearest existing sewer line or a proposed sewer line as illustrated in the Township's Act 537 Plan.

§265-69. Permitted Uses. Any proposed development on a tract that conforms to the RCD Overlay applicability requirements as stated in §265-68 may be developed under the permitted uses of the underlying zoning district with the exception of a single-family detached housing residential use. A residential development within the RCD Overlay must be proposed as a residential cluster development meeting the following use requirements:

- A. By-Right Uses.
 - (1) Use C-2: Single Family Detached Dwellings subject to the provisions in §265-72, Density, Dimensional, and Design Standards.
 - (2) Use D-26: Short-Term Transient Lodging or Vacation Rental
 - (3) Use F-5: Parkland
- B. Accessory Uses
 - (1) Use A-1: Residential Accessory Structure
 - (2) Use A-4: Commercial Vehicle Parking.
 - (a) Special exception approval by the Zoning Hearing Board is needed to park more than one commercial vehicle.
 - (3) Use A-5: Fences and Walls
 - (4) Use A-6: Home Occupations
 - (5) Use A-7: Family Day Care Home
 - (6) Use A-10: Accessory Roof-Mounted Solar System
 - (7) Use A-12: Communications Antennae
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
 - (8) Use A-15: Swimming Pool
 - (9) Use A-16: Accessory Dwelling Unit

§265-70. Conditional Use Standards. As a conditional use, Use C-1: Country Residences may be allowed within the portion of the RCD that lies on top of the R-A and R-1 Agriculture-Residential Districts, pursuant to the Dimensional Standards in §265-72. In order to develop Country Residences, the applicant must demonstrate to the Township's satisfaction that all the following conditions are met, where applicable:

- A. It is infeasible to develop the tract in question for cluster development under the Residential Cluster District due to factors such as the size or shape of the tract or the location of natural features.

- B. The proposed development will not have a disruptive effect on the existing topography, floodplains, wetlands, mature woodlands or other natural features on the site.
- C. The proposed development shall be consistent with good design principles and land development practices. Specifically, it shall be designed to minimize views of dwellings from exterior roads, and to avoid "stripping out" of lots along those roads.
- D. The tract in question can be developed in a manner consistent with community goals as expressed in the Douglass Township Open Space Plan.

§265-71. Optional Preservation Site Plan and Establishment of Open Space Goals.

Prior to submittal of preliminary plans or sketch plans showing the location of proposed lots or roads, the applicant may request that the Township provide a Preservation Site Plan and list of Open Space Goals pursuant to the following requirements:

- A. The applicant will prepare a map(s) on a sheet(s) of at least 24" x 36", of a scale no greater than one inch equals one hundred feet indicating the general location of salient natural and built features. These features should include the following where applicable: 100-year floodplains, wetland areas or hydric soils, steep slopes, ponds and streams, riparian areas, woodlands, significant specimen trees, existing structures, scenic views into and from the subject tract, topography, hedgerows, abutting trails, preserved open space historic sites. After submittal of the site inventory and analysis the Township will respond to the applicant with a Preservation Site Plan accompanied by a list of Open Space Goals. The plan shall show the general location of open space, and the key resources that should be preserved.

§265-72. Density, Dimensional, and Design Standards. Homes proposed under the RCD Overlay must meet the specific density and dimensional standards set forth in the following subsections:

- A. Density. The following two steps shall be used to calculate density for clustered houses:
 - (1) A yield plan, showing the maximum number of homes that could be developed in accordance with the area, width, and yard requirements of the underlying zoning district, shall be prepared for the tract proposed for subdivision. This yield plan shall be equivalent to a plan submitted for regular subdivision approval; shall meet all requirements for standard single-family detached homes as outlined in the underlying zoning district, the lot area calculation and all other applicable standards of the Township's Zoning and Subdivision and Land Development Ordinances; and must be deemed acceptable by the Township Board of Supervisors and Planning Commission, in consultation with the Township Engineer.
 - (2) The number of single-family detached homes permitted under the RCD Overlay shall not exceed the number of residential homes permitted under the yield plan.
- B. Dimensional Requirements. All lots created as part of a Residential Cluster Subdivision must meet the average lot size standard below. However an individual lot may be as small as the minimum lot size in order to provide flexibility to the applicant. The following dimensional requirements shall apply:

	RCD in R-A	RCD in R-1	RCD in R-2	Country Residence (R-A & R-1)
Average lot size	22,000 sq. ft.	15,000 sq. ft.	12,000 sq. ft.	N/A
Minimum lot size	15,000 sq. ft.	12,000 sq. ft..	10,000 sq. ft.	4 acres in R-A, 2 acres in R-1
Minimum lot width	100 ft.	90 ft.	80 ft.	200 ft.
Minimum front yard	30 ft.	30 ft.	30 ft.	40 ft.
Minimum side yard	20 ft.	15 ft. 35 ft. agg.	15 ft. 35 ft. agg.	25 ft. 60 ft. fgg.
Minimum rear yard	30 ft.	30 ft.	30 ft.	40 ft.
Maximum building height	35 ft.	35 ft.	35 ft.	35 ft.
Maximum building coverage*	20% of gross lot area	20% of gross lot area	18% of gross lot area	10% of gross lot area
Maximum impervious coverage**	30%	30%	25%	15%
Minimum building setback from external semi-controlled access or scenic roads ultimate ROW	200 ft.	200 ft.	200 ft.	200 ft.
Minimum building setback from all other external road ROW	100 ft.	100 ft.	100 ft.	100 ft.
Minimum building setback from external tract boundaries	60 ft.	60 ft.	60 ft.	60 ft.
Minimum building setback from wetlands, floodplains, watercourses	25 ft.	25 ft.	25 ft.	25 ft.

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

C. Design Standards.

- (1) All setback areas along roads shall be landscaped according to the standards of the Subdivision and Land Development Ordinance. The landscape design shall preserve scenic views and integrate the development into the surrounding landscape. Berms and reforestation may be used where appropriate.
- (2) All lots in Residential Cluster Developments shall take access from interior roads rather than roads exterior to the tract.
- (3) Views of homes from exterior roads shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping pursuant to §§230-44 through 230-52 of the subdivision and land development ordinance.

- (4) When homes are visible from roads exterior to the tract, the front or side facades of the home shall face the exterior road.
- (5) When homes are located adjacent to central open space only the front of the homes may face the central open space.
- (6) No more than ten (10) residential lots may be located in a row on the same side of the street without an open space break that is a minimum width of 100 feet along the street. Open space breaks may provide access into larger areas of General Open Space.

§265-73. Common Open Space Standards. Open space shall meet all of the following standards in addition to the standards as set forth in Article I of this Ordinance (where there is a conflict the stricter standard shall apply):

A. Open space shall be deed restricted from further subdivision or uses not prescribed by this ordinance with a conservation easement, unless a predetermined use can be identified during the planning phase for future public improvement or benefit. This restriction shall be conveyed to all future property owners. Open space may include central open space according to the standards in §265-73.4, passive open space, parks and recreation, including trails, and stormwater management facilities including naturalized basins, ponds and other best management practices. The following minimum acreage of open space is required:

- (1) 60% of the gross lot acreage in the R-A District.
- (2) 45% of the gross lot acreage in the R-1 District.
- (3) 15% of the gross lot acreage in the R-2 District.

2. Open Space Design Requirements.

- (1) Open space areas will generally conform to the areas outlined in the Preservation Site Plan as detailed in §265-71, if applicable. If a Preservation Site Plan has not been created, then the applicant shall maximize the preservation of high priority natural and built features identified by the township. These areas may include features such as 100-year floodplains, wetland areas or hydric soils, steep slopes, ponds and streams, riparian areas, woodlands, significant specimen trees, existing structures, scenic views into and from the subject tract, topography, hedgerows, abutting trails, preserved open space, or historic sites.
- (2) Open space areas will maximize common boundaries with open space on neighboring tracts as part of an effort to implement the municipal and county open space and comprehensive plans.
- (3) Natural features such as woodlands, meadows and streams shall remain in their natural state, but may be modified to improve the health of the ecosystem, as recommended by experts in the particular area being modified. Permitted modifications may include:
 - (a) Reforestation.
 - (b) Woodland management.
 - (c) Meadow management.
 - (d) Buffer area landscaping.
 - (e) Stream bank protection.
 - (f) Wetlands management
- (4) Open space areas must be designed to maximize bulk and impact. Every open space shall generally have a length-to-width ratio of no greater than 4:1, and be at least 100

- feet in width, except for such lands specifically designed as central open space or as trail links with a maximum length of 200 feet.
- (5) All open space areas must be easily and conveniently accessible by sidewalk or trail from every home in the development.
 - (6) All open space lots shall have at least 100 feet of continuous frontage on an internal public street.
 - (7) At least 8 percent of the total open space must be in central open space, in accordance with § 265-73.4.

D. Central Open Space Requirements.

- (1) All central open space shall meet one or both of the following design options:
 - (a) Village Green. A large landscaped island that may serve as the major focal point and gathering area within the RCD. Each village green shall:
 - [1] be at least 20,000 square feet in size;
 - [2] be configured so that a circle with a radius of 50 feet can fit within the confines of the green; and,
 - [3] be surrounded along at least 75 percent of its perimeter by roads.
 - (b) Parkway. A landscaped median island within the cartway of a street lined on both sides with cluster lots. Each parkway shall:
 - [1] have a minimum average width of 20 feet and a length of at least 150 feet and shall be surrounded by streets on all sides.
 - [2] U-turn breaks shall be provided no more than 250 feet apart along the length of the islands to allow convenient access to homes along the parkway.
 - [3] Landscaping shall include a variety of trees and shrubs, but shall not impede sight distance at u-turn breaks and shall not hide pedestrians crossing the street.
- (2) Additional central open space standards
 - (a) All developments with 25 or more dwelling units shall contain a primary park that meets the following criteria:
 - [1] it is configured as a village green
 - [2] it is improved with either a gazebo, pavilions, or paved patio area with a fountain to help identify this park as the central gathering place for the development. This improvement shall be a minimum of 300 square feet in size.
 - [3] it is located near the middle of the development
 - [4] it is easily and conveniently accessible by sidewalk or trail from all dwelling units in the development
 - (b) At least 30 percent of all lots (rounded up to the nearest whole number) in the development must border central open space with the homes facing the central open space, and all dwelling units shall be located within 800 feet of some type of central open space.

E. Public Trail Option.

- (1) Residential Cluster Developments may include a publicly accessible trail, paved or unpaved, as a substitution for the required recreational facilities specified in §265-27 at the discretion of the Township Board of Supervisors.
 - (a) The trail must be accessible to each residence in the development by either trail extension or sidewalk.
 - (b) Trails must be constructed of macadam or cinder bases.
 - (c) If applicable, trails should link to county trails, municipal trails or abutting neighborhood trails.
 - (d) Trails should maximize the access and enjoyment of common open space within a Residential Cluster Development.

D. Maintenance and Ownership. Maintenance and ownership of common open space, facilities and public trails is pursuant to the provisions of §265-28.

§265-74. Sewage and Water Facilities. All development within the RCD Overlay shall tie into the existing public sewer and water systems and be serviced by these public systems.

§265-75. Phasing. Development under the standards of this ordinance may be phased prior to neighborhood development, in accordance with a unified development plan for the entire tract and the following requirements:

- A. An inventory and analysis of the entire tract shall be completed in accordance with §265-71.
- B. A unified development plan for the tract shall be approved as a sketch plan, and shall be made part of a binding development agreement between the applicant and the Township.
- C. The maximum density permitted within the development shall be based upon the developable acreage of the original tract as indicated by a yield plan pursuant to §265-72.A.1.
- D. Any future cluster development shall be consistent with the approved sketch plan and development agreement.

ARTICLE X

IN Institutional District

§265-76. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives of Article I of this Chapter. It is intent of the Institutional District to permit the development of land for institutional purposes. Further, it is the intent of this Article to:

- A. Ensure that institutional uses are appropriately located within the Township, in relation to population and infrastructure.
- B. Minimize any adverse impacts of institutional uses on surrounding residential areas and traffic flow and safety.

§265-77. Permitted Uses. Permitted uses are grouped into three classifications according to the minimum lot size required for each classification. Minimum lot sizes are 2, 4 or 10 acres depending on the type of use.

§265-78. Class One Permitted Uses. On lots with a minimum area of 2 acres and a minimum lot width at the building line of 200 feet, the following uses are permitted:

- A. Use G-1: Adult/Child Day Care Center
- B. Use G-6: Emergency Services
- C. Use G-7: Library or Community Center
- D. Use G-9: Place of Worship
- E. Use B-3: Community Garden

F. Use F-5: Parkland

§265-79. Class Two Permitted Uses. On lots with a minimum area of 4 acres and a minimum width at the building line of 300 feet, the following uses are permitted:

- A. All Class One Permitted Uses
- B. Use E-3: Hospital
- C. Use E-4: Medical Clinic/Office
- D. Use H-8: Sewage Treatment Plant
- E. Use B-3: Community Garden

§265-80. Class Three Permitted Uses. On lots with a minimum area of 10 acres and a minimum width at the building line of 400 feet, the following uses are permitted:

- A. All Class One and Two Permitted Uses
- B. Use G-3: Cemetery
- C. Use G-5: Educational Facility
- D. Use B-3: Community Garden

§265-81. Additional Use Regulations.

- A. The following accessory uses are permitted. Accessory uses, or buildings, as defined herein, are permitted in conjunction with the appropriate use.
 - (1) Use A-2: Non-Residential Accessory Structure
 - (2) Use A-5: Fences and Walls
 - (3) Use A-9: Accessory Roof-Mounted Solar Energy System
 - (4) Use A-12: Communications Antennae
 - (5) Use A-14: Mobile Food Vendor

§265-82. Dimensional Standards. The following table lists the minimum dimensional standards required of institutional uses in accordance with the classification of permitted uses:

	Class One	Class Two	Class Three
Minimum lot size	2 acres	4 acres	10 acres
Minimum lot width	200 ft.	300 ft.	400 ft.
Maximum building height	35 ft.^	35 ft.^	35 ft.^
Maximum impervious coverage	50%	50%	40%
Minimum building spacing	Equal to the height of the taller building, exclusive of spires, steeples, and other similar non-occupied projections		
Building setback from streets	75 ft.	75 ft.	100 ft.
Building setback from property lines	50 ft.	75 ft.	100 ft.
Parking and driveway setbacks from streets	25 ft.	50 ft.	50 ft.
Parking and driveway setbacks from property lines	25 ft.	50 ft.	75 ft.
Parking and driveway setbacks from buildings	15 ft.	15 ft.	25 ft.
Accessory building/uses setbacks from streets	50 ft.	50 ft.	75 ft.
Accessory building/uses setbacks from property lines	50 ft.	50 ft.	75 ft.
Accessory building/uses setbacks from driveways	50 ft.	50 ft.	50 ft.

^Spires, steeples or similar non-occupied, decorative and/or symbolic architectural features may be permitted up to a height of 75 feet, provided that the setback of any such structure from property lines must equal or exceed the maximum height of the structure.

- A. Driveway distances shall be measured from centerline to centerline of the street intersection. For Class One uses, the driveway distance from the intersection shall be 50 feet.
- B. When two or more uses of differing classifications are proposed for one lot or development, the larger minimum lot size and dimensional standards shall apply.

§265-83. Parking and Service Areas.

A. Parking Design Standards.

- (1) Parking areas shall be designed to discourage through traffic flow of vehicles which do not park within the area.
- (2) Not more than 10 parking spaces shall be located in an uninterrupted row. If more than 10 parking spaces are located in a row, curbed planted areas with a minimum size of 10 feet by 20 feet (10' x 20') shall be located at appropriate intervals to break up the monotonous effect and provide visual interest.

- (3) A permanent paved turnaround area large enough to accommodate passenger cars shall be provided at the closed end of any parking area with a capacity of 50 or more spaces, and which would otherwise function as a dead-end parking lot. Parking shall be prohibited within the turnaround area. Acceptable configurations include circular, "T", and "Y" shaped facilities.
- B. Service areas for loading, unloading, trash removal, etc., shall be provided when deemed necessary by the Board of Supervisors, and shall be located to the rear or side of the proposed use whichever is least objectionable, and screened from abutting residential uses.
- C. A planned, efficient system of ingress, egress and interior circulation shall be provided, and shall cause minimal interference with nearby traffic.

§265-84. Additional Controls.

- C. Lighting shall be provided in accordance with §230-66 of the township's subdivision and land development ordinance.
- D. Signs shall be permitted in compliance with Article XXIV of the township's zoning ordinance.

§265-85. Criteria for Considering Rezoning Applications. Applications for rezoning of a parcel of land to the Institutional District shall be considered by the Board of Supervisors in accordance with the following criteria:

- A. Character of Surrounding Areas. The impact of the proposed institution of the surrounding properties shall be considered. If the proposal is adjacent to a residential district, the scale of the institution shall relate to and complement the surrounding area.
- B. Sewage Disposal. All institutional uses shall be capable of being served by central sewer. A small-scale institution may be permitted to be served by an on-lot sanitary system only if deemed acceptable by the Board of Supervisors, upon recommendation of the Township Engineer, and approval of the Pennsylvania Department of Environmental Resources.
- C. Water Supply. Sufficient water must be available to accommodate all the needs of the proposed institution. If public water is not available, a non-system well will be permitted only if the applicant can demonstrate to the satisfaction of the Board of Supervisors that it would not adversely affect existing water supply systems in the area.
- D. Traffic. The existing road system must be able to accommodate the peak traffic generated by the institution in a safe and efficient manner. Existing residential areas shall not be infringed upon by significant volumes of traffic from the proposed facility. In order to fully evaluate this, the Board of Supervisors may request a traffic impact statement, as described below:
 - (1) A traffic impact study shall present enough information to enable the Township to assess the impact of the proposed institution on the roads within the Township. The study must demonstrate that the proposed use

will not adversely affect surrounding areas or traffic circulation generally in the Township; or else identify any traffic problems that might be caused or aggravated by the proposed use and delineate solutions to those problems. Based upon the findings of the study the Township may require other improvements both on-site and off-site, which would alleviate hazardous or congested situations directly attributable to the proposed development, as a condition of approval.

- (2) The traffic impact study shall be prepared for a study area extending a minimum of one mile on all abutting roads from the boundaries of the proposed institution. This area may be modified at the discretion of the Board of Supervisors.
 - (3) The traffic impact study shall be prepared by the qualified traffic engineer who possesses the credentials outline for a Municipal Traffic Engineer defined in Pennsylvania Code Chapter 612, entitled "Municipal Traffic Engineering Certification."
- E. Applications for any institutional use or modifications to any existing institutional use shall be submitted to the Township, accompanied by a plan or plans which shall include the following:
- (1) A plot plan of the lot showing the location of all present and proposed buildings, drives, parking lots, and other constructional features on the lot; and all buildings, streets, alleys, highways, stream and other topographical features of the lot and within 200 feet of any lot line.
 - (2) Architectural renderings or sketches for any proposed buildings.
 - (3) A description of the institutional operations proposed in sufficient detail to indicate the effects of these operations in producing traffic congestion noise, glare or safety hazards.
 - (4) Engineering and architectural plans for the treatment and disposal of sewage.
 - (5) Engineering and architectural plans for the handling of any excess traffic congestion, noise, glare or safety hazard.

§265-86. Buffer Requirements. Screening and softening buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

§265-87. Landscape Planting. Shade trees and other plant materials shall be provided in accordance with the §§230-44 through 230-53 of the township's subdivision and land development ordinance.

ARTICLE XI

LC Limited Commercial District

§265-88. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this

Chapter. It is hereby declared to be the intent of the LC - Limited Commercial District to establish reasonable standards that permit and control limited commercial and office uses in the Township. Furthermore, it is the intent of this Article to:

- A. Encourage commercial and office uses which do not attract large volumes of traffic and continuous customer turnover.
- B. Limit and discourage development of strip-type, highway-oriented commercial uses which create traffic hazards and congestion because they require numerous, individual curb cuts and generate higher traffic volumes.
- C. Permit uses which promote conversion of existing buildings in a manner which maintains the visual character and architectural scale of existing development within the district.
- D. Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the district.
- E. Encourage consolidation of curb cuts for vehicular access and promote more efficient and economical parking facilities.
- F. Encourage uses which minimize noise and congestion.

§265-89. Permitted Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses

- (1) Use C-3: Single Family Attached Dwelling (Townhouse)
- (2) Use C-4: Single Family Semi-Detached Dwelling (Twin)
- (3) Use C-5: Two Family Detached Dwelling (Duplex)
- (4) Use C-7: Multifamily Development
- (5) Use D-8: Convenience Store
- (6) Use D-17: Mixed Use
- (7) Use D-20: Personal Service/Care
- (8) Use D-22: Restaurant, Dine In
- (9) Use D-23: Restaurant, Take Out
- (10) Use D-24: Retail Establishment
- (11) Use D-27: Studio
- (12) Use E-1: Animal Care

(13) Use E-2: Business/Professional Office

(14) Use F-5: Parkland

B. Special Exception Uses

(1) Use C-8: Multifamily Conversion

(2) Use D-7: Club/Lodge

(3) Use D-11: Funeral Home

(4) Use D-21: Repair Services

(5) Use G-1: Adult/Child Day Care Center

C. Accessory Uses

(1) Use A-1: Residential Accessory Structure

(2) Use A-2: Nonresidential Accessory Structure

(3) Use A-5: Fences and Walls

(4) Use A-6: Home Occupations

(5) Use A-7: Family Day Care Home

(6) Use A-9: Accessory Roof-Mounted Solar Energy System

(7) Use A-11: Outdoor Dining

(8) Use A-12: Communications Antennae

[1] Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.

(9) Use A-14: Mobile Food Vendor

§265-90. Standards and Criteria for Special Exceptions and Conditional Uses.

The Zoning Hearing Board may authorize a use as a special exception or the Board of Supervisors may approve a use as a conditional use if it conforms with the following standards and criteria:

- A. The proposed use will not attract large volumes of vehicular traffic, nor require more than one curb cut for vehicular access.
- B. The proposed use is of a similar architectural scale to existing development in the district, or will utilize an existing building for its purposes.

- C. Minimum visual and functional conflict will be created between the proposed use and nearby uses.
- D. The proposed use will share an access driveway and/or parking with another abutting use, or is designed to permit such sharing when and if it becomes feasible.
- E. Anticipated noise and congestion created by the use will be comparable to the levels created by the uses permitted in § 265-89 of this Article.
- F. The use shall not require servicing or deliveries of materials, stocks, or supplies by trucks having more than two axles.
- G. Authorization of a special exception for use of a lot between 50 and 60 feet in width shall be granted only to uses which will be located in an existing building, and which otherwise comply with the requirements of this district.

§265-91. Dimensional Standards. The following dimensional standards shall apply to uses in the LC District.

LC Dimensional Standards	
Minimum lot area	7,500 sq. ft. 3,000 sq. ft per dwelling unit if more than one building per lot
Minimum lot width at the building setback line	60 ft.
Minimum front yard setback	10 ft. from the ultimate right-of-way. Corner lots: equal to the front yard of the adjacent building on each street frontage or 25 ft., whichever is greater. Front yards are required on each street for corner lots.
Maximum front yard setback	25 ft.
Minimum side yard setback	20 ft. agg. 8 ft. min.
Minimum accessory use setback from rear or side property line	5 ft.; Accessory uses are not permitted in the front yard.
Minimum rear yard	20 ft.
Maximum building length	100 ft. measured parallel to exterior building walls
Maximum size of an individual commercial or office building use	30,000 sq. ft.
Maximum building height	40 ft. (3 stories)
Minimum distance between buildings	16 ft.
Maximum building coverage*	40%
Maximum impervious coverage**	80%
Minimum landscaped area	20% of the lot
Maximum residential density	6 dwelling units/acre

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways,

walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

§265-92. Parking and Vehicular Access Design Standards.

A. All parking spaces shall be:

- (1) Located behind the building setback line or 25 feet from the ultimate right-of-way of streets, whichever is greater.
- (2) Setback a minimum of 10 feet from the edge of paving of alleys.
- (3) Setback a minimum of 8 feet from all buildings.
- (4) Setback a minimum of 25 feet from the boundary line of a residential zoning district.
- (5) Setback a minimum of 5 feet from property lines, except that parking shared by the uses located on two or more adjacent lots may extend to and over the boundary line of the lots it serves subject to a shared parking access and maintenance agreement or easement between the lots be provided.

B. The following setbacks from intersections shall apply for all access driveways where feasible, measured between centerlines:

(1) Semi-controlled access roads: 75 feet.

(2) Other roads: 50 feet.

C. Each use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting lots zoned Limited Commercial, unless all possible interconnections between two abutting lots must cross twenty linear feet or more of wetlands, floodplain, or natural slopes of 15% or more. Parking areas on adjacent lots shall be directly connected by a driveway.

- (1) Liability safeguards for all property owners and lessees served by the common parking areas and/or accessways shall be guaranteed to the satisfaction of the Township Solicitor.

D. All required parking shall be paved in accordance with the Township's Subdivision and Land Development Ordinance.

E. No parking is permitted within the front yard area.

§265-93. Standards for Conversions. Any proposal which constitutes a conversion under the provisions of this Chapter shall comply with all the regulations contained herein, as if it were a proposal for new development. Exceptions to this requirement may be made by the Township Supervisors only for major existing conditions which cannot reasonably be expected to be brought into compliance, including but not limited to existing buildings.

§265-94. Sewer and Water Facilities. All new development and conversions shall be served by public sewer facilities; public water service shall be provided where it is available.

§265-95. Other Development Regulations.

- A. Utilities. All utility lines (electrical, telephone, etc.) shall be placed underground, whenever feasible.
- B. Signs. All signs shall comply with Article XXIV of this chapter.
- C. Lighting. Lighting shall be provided in accordance with §230-65 of the township's subdivision and land development ordinance.
- D. Landscape Planting. Shade trees and other plant materials satisfactory to the Board of Supervisors shall be provided along the street frontage occupied by developments in the Limited Commercial District, in other non-paved areas of the site, and within traffic-barrier islands installed in the parking lot, in compliance with §230-48 of the Township's subdivision and land development ordinance. No shrubs shall be used that will interfere with drivers' sight distances at driveway intersections.
- E. Trash and Refuse Area. Trash and refuse shall either be stored inside the building or within an opaque screened area, which shall be at least 6 feet high. All outdoor trash disposal areas shall be set back at least twenty-five feet from residential property lines.
- F. Service Areas. Loading and unloading areas shall be provided which do not conflict with pedestrian or vehicular movement. All loading areas and loading docks shall be located to the sides and rears of buildings. Loading docks shall not be visible from public streets. All loading areas and loading docks shall be set back at least twenty-five feet from residential property lines.
- G. Sidewalks. Sidewalks and curbing shall be provided in accordance with Douglass Township's subdivision and land development ordinance.
 - (1) Sidewalks are required to connect the road frontage sidewalks to all front building entrances, parking areas, central open space, and any other destination that generates pedestrian traffic.
 - (2) Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops.

§265-96. Buffer Requirements. Buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

§265-97. Building Design Standards. All buildings shall meet the following requirements.

- A. In mixed-use buildings, a commercial/retail use is required along the primary frontage of all buildings in the Limited Commercial district for a minimum depth of 40 feet.

- B. Building orientation and entrance. Front facades shall be oriented towards the street, with a public entrance in this front façade. When buildings are located on corners, the entrance may be located on the corner with an appropriate building articulation, such as a chamfered corner, turret, canopy, or other similar building feature.
- C. Walls and Windows. Blank walls shall not be permitted along any exterior wall facing a street. Exterior walls in these locations shall meet the following criteria:
- (1) Such walls shall have architectural treatments that are the same as the front facade, including consistent style, materials, colors, and details.
 - (2) Windows. The ground floor of any wall facing a street shall contain windows in accordance with the following requirements:
 - (a) The ground floor front facades of retail commercial uses, personal service businesses, and restaurants shall consist of at least 35% window area, but not more than 75% window area, with views provided through these windows into the business.
 - (b) All other ground floor walls facing a street shall contain at least 25% window area but not more than 75% window area, with views provided through these windows into the business.
 - (3) Dark tinted glass or reflective glass in windows is prohibited.
 - (4) Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall. Non-residential buildings must have at least a 3-foot off-set in all facades or roofs for every 40 feet of continuous façade. Such off-sets may be met through the use of bay windows, porches, porticos, building extensions, towers, bays, gables, dormers, steeples, and other architectural treatments.
 - (5) Front porches shall not be completely enclosed.

D. Roofs

- (1) All buildings shall have pitched roofs covering at least 80% of the building with a pitch of at least 6 vertical inches to every 12 horizontal.
- (2) Pitched roofs shall provide overhanging eaves that extend a minimum of one foot beyond the building wall.

ARTICLE XII

GC General Commercial District

§265-98. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of this Article to allow the Gilbertsville Commercial Core

Area to function as the commercial center of the Township. Further, it is the intent of this Article to:

- A. Provide the broadest range of commercial use in the Township.
- B. Encourage sensitive development of new commercial uses that are compatible with existing development in the Gilbertsville Core Area.
- C. Control reuse and/or conversions of existing properties within the district in an appropriate manner.
- D. Provide regulations to minimize conflicts between commercial uses and abutting residential uses.
- E. Regulate access to minimize traffic congestion and hazards.
- F. Regulate parking to provide sufficient capacity and encourage well-designed and functional parking areas.
- G. Encourage highway oriented uses which attract large volumes of traffic and continuous customer turnover to be located in shopping centers as satellite uses.
- H. Serve the needs of the Township's growing population.

§265-99. Use Regulations. Permitted uses are grouped into five classifications according to the minimum lot size required for each classification. Minimum lot sizes vary from 7,500 square feet to 5 acres as stipulated further in this Article.

§265-100. Class One Permitted Uses. On lots with a minimum area of 7,500 square feet but less than 10,000 square feet, a building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

- A. By-Right Uses
 - (1) Use D-8: Convenience Store
 - (2) Use D-15: Marijuana Dispensary
 - (3) Use D-20: Personal Service/Care
 - (4) Use D-22: Restaurant, Dine In
 - (5) Use D-23: Restaurant, Take Out
 - (6) Use D-24: Retail Establishment
 - (7) Use D-28: Tavern/Bar
 - (8) Use D-27: Studio

(9) Use E-2: Business/Professional Office

(10) Use F-5: Parkland

B. Special Exception Uses

(1) Use G-1: Adult/Child Day Care Center

C. Accessory Uses

(1) Use A-2: Nonresidential Accessory Structure

(2) Use A-5: Fences and Walls

(3) Use A-9: Accessory Roof-Mounted Solar Energy System

(4) Use A-11: Outdoor Dining

(5) Use A-12: Communications Antennae

(a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.

(6) Use A-14: Mobile Food Vendor

§265-101. Class Two Permitted Uses. On lots with a minimum area of 10,000 square feet and a minimum width at the building line of 75 feet, a building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses

(1) Use D-4: Bank/Financial Institution

(2) Use D-8: Convenience Store

(3) Use D-10: Farmers Market

(4) Use D-15: Marijuana Dispensary

(5) Use D-16: Microbrewery/Microdistillery/Microwinery

(6) Use D-20: Personal Service/Care

(7) Use D-21: Repair Services

(8) Use D-22: Restaurant, Dine In

(9) Use D-23: Restaurant, Take Out

- (10) Use D-24: Retail Establishment
- (11) Use D-27: Studio
- (12) Use D-28: Tavern/Bar
- (13) Use D-29: Supermarket/Grocery Store
- (14) Use E-2: Business/Professional Office
- (15) Use F-5: Parkland

B. Special Exception Uses

- (1) Use D-1: Adult Use

C. Accessory Uses

- (1) Use A-2: Nonresidential Accessory Structure
- (2) Use A-5: Fences and Walls
- (3) Use A-9: Accessory Roof-Mounted Solar Energy System
- (4) Use A-11: Outdoor Dining
- (5) Use A-12: Communications Antennae
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
- (6) Use A-14: Mobile Food Vendor

§265-102. Class Three Permitted Uses. One lots with a minimum area of 25,000 square feet and a minimum width at the building line of 125 feet, a building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses

- (1) Use D-2: Automobile Sales and Rental
- (2) Use D-4: Bank/Financial Institution
- (3) Use D-6: Car Wash
- (4) Use D-8: Convenience Store
- (5) Use D-10: Farmers Market

- (6) Use D-14: Laundry(Self-Service)
- (7) Use D-15: Marijuana Dispensary
- (8) Use D-16: Microbrewery/Microdistillery/Microwinery
- (9) Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House)
- (10) Use D-22: Restaurant, Dine In
- (11) Use D-23: Restaurant, Take Out
- (12) Use D-24: Retail Establishment
- (13) Use D-27: Studio
- (14) Use D-28: Tavern/Bar
- (15) Use D-29: Supermarket/Grocery Store
- (16) Use E-2: Business/Professional Office
- (17) Use F-2: Indoor Recreation/Amusement
- (18) Use F-5: Parkland

B. Special Exception Uses

- (1) Use D-1: Adult Use
- (2) Use D-12: Fuel Service Station

C. Accessory Uses

- (1) Use A-2: Nonresidential Accessory Structure
- (2) Use A-5: Fences and Walls
- (3) Use A-9: Accessory Roof-Mounted Solar Energy System
- (4) Use A-11: Outdoor Dining
- (5) Use A-12: Communications Antennae
 - (a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.
- (6) Use A-13: Drive-Through Facility

(7) Use A-14: Mobile Food Vendor

§265-103. Class Four Permitted Uses. On lots with a minimum area of 2 acres and a minimum width at the building line of 175 feet, a building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses

- (1) Use D-2: Automobile Sales and Rental
- (2) Use D-4: Bank/Financial Institution
- (3) Use D-6: Car Wash
- (4) Use D-8: Convenience Store
- (5) Use D-10: Farmers' Market
- (6) Use D-14: Laundry(Self-Service)
- (7) Use D-15: Marijuana Dispensary
- (8) Use D-16: Microbrewery/Microdistillery/Microwinery
- (9) Use D-18: Overnight Lodging(Hotel, Motel, Tourist Home, Rooming House)
- (10) Use D-19: Parking Structure
- (11) Use D-20: Personal Service/Care
- (12) Use D-21: Repair Services
- (13) Use D-22: Restaurant, Dine In
- (14) Use D-23: Restaurant, Take Out
- (15) Use D-24: Retail Establishment
- (16) Use D-27: Studio
- (17) Use D-28: Tavern/Bar
- (18) Use D-29: Supermarket/Grocery Store
- (19) Use E-2: Business/Professional Office
- (20) Use F-2: Indoor Recreation/Amusement
- (21) Use F-3: Outdoor Recreation/Amusement

(22) Use F-4: Theater

(23) Use F-5: Parkland

B. Special Exception Uses

(1) Use D-1: Adult Use

(2) Use D-12: Fuel Service Station

C. Accessory Uses

(1) Use A-2: Nonresidential Accessory Structure

(2) Use A-5: Fences and Walls

(3) Use A-9: Accessory Roof-Mounted Solar Energy System

(4) Use A-11: Outdoor Dining

(5) A-12: Communications Antennae

(a) Special exception approval by the Zoning Hearing Board is needed if antennae are more than 15 feet higher than the structure on which they are mounted, or if not mounted on an existing structure.

(7) Use A-13: Drive-Through Facility

(8) Use A-14: Mobile Food Vendor

§265-104. Class Five Permitted Uses. On lots with a minimum area of 5 acres and a minimum width at the building line of 350 feet, a building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes:

A. By-Right Uses

(1) Use D-25: Shopping Center

(2) Use F-5: Parkland

B. Satellite Uses for Use D-25: Shopping Center

(1) Use D-2: Automobile Sales and Rental

(2) Use D-4: Bank/Financial Institution

(3) Use D-12: Fuel Service Station

(4) Use F-4: Theater

- (5) Use D-6: Car Wash
- (6) Use D-8: Convenience Store
- (7) Use D-10: Farmers' Market
- (8) Use D-14: Laundry(Self-Service)
- (9) Use D-15: Marijuana Dispensary
- (10) Use D-16: Microbrewer/Microdistillery/Microwinery
- (11) Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House)
- (12) Use D-19: Parking Structure
- (13) Use D-20: Personal Service/Care
- (14) Use D-21: Repair Services
- (15) Use D-22: Restaurant, Dine In
- (16) Use D-23: Restaurant, Take Out
- (17) Use D-24: Retail Establishment
- (18) Use D-27: Studio
- (19) Use D-28: Tavern/Bar
- (20) Use D-29: Supermarket/Grocery Store
- (21) Use E-2: Business/Professional Office
- (22) Use F-2: Indoor Recreation/Amusement

§265-105. Dimensional Standards for Class One Through Four Permitted Uses.

- A. The following dimensional standards shall apply to all development or use of lots between 7,500 and 10,000 square feet in area:

GC Dimensional Requirements for Lots Between 7,500 and 10,000 sq. ft.	
Minimum lot area	7,500 sq. ft., 3,000 sq. ft. per dwelling unit if more than one building per lot.
Minimum lot width at the building setback line	60 ft.
Minimum front yard setback	10 ft. from the ultimate right-of-way or no less than the smaller of the front yards of the two buildings immediately adjacent on either side of the proposed use, whichever is greater. Corner lots: equal to the front yard of the adjacent building on each street frontage or 25 ft., whichever is greater. Front yards are required on each street for corner lots.
Minimum side yard setback	8 ft.
Minimum accessory use setback from rear or side property line	5 ft.; Accessory uses are not permitted in the front yard.
Minimum rear yard	20 ft.
Maximum building length	100 ft. measured parallel to exterior building walls
Maximum size of an individual commercial or office building use	30,000 sq. ft.
Maximum building height	40 ft. (3 stories)
Minimum distance between buildings	16 ft.
Maximum building coverage*	40%
Maximum impervious coverage**	80%
Minimum landscaped area	20% of the lot

- B. For lots with an area greater than 10,000 square feet, but less than 5 acres, the following standards shall apply regardless of the type of use proposed:

	Class Two Uses	Class Three Uses	Class Four Uses
Lot size	Between 10,000 and 25,000 sq. ft.	Between 25,000 sq. ft. and 2 acres	Between 2 and 5 acres
Minimum front yard	15 ft. for buildings up to 15 ft. in height, 25 ft. for buildings exceeding 15 ft. in height	25 ft. for buildings up to 15 ft. in height or 35 ft. for buildings exceeding 15 ft. in height	100 ft.
Minimum side yard	25 ft. (one side)	25 ft. (one side)	20 ft.
Minimum rear yard	15 ft.	15 ft.	75 ft.
Maximum building height	40 ft.	40 ft.	40 ft.
Maximum building coverage	35%	30%	30%
Minimum landscaped area	20%	20%	20%
Maximum building length	100 ft.	150 ft.	300 ft.
Maximum individual building size for commercial and office use	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.

§265-106. Dimensional Standards for Class Five Permitted Uses. All Class Five permitted uses and any other development on lots of 5 acres or larger must comply with the dimensional standards of this section, as listed below:

Dimensional Standards for Class 5 Uses	
Minimum setbacks from street ultimate right-of-way when:	
primary building's width exceeds its depth	200 ft.
primary building's depth exceeds its width	100 ft.
primary building's width and depth are equal or cannot be compared because of building's shape	150 ft.
there are satellite buildings or accessory outdoor sales and storage areas, not including automobile sales and rental	75 ft.
from abutting residential or institutional use or district	75 ft.
from abutting commercial or industrial use or district	30 ft.
Maximum individual building size for commercial and office uses	30,000 sq. ft.
Minimum parking and service area setback from street ultimate right-of-way	20 ft.
Maximum building coverage	30%
Minimum vegetative coverage	20%
Minimum parking and service area setback from abutting residential or institutional use or district	40 ft.
Minimum parking and service area setback from abutting commercial or industrial use or district	20 ft.

§265-107. Satellite Use Regulations. Satellite uses may be proposed in the initial shopping center plan approval process, or be added to the shopping center following initial plan approval in compliance with the following regulations:

- A. The permitted number of satellite uses shall be determined by multiplying the tract size in acres by .40. However, in no case shall be maximum number of satellite uses exceed five regardless of the tract size.
- B. Not more than 10 percent of the total allowable building coverage for shopping centers shall be devoted to satellite uses.
- C. Total building coverage of the shopping center, including satellite uses, shall not exceed the maximum coverage permitted by § 265-106 of this Chapter (30 percent).
- D. Access to parking and service areas intended for satellite uses shall be taken only from driveways within the shopping center, and shall not connect directly to an abutting street.
- E. Parking and service areas intended for satellite uses shall be separated from primary shopping center parking area by landscaped barrier islands to direct and control traffic flow. Such landscaped islands shall adhere to the applicable regulations of the Township's subdivision and land development ordinance.

§265-108. Vehicular Access Standards. The following regulations shall pertain to all lots to be developed in the General Commercial District, and shall govern lots to be redeveloped in the district to the maximum extent possible:

- A. Number and Spacing of Driveways. The following table shall govern the number of access driveways permitted and the minimum driveway spacing requirements:

	Lot Widths at the Building Line	
	For lots less than 150 ft. wide at the ultimate right-of-way	For lots more than 150 ft. wide at the ultimate right-of-way
Maximum number of driveways	1	2
Minimum distance from property line to driveway centerline	0 ft. (shared)	0 ft.
Minimum distance from ultimate right-of-way of street intersection to driveway centerline	50 ft.	75 ft.
Minimum spacing between driveway centerlines on one lot	N/A	75 ft.

- B. Access to Corner Lots. The Township Board of Supervisors may prohibit access to and/or from one of the streets abutting a corner lot if access to that street would:
- (1) Create a traffic hazard because of high traffic volume, congestion, limited sight distance or the sharpness of a curve or curves in the road; or
 - (2) unduly impact existing residential development.
- C. Driveway Specifications. Vehicular access driveways leading onto a public street shall be built to the dimensional requirements specified in the Douglass Township subdivision and land development ordinance.
- D. Shared Access. Each use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting lots zoned Limited Commercial, unless all possible interconnections between two abutting lots must cross twenty linear feet or more of wetlands, floodplain, or natural slopes of 15% or more. Parking areas on adjacent lots shall be directly connected by a driveway. The following regulations apply to shared access driveways:
- (1) Liability safeguards for all property owners and lessees served by the shared facilities shall be guaranteed to the satisfaction of the Supervisors upon recommendation of the Township Solicitor.

§265-109. Lot Line Developments. If a building is proposed to be constructed on the lot line with only one side yard it is required to conform to the following provisions:

- A. Building walls situated on lot lines shall not contain windows, doors or other openings, and shall be designed and constructed in a manner which shall minimize fire hazards and the need for maintenance.
- B. The roof shall not be drained toward a wall situated on a lot line.
- C. No building wall shall be placed on a side lot line, unless access is provided onto the abutting property to allow for inspection, maintenance and repair of the building wall and foundation. Provision for access shall be guaranteed by irrevocable easement or other legal mechanism to the satisfaction of the Supervisors upon recommendation of the Township Solicitor.
- D. Structures on abutting lots may be built along their common lot line creating a party wall between the abutting uses.

§265-110. General Regulations. The following general regulations shall apply to any development proposal within the General Commercial District:

- A. Ownership. The tract of land shall be in single ownership, or ownership shall be such that the tract will be developed under a single direction in accordance with an approved plan.
- B. Development Plan. The application for development shall be accompanied by:
 - (1) Plan or plans showing detailed use of the entire tract, which shall:
 - (a) comply with the Douglass Township subdivision and land development ordinance.
 - (b) comply with all other applicable ordinances.
 - (3) The plan shall clearly designate the proposed use(s) of each area of the tract.
- C. Development Stages and Permits. The development of the tract may be carried out in either a single phase or in stages. If carried out in stages the development shall be in accordance with a development agreement which shall:
 - (1) Be binding to the overall tract and its development.
 - (2) Be recorded with the final plan.
 - (3) Be acceptable to the Township Solicitor and governing body.
- D. Other Development Regulations.
 - (1) Utilities. All utility lines (electrical, telephone, etc.) shall be placed underground.
 - (2) Landscape Planting. Shade trees and other plant materials satisfactory to the Board of Supervisors shall be provided along the street frontage occupied by developments in the General Commercial District, in other non-paved areas of the site, and within traffic-barrier islands installed in

the parking lot, in compliance with §§230-46 and 230-48 of the Township's subdivision and land development ordinance. No shrubs shall be used that will interfere with driver's sight distances at driveway intersections.

- (3) Trash and Refuse Area. Trash and refuse shall either be stored inside the building or within an opaque screened area, which shall be at least 6 feet high.
- (4) Service Area. Loading and unloading areas shall be provided which do not conflict with pedestrian or vehicular movement. Loading docks, utility meters, HVAC equipment, trash dumpsters, and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

§265-111. Sewer and Water Facilities. All development in the General Commercial District shall be served by public sewer and water facilities.

§265-112. Buffer Requirements. Buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

§265-113. Design Standards.

A. Building Design Standards. All buildings shall meet the following standards:

- (1) Rear and side facades shall be of finished quality and shall be of color and materials that are similar to the front facade and blend with structures within the development as well as with structures in the surrounding area. Any property with more than one building on the site shall have a common and coherent architectural theme throughout the development.
- (2) Building facades must be interrupted at least once within every one hundred (100) horizontal feet, with offsets of four (4) or more feet in depth along any building facade facing a public street or public parking. Offsets shall be continuous from grade to the roofline.
- (3) Building facades of two hundred (200) feet or more which face public streets or public parking shall, in addition to offsets, include other design elements to break up the façade, such as awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, or planted trellises.
- (4) Principal buildings shall have clearly defined, highly visible customer entrances with features such as canopies, porticoes, arches, and integral planters that incorporate landscaped areas and/ or areas for sitting.
- (5) Rooflines shall be varied to add visual interest, to reduce the scale of larger buildings, and to create consistency with buildings in the surrounding area.

(6) All shopping centers and other retail establishments with 100,000 square feet or more in gross floor area shall meet the following additional requirements:

- (a) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length. To qualify for this requirement, display windows shall begin between 12 to 24 inches above ground level and shall end between 78 inches and 108 inches above ground level.
- (b) Large buildings and shopping centers shall have clearly defined, highly visible customer entrances for primary buildings featuring no less than three (3) of the following: canopies or porticoes; overhangs; recesses/ projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; or display windows.
- (c) Storefront landscaping shall be provided between the foundations of buildings and driveways/parking areas. A minimum of 25 percent of the area between the building foundation and driveways/parking areas shall be landscaped in accordance with §230-48 of the township's subdivision and land development ordinance.
- (d) All sides of shopping centers and retail establishments with 50,000 square feet or more of floor area that directly face an abutting public street shall feature at least one (1) customer entrance. This requirement can be met for two sides of a shopping center or large retail establishment by a corner entrance that is visible from both sides.

B. Common Use Area. Shopping centers or large retail establishments of 100,000 square feet or more of gross building floor area shall contain a common use area that will serve as a focal point for the center and provide walkways, seating, and landscaping. Water features, courtyards, mini-parks and plazas are encouraged. The common use area shall meet the following requirements:

- (1) It shall generally be located between the street and the front facade of the primary shopping center or large retail establishment building, within 200 feet of this building.
- (2) It shall be equal to or greater in size than five (5) percent of the gross floor area of the shopping center or large retail establishment.
- (3) It shall be directly connected to the sidewalk in front of the shopping center or large retail establishment, without intervening driveways or streets.

- (4) It shall consist of one contiguous area, and the shape and location of the common use area shall be approved by the Board of Supervisors in consultation with the Township Planning Agency.
- (5) It shall be improved with either a gazebo, pavilion, clock tower, or paved patio area with a fountain to help identify this area as the central gathering place for the development. This improvement shall be a minimum of 300 square feet in size.
- (6) It shall contain shade trees, ornamental plantings, and seating; it may also contain outdoor dining areas.

C. Parking Design Standards.

- (1) For Class One Permitted Uses, the Design Standards of §265-92 of this Chapter shall apply.
- (2) For Class Two, Three, and Four Permitted Uses, entrance, exit and internal circulation driveways shall be separated from parking aisle driveways, when feasible and deemed necessary by the Board of Supervisors, upon recommendation of the Township Planning Agency and Engineer.
- (3) For Class Five Permitted Uses, entrance, exit and internal circulation driveways shall be separated from parking aisle driveways.
- (4) Parking aisle driveways shall provide immediate access to parking spaces, and are intended to provide through traffic flow mainly as a convenience to parkers. For Class One through Four Permitted Uses, parking aisle driveways may serve a multiple role by accommodating entrance, exit and internal circulation movements, when approved by the Board of Supervisors, upon recommendation of the Township Planning Agency and Engineer.
- (5) Where through traffic flow is not feasible, a permanent paved turnaround area large enough to accommodate passenger cars shall be provided at the closed end of any parking area with a capacity of 30 or more spaces, and which otherwise function as a dead-end parking lot. Parking shall be prohibited within the turnaround area. Acceptable configurations include circular, "T" and "Y" shape facilities.
- (6) Not more than 10 parking spaces shall be located in an uninterrupted row. If more than 10 parking spaces are located in a row, curbed planted areas with a minimum size of 10 feet by 20 feet (10' x 20') shall be located at appropriate intervals to break up the monotonous effect and provide visual interest.

D. Pedestrian Circulation Design Standards.

- (1) There shall be clear grade separated pedestrian connections between all parking areas and all buildings.

- (2) Continuous internal pedestrian walkways, no less than 5 feet in width, shall provide a direct link from the public sidewalk or street right-of-way to the principal customer entrance of all principal retail establishments on the site. Walkways shall also connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points.
- (3) Unobstructed sidewalks, no less than 6 feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Along facades with building entrances, the required 6-foot wide sidewalk area shall be set back from the façade by a 3-foot area that either contains planting beds or additional sidewalk width.
- (4) All internal pedestrian walkways and crosswalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort.

ARTICLE XIII

M-1 Light Industrial District

§265-114. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of this Article to provide for non-polluting light industry, research and development, and office uses. Furthermore, it is the intent of this Article to:

- A. Take advantage of the highway access and visibility from Route 100.
- B. Provide employment centers in close proximity to existing and future higher density residential development to reduce commuting distance for the workforce.
- C. Prohibit polluting or noxious uses by providing strict industrial performance standards.
- D. Establish standards which encourage integrated development of industrial parks.
- E. Provide for flexible lotting practices which permit a diversity of development types and sizes.
- F. Ensure that residential and institutional development will be buffered against industrial encroachment.

§265-115. Permitted Uses. In the M-1 Office and Industrial District, A building or group of buildings may be erected, altered or used, and a lot may be used or occupied for any of the following uses and no other:

- A. By-Right Uses.

- (1) Use E-2: Business/Professional Office
- (2) Use E-5: Research Facility
- (3) Use H-1: Artisan Manufacturing
- (4) Use H-2: Data Center
- (5) Use H-5: Light Manufacturing
- (6) Use H-10: Contractor Service
- (7) Use D-2: Automobile Sales and Rental
- (8) Use D-15: Marijuana Dispensary
- (9) Use D-16: Microbrewery/Microdistillery/Microwinery
- (10) Use F-5: Parkland

B. Special Exception Uses. The following uses are permitted when authorized as a special exception by the Zoning Hearing Board:

- (1) Use A-10: Accessory Ground-Mounted Renewable Energy System (special exception approval needed for accessory ground-mounted wind energy systems)
- (2) Use H-3: Heliport (personal use only)

C. Conditional Uses. The following uses are permitted only upon the issuance of a conditional use approval by the Township Board of Supervisors:

- (1) Use D-3: Automobile Repairs and Service
- (2) Use B-3: Community Garden
- (3) Use H-9: Warehouse/Storage Facility

D. Accessory Uses. The following accessory uses are permitted by-right on the same lot and customarily incidental to any of the above permitted uses, which may include:

- (1) Use A-2: Non-Residential Accessory Structure
- (2) Use A-5: Fences and Walls
- (3) Use A-8: Outdoor Storage/Display
- (4) Use A-9: Accessory Roof-Mounted Solar Energy System

- (5) Use A-10: Accessory Ground-Mounted Renewable Energy System (ground-mounted solar energy systems permitted by-right)
- (6) Use A-12: Communications Antennae
- (7) Use A-14: Mobile Food Vendor
- (8) Use D-22: Restaurant, Dine-In

§265-116. Performance Standards. Notwithstanding the applicable laws and regulations of the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Protection, the following performance standards shall be used by the Board of Supervisors, Township Planning Agency and Township Engineer in determining the suitability and possible hazardous impacts of a proposed use within the M-1 Office and Light Industrial District.

A. In determining whether a proposed use is or may become noxious, hazardous or offensive, the following standards shall apply. The proposed use shall not:

- (1) Constitute a nuisance or cause damage to health or property by reason of dissemination of noxious, toxic, or corrosive fumes, smoke, odor, or dust in the immediate surrounding area, or beyond the district boundary line.
- (2) Result in noise or vibration clearly exceeding the average intensity of noise or vibration occurring from other causes, measured at the property line.
- (3) Endanger surrounding areas by reason of radiation, fire or explosion.
- (4) Produce objectionable heat or glare beyond the property line.
- (5) Result in off-lot electrical disturbance or adversely affect the operation of equipment other than on the property on which the disturbance is located.
- (6) Require storage of materials and supplies outside the building, except in permanent containment structures or a fenced area that meets the requirements of Use A-8: Outdoor Storage/Display.
- (7) Discharge any untreated or incompletely treated sewage or industrial waste into any stream or otherwise contribute to the pollution of surface or underground waters.
- (8) Dump or store waste products, scrap or similar materials outside the building, except in a properly designed and screened pick up area served by frequent, periodic removal.
- (9) Endanger the underground water level or supply for other properties.
- (10) Create an objectionable traffic condition on the highway or in an adjacent area; or generate a nuisance to surrounding property by reason of traffic.

- (11) Create any other objectionable condition in an adjoining area which will endanger public health and safety or be detrimental to the environmental quality of the surrounding area.

B. The applicant shall demonstrate to the Township Engineer and the Township Planning Agency that:

- (1) The proposed use(s) will comply with the standards contained in §265-116.A, herein.
- (2) Adequate provisions will be made to reduce and minimize any objectionable elements to the degree necessary to ensure that the proposed use(s) will not be noxious, hazardous or offensive as defined in §265-116.A, herein.
- (3) The Township Engineer or Planning Agency may require, in order to determine that adequate safeguards are provided, that:
 - (a) the applicant submit necessary information, impartial expert judgments, and written assurances.
 - (b) the applicant obtain the advice of appropriate local, state, and federal agencies and of private consultants.
 - (c) the applicant's proposed use(s) comply with such tests or provide such safeguards as are deemed necessary by the Board of Supervisors, upon the advice of the Township Engineer.

§265-117. Dimensional Standards. The following tables contain the two categories of dimensional standards applicable to the M-1 District:

Dimensional Standards	Standard Subdivision or Development of Tracts of Less than 25 Acres	Integrated Industrial Park Development Containing a Minimum of 3 Uses on a Total Tract of 25 Acres or More
Minimum Lot size	4 acres	2 acre min., 4 acre average lot
Minimum Lot Width at Building Line	250 ft.	200 ft.
Maximum Building Coverage	45%	45%
Maximum Impervious Coverage	70%	70%
Minimum Landscaped Area	30%	30%
Maximum Building Height	50 ft.	50 ft.
Minimum Distance Between Buildings on a Lot	25 ft.	25 ft.
Maximum Driveway Width (not divided by medial island)	30 ft.	30 ft.
Maximum Driveway Width (divided by median island)	45 ft.	45 ft.
Minimum Building Setback Measured From:		
Ultimate Right-of-Way	75 ft.	50 ft.
Abutting Residential or Institutional Zoning District Boundary Line	100 ft.	100 ft.
Abutting Commercial or Industrial Zoning District	50 ft.	35 ft.
Any Other Property Line Not Abutting a Zoning District Boundary or Street	35 ft.	25 ft.
Minimum Driveway, Parking, Loading Setback Measured From:		
Ultimate Right-of-Way: Parking or Parallel Drive	20 ft.	20 ft.
Ultimate Right-of-Way: Loading	100 ft.	100 ft.
Abutting Residential or Institutional Zoning District Boundary Line	50 ft.	25 ft.
Abutting Commercial or Industrial Zoning District	25 ft.	10 ft.
Any Other Property Line Not Abutting a Zoning District Boundary or Street	20 ft.	20 ft.
With Shared Parking and Loading	0 ft.	0 ft.
Street Intersection (applies only to driveways, measured between centerlines)	100 ft.	100 ft.

§265-118. General Regulations. The following general regulations shall apply for any development proposal within the M-1 Office and Light Industrial District:

- A. **Ownership.** The tract of land to be in single ownership, or ownership shall be such that the tract will be developed under a single direction in accordance with an approved plan.

- B. Sewer and Water Facilities. All development in the M-1 District shall be served by public sewer and water facilities, subject to approval by the Board of Supervisors, Pennsylvania Department of Environmental Protection, and appropriate sewer and water authorities.
- C. Development Plan. The application for subdivision or land development shall be accompanied by a plan or plans which shall:
- (1) Show detailed use of the entire tract.
 - (2) Comply with the Subdivision and Land Development Ordinance as well as other applicable ordinances of Douglass Township.
 - (3) Clearly designate the proposed use(s) of each area of the tract proposed for land development.
 - (4) Architectural renderings shall be submitted with the plans.
- D. Development Stages and Permits. The development of the tract may be carried out in either a single phase or in stages. If carried out in stages the development shall be in accordance with a development agreement which shall:
- (1) Be binding to the overall tract and its development;
 - (2) Be recorded with the final plan;
 - (3) Be acceptable to the Board of Supervisors upon recommendation of the Township Solicitor.
- E. Other Development Regulations.
- (1) Utilities. All utility lines (electrical, telephone, etc.) shall be placed underground.
 - (2) Signs. All signs in the M-1 Office and Light Industrial District shall comply with Article XXIV, including traffic control, directional and street signs.
 - (3) Lighting Facilities. Lighting facilities shall be provided in accordance with §230-66 of the township's subdivision and land development ordinance. arranged in a manner which will protect streets and neighboring properties from unreasonable glare or hazardous interference of any kind.
 - (4) Trash and Refuse Areas. Trash and refuse shall either be stored inside the building or within an opaque screened area, which shall be at least 6 feet high.
 - (5) Landscape Planting and Buffer Requirements. Shade trees and other plant materials satisfactory to the Board of Supervisors shall be provided in accordance with §230-46 of the township's subdivision and land development ordinance along the street frontage occupied by M-1 Office and Light Industrial District, in other non-paved areas of the site,

and within traffic-barrier islands installed in the parking lot. No shrubs shall be used that will interfere with driver's sight distance at driveway intersections.

- F. Buffer Requirements. Screening and softening buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.
- G. Access. Provisions shall be made for safe and efficient ingress and egress to and from public streets and highways serving the M-1 Office and Light Industrial District without causing undue congestion or interference with the normal traffic flow. The Township Planning Agency, with the advice of the Township Engineer, shall satisfy itself as to the adequacy of the thoroughfares and access points intended to accommodate the traffic generated by the proposed development.
- H. Minimum Distance between Buildings on One Lot. The minimum distance between buildings on one lot shall be 25 feet.

§265-119. Plan Submission Requirements. All proposals for development within the M-1 Office and Light Industrial District shall comply with the pertinent requirements of the Douglass Township subdivision and land development ordinance, concerning nonresidential developments.

ARTICLE XIV

M-2 Manufacturing Industrial District

§265-120. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of this Article to provide for manufacturing and heavy industrial uses in the Township. Furthermore, it is the intent of this Article to:

- A. Permit a broad range of manufacturing and heavy industrial uses.
- B. Establish reasonable standards of performance to control the adverse environmental effects resulting from development within this district.
- C. Provide the township review of all proposals for development to determine compliance with the performance standards.
- D. Provide buffering requirements, building and parking setbacks, and other regulations to minimize the negative impacts on surrounding non-industrial areas.

§265-121. Permitted Uses. A building or other structure may be erected, altered, or used, and a lot may be used or occupied for any of the following purposes: In an M-2 Manufacturing Industrial District a building or group of buildings may be erected, altered or used and a lot may be used or occupied for any of the following uses and no other:

- A. By-Right Uses.
 - (1) Use D-15: Marijuana Dispensary

- (2) Use D-16: Microbrewery/Microdistillery/Microwinery
 - (3) Use H-1: Artisan Manufacturing
 - (4) Use H-2: Data Center
 - (5) Use H-4: Heavy Manufacturing
 - (6) Use H-5: Light Manufacturing
 - (7) Use H-10: Contractor Service
 - (8) Use E-2: Business/Professional Office
 - (9) Use E-5: Research Facility
 - (10) Use F-5: Parkland
- B. Special Exception Uses. A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes when authorized as a special exception by the Zoning Hearing Board:
- (1) Use H-3: Heliport. Both personal and commercial heliports are permitted by special exception in the M-2.
 - (2) Use A-10: Accessory Ground-Mounted Renewable Energy System (special exception approval needed for accessory ground-mounted wind energy systems)
- C. Conditional Uses. The following uses are permitted only upon the issuance of a conditional use approval by the Township Board of Supervisors:
- (1) Use B-3: Community Garden
 - (2) Use D-3: Automobile Repairs and Service
 - (3) Use H-6: Solid Waste Management Facility
 - (4) Use H-7: Solar Energy Facility
 - (5) Use H-9: Warehouse/Storage Facility
- D. Accessory Uses. The following accessory uses are permitted by right when subordinate and customarily incidental to any of the above permitted uses and upon the issuance of a zoning permit:
- (1) Use A-2: Non-Residential Accessory Structure
 - (2) Use A-5: Fences and Walls
 - (3) Use A-8: Outdoor Storage/Display

- (4) Use A-9: Accessory Roof-Mounted Solar Energy System
- (5) Use A-10: Accessory Ground-Mounted Renewable Energy System
(ground-mounted solar energy systems permitted by-right)
- (6) Use A-12: Communications Antennae
- (7) Use A-14: Mobile Food Vendor
- (8) Use D-22: Restaurant, Dine-In

§265-122. Performance Standards. Notwithstanding the laws and regulations of the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Protection and other applicable federal and state regulations, the following performance standards shall be used by the Board of Supervisors, Township Planning Agency and Township Engineer in determining the suitability and possible hazardous impacts of a proposed use within an M-2 Manufacturing Industrial District:

A. In determining whether a proposed use is or may become noxious, hazardous or offensive, the following general standards shall apply. The proposed use shall not:

- (1) Constitute a nuisance or damage to health or any property by reason of dissemination of noxious, toxic or corrosive fumes, smoke, odor or dust in the immediately surrounding area or beyond the district line;
- (2) Result in noise or vibration clearly exceeding the average intensity of noise or vibration occurring from other causes, measured at the property line;
- (3) Endanger surrounding areas by reason of radiation, fire or explosion;
- (4) Produce objectionable heat or glare beyond the property line;
- (5) Result in off-lot electrical disturbance or adversely affect the operation of equipment other than on the property on which the disturbance is located;
- (6) Discharge any untreated or incompletely treated sewage or industrial waste into any stream; or otherwise contribute to the pollution of surface or underground waters;
- (7) Endanger the underground water level or supply for other properties;
- (8) Create an objectionable traffic condition on the highways or in an adjacent area; or generate a nuisance to surrounding property by reason of traffic; nor
- (9) Create any other objectionable condition in an adjoining area which will endanger public health and safety or be detrimental to the environmental quality of the surrounding area.

B. In addition to the general standards listed above, the following measures shall be applied to any use in the M-2 Manufacturing Industrial District:

- (1) Control of Air Pollution. The Air Pollution Control Act of January 8, 1960, P.L. 2119 of the Commonwealth of Pennsylvania together with "Chapter 131

Ambient Air Quality Criteria" and "Chapter 123 Standards for Contaminants: of Title 25 Rules and Regulations" (1971, and as amended) shall be considered minimum standards for the control of smoke, dust, fumes and other emissions within the District.

- (2) Control of Noise. At no point on the boundary of the M-2 Manufacturing Industrial District shall be sound pressure level of any operation exceed the described levels in the designated octave bands shown below.

Sound Levels		
Octave Band (Cycles per Second)	Max. Permitted Sound Level Along Residential or Institutional District Boundaries (Decibels)	Max. Permitted Sound Level Along Any Other District Boundary (Decibels)
0 -75	72	79
75 -150	67	74
150 - 300	59	66
300 - 600	52	59
600 - 1200	46	53
1200 - 2400	40	47
2400 - 4800	34	41
Above 4800	32	39

- (3) Control of Odors. No person, wherever located, shall cause or allow the emission of odorous air contaminants from any single source such as to result in detectable odors, which are measured in excess of the following limits:

- (a) For areas used predominantly for residential or commercial purposes, it is a violation if odors are detected after the odorous air has been diluted with seven or more volumes of odor-free air.
- (b) In all other land use areas, it is a violation if odors are detected after the odorous air has been diluted with 15 or more volumes of odor-free air.
- (c) When the source is a manufacturing process and agricultural operation, no violation of 1) and 2) herein shall be cited by the Township, provided that the best practical treatment, maintenance, and control currently available shall be utilized in order to maintain the lowest possible emission of odorous gases, and where applicable, in determining the best practical control methods, the Township shall not require any method which would result in an arbitrary and unreasonable taking of property or in the practical closing of any lawful business or activity if such would be without corresponding public benefit.
- (d) For all areas, it is a violation when odors are detected after the odorous air has been diluted with 127 or more volumes of odor-free air, in which case provisions of §265-122.B.3.c herein shall not be applicable.

- (4) Control of Glare or Heat. Any operation producing intense glare or heat shall be performed within an enclosed building or behind a solid fence or wall in such manner as to be completely imperceptible from any point beyond the lot lines.
- (5) Control of Vibration. No vibration which is discernible to human sense of feeling shall be perceptible without instruments at any point beyond the lot line.
- (6) Control of Radioactivity or Electrical Disturbances. There shall be no activities which emit dangerous or harmful radioactivity. There shall be no electrical disturbance adversely affecting the operation of any equipment located beyond the property of the creator of such disturbances.
- (7) Outdoor Storage and Waste Disposal.
 - (a) No flammable or explosive liquids, solids or gasses shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
 - (b) All outdoor storage facilities for fuel, raw materials and products, and all raw materials and products stored outdoors shall be enclosed by a fence, wall or planting screen adequate to conceal the facilities from abutting properties.
 - (c) No materials or waste shall be deposited upon the lot in such form or manner that they may be transferred off the lot by natural causes of forces.
 - (d) All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- (8) Electrical, Diesel, Gas or Other Power. Every use requiring power shall be so operated that the service lines, substation, etc., shall conform to the safety requirements recognized by the Pennsylvania Department of Labor and Industry and shall be so constructed and installed so as to be an integral part of the architectural features of the plant, or if visible from abutting residential properties shall be concealed by coniferous planting.
- (9) Industrial Waste or Sewage. No use shall be conducted in such a way as to discharge any treated or untreated sewage or industrial waste except as shall be approved by the Department of Environmental Protection.
- (10) Fire and Explosive Hazards.
 - (a) In the M2 District and at least 40 feet from the boundary of a residence, business or commercial district, the storage, utilization or manufacture of materials or products ranging from free or active burning to intense burning—as determined by the Zoning Officer—is permitted, subject to compliance with all

other performance standards for the M2 District, inclusive, and provided the following conditions are met:

[1] Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls.

[2] All such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Protection Association or if the materials, goods or products are liquid, the protection thereof shall be in conformity with standards prescribed by the National Fire Protection Association and requirements of the other ordinance of the Douglass Township Code of Ordinances.

(b) The storage and utilization of materials which produce flammable or explosive vapors or gases shall be permitted in this district, provided:

[1] That the storage and utilization of materials which produce flammable or explosive vapors or gases having a closed cap flash point under 24 degrees F are prohibited, except when such materials are used in secondary processes or are required in emergency or standby equipment or for use as power or heating fuels, which then is limited to 15,000 gallons; and except as provided in §265-122.B.10.b.4 below;

[2] That the storage of materials which produce flammable or explosive vapors or gases having a closed cup flash point between 24 degrees F and 70 degrees F be limited to 15,000 gallons (exclusive of storage in underground tanks and exclusive of finished products in original sealed containers and exclusive of work in process); and except as provided in §265-122.B.10.b.4, below;

[3] That the storage of materials which produce flammable or explosive vapors or gases having a closed cup flash point above 70 degrees F are limited to 200,000 gallons (exclusive of storage in underground tanks and exclusive of finished products in original sealed containers and exclusive of work in progress);

[4] That gasoline distribution storage in excess of 200,000 gallons shall be permitted; and

[5] That the use and storage of such materials shall be in conformity with standards prescribed by the National Fire Protection Association and the requirements of other ordinances of the Douglas Township Code of Ordinances.

(c) The applicant shall demonstrate to the Township Engineer and Township Planning Agency that:

- [1] Adequate provisions will be made to reduce and minimum any objectionable elements to the degree necessary to insure that the proposed use(s) will not be noxious, hazardous or offensive as defined in §265-122.A herein.
- [2] The proposed use(s) will comply with the standards contained in §265-122.A herein.
- [3] The Township Engineer or Planning Agency may require, in order to determine that adequate safeguards are provided, that:
 - [a] The applicant submits necessary information, impartial expert judgments and written assurances.
 - [b] The applicant obtains the advice of appropriate local, state and federal agencies and of private consultants.
 - [c] The applicant's proposed use(s) comply with such tests or provide such safeguards in addition to those listed in §265-122.A herein, as deemed necessary by the Supervisors, upon the advice of the Township Engineer.

§265-123. Conditional Use Criteria and Requirements for Use H-6: Solid Waste Management Facility. Except as otherwise specifically provided in this section, a sanitary landfill or a solid waste management facility shall be permitted as a Conditional Use under §265-121 only if the application and the use proposed thereby comply with all applicable requirements set forth in this Chapter and any other Ordinance of Douglass Township in addition to the requirements as stipulated under Use H-6:Solid Waste Management Facility.

§265-124. Conditional Use Criteria and Requirements for Activities Other Than Use H-6: Solid Waste Management Facility. Except as otherwise specifically provided in this section, activities other than sanitary landfill or solid waste management facility, which are subject to grant of conditional use by Board of Supervisors shall be permitted as a conditional use under §265-121 only if the applicant and the use proposed thereby comply with all applicable requirements set forth in this Chapter and any other ordinances of the Douglass Township Code of Ordinances, in addition to the following requirements:

- A. The following conditions as well as any other reasonable conditions may be imposed by the Board of Supervisors as conditions of approval of any of the aforementioned uses at the discretion of the Board:
 - (1) The applicant may be required to permit access to its operational and financial records for the purpose of periodic review by a Governmental Advisory Board consisting of 3 Supervisors of Douglass Township, 1 member appointed by the Board of Supervisors of Douglass Township, and 1 member appointed by Montgomery County Board of Commissioners.

(2) Offer to purchase.

(a) The applicant may be required to offer unconditionally to purchase properties containing residential buildings at the time of application located within 500 feet of the boundary line of the tract for which one of the aforementioned facilities is proposed. The offer to purchase such residential properties shall include the residential structures, together with the minimum lot size permitted by this chapter for a single-family detached residence. To determine the amount to be offered to each property owner, a panel of three qualified appraisers shall be retained. One appraiser shall be selected by the owner of the property in question, and a second appraiser selected by the applicant for conditional use approval. The two appraisers so selected shall together select a third appraiser. The reasonable cost of the appraisals shall be paid by the applicant.

(b) The applicant may be required to offer unconditionally an amount equal to the mean appraised value of the property based on the three appraisal reports, plus 25% of such mean value. Such properties when purchased shall remain part of the tract on which the use is located and owned by the owner thereof so long as such use continues. The value shall be determined as the value existed immediately preceding the application and as unaffected by it.

(3) The applicant at its expense may be required to improve the road network to Route 100 in accordance with a plan approved by the Township. Reference shall be made to §265-124.D.

B. The applicant shall comply with all applicable federal and state regulations.

C. The applicant shall comply with dimensional standards set forth in §265-122 of this Chapter.

D. Vehicle Access:

(1) Any Township road used to provide access to any aforementioned uses shall be paved and maintained in good condition in accordance with the standards of Pennsylvania Department of Transportation relating to the heavy truck traffic resulting from such facility.

(2) The Board of Supervisors may designate safe and adequate access roads and prohibit the use of other roads.

(3) Applicant at its expense may be required to upgrade access roads to the facility in accordance with a plan approved by the Board of Supervisors.

(4) The costs of upgrading and maintaining access roads to the aforementioned facilities shall be paid by the aforementioned approved facility operation in a manner suitable to the Supervisors.

- (5) When acquisition of private property is necessitated by the plan approved by the Board of Supervisors, the Township may use its power of condemnation to obtain the land at the expense of the applicant.
- E. The site shall be fenced and secured by gates which can be locked. In addition, appropriate precautions shall be taken to prevent waste from escaping the site because of wind or otherwise. Fencing, walls and other enclosures may be required for this purpose. Any such escaping waste shall be collected daily and properly disposed.
- F. Any aforementioned use facility within the section must have the proposed site graded and provide appropriate drainage to minimize runoff, prevent erosion, and to prevent collection of stagnant water.
- G. Reasonable visual screening of such facilities composed of trees and so forth shall be provided. Such visual screening shall include evergreen trees in a solid double row with a minimum height of 9 feet and, in addition, shade trees with a 2-inch caliper and a minimum height of 9 feet in a number equivalent of 1 tree for every 50 linear feet of buffer. In addition, there shall be no dumping, depositing, storage, incineration, treatment or disposition of waste within 590 feet of any dwelling, church, school or other occupied building.
- H. Buildings shall be constructed on the site to house equipment other than motor vehicles when not in use.
- I. All buildings shall be equipped with fire and smoke detection and extinguishing facilities in accordance with regulations of the Pennsylvania Department of Labor and Industry, the National Fire Protection Association, and/or other more stringent regulations, if determined appropriate by the Board of Supervisors.
- J. A certified copy of all reports, data, plans and other material or information required to be submitted to the Pennsylvania Department of Environmental Protection also shall be submitted to the Board of Supervisors.
- K. A tire cleaning area shall be provided on the access road within the facility site. All tires on all trucks leaving the facility site shall be cleaned.
- L. An environmental assessment statement shall be submitted to the Board of Supervisors and shall include the following:
- (1) A description of all proposed facilities;
 - (2) A physical description of the environment affected, including a summary of technical data and maps and diagrams adequate to permit an assessment of potential environmental impact by commenting agencies and the public. Highly technical and specialized analysis and data should be attached as appendices or footnoted with adequate bibliographic references;
 - (3) The interrelationship and cumulative environmental and economic impacts of the proposed facility when coupled with other existing manufacturing

industrial facilities shall be stated and supported by adequate technical analysis;

- (4) The sources of data used to identify, quantify and evaluate any and all environmental consequences must be expressly noted;
- (5) The relationship of the proposed use to land use plans, policies and controls for the affected area, including a statement as to how the proposed use may conform or conflict with the objectives and specific terms of existing or proposed federal, state, county or township land use plans, policies and controls;
- (6) An analysis of:
 - (a) the primary and secondary effects of the facility and its capacity to stimulate or induce changes in patterns of social and/or economic activities;
 - (b) the impact on existing community facilities and activities, changes in natural conditions, and so forth; and
 - (c) the effect on natural and cultural features such as streams, mountains, historic sites, landmarks, principal roads, lakes and towns.
- (7) Specific data relating to the impact of the facility on local vehicular traffic, and designating the routes to be utilized by vehicles seeking access to that proposed facility;
- (8) Specific data relating to the impact of the facility on local water supplies, streams and rivers;
- (9) Specific data relating to the impact of the facility on natural and manmade local storm drainage facilities and areas;
- (10) Specific data relating to the impact of the facility on the existing flood hazard areas of the Township, including details of any measures or precautions which may have to be taken in order to provide adequate flood control in the Township;
- (11) A statement of any probable adverse environmental effects which cannot be avoided (such as water or air pollution, undesirable land use patterns, damage to life systems, congestion, threats to health or other consequences adverse to the environment). Included for purposes of contrast should be a clear statement of how other avoidable adverse effects will be mitigated;
- (12) The relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity. This section should contain a brief discussion of the extent to which the proposed use involves short-term environmental gains at the expense of long-term losses, or the converse, and a discussion of the extent to which the proposed use forecloses future options. In this context, the words, "short-term" and

"long-term" should be viewed in terms of the environmentally significant consequences of the proposed use;

- (13) The aesthetic impact of the proposed use, including its impact upon visual quality of the surrounding community;
- (14) An analysis of the success and/or failure of similar projects;
- (15) A statement of any adverse effects on employment, taxes and property values;
- (16) A statement of any effects on desirable community growth; and
- (17) A statement describing the location and impact of the project on nearby recreation areas.
- (18) Such other information as reasonably required by the Board of Supervisors, Planning Agency, Township Engineer and/or Solicitor.

M. Contents of Application. An application for a conditional use for any aforementioned facility shall contain the following:

- (1) A topographical drawing, prepared by a professional engineer, registered in the State of Pennsylvania, to a scale no greater than one inch equals 100 feet, showing:
 - (a) location of site relative to public roads;
 - (b) owners of adjacent properties;
 - (c) proposed fencing and improvements;
 - (d) proposed screening and buffering;
 - (e) location of equipment cleaning and tire cleaning areas; and
 - (f) location of all facilities, including buildings.
- (2) The names and current addresses of any and all persons who own any interest, real or equitable, in the real estate, which is the subject of the application;
- (3) The names and current addresses of any and all persons having any ownership interest in any corporations or other business entities which may be set forth in answers to B above, where such persons possess an ownership interest of 10 percent or more (ownership shall include constructive ownership as defined by Internal Revenue Code, Section 318, as now in effect);
- (4) The names and current addresses of any and all persons having any ownership interest in the operation or proposed operation, maintenance and use of the facility in question;
- (5) The names and current addresses of any and all persons having any ownership interest in any corporations or other business entities which may be set forth in answer D above, where such persons possess an

- ownership interest of 10 percent or more (ownership shall include constructive ownership as defined by Internal Revenue Code, Section 318, as now in effect);
- (6) The identities and qualifications of personnel designated to manage and operate the proposed facility, together with their intended responsibilities;
- (7) An access road survey, which shall including the following:
- (a) statements as to the estimated number of vehicles which are expected to use the site on a daily basis during the first 2 years of operations and as the estimated weight thereof; and
- (b) a plan indicating all roads anticipated to be used as access roads.
- (8) Statement of applicant's prior experience, if any, in operating any aforementioned facilities; and
- (9) An environmental assessment statement as required by §265-124.L above.
- N. Waiver of Requirements. The Board of Supervisors for good cause may, in its discretion, waive any of the requirements set forth in this section.
- O. Indemnification. The owner and/or operator of the facility shall agree to indemnify and hold the Township harmless from any liability in connection with the permitting, construction and/or operation of the facility.

§265-125. Dimensional Standards. The following table contains the dimensional standards applicable to the M-2 District:

Minimum Lot Size	5 acres
Minimum Lot Width at Building Line	300 ft.
Maximum Building Coverage	60%
Maximum Impervious Coverage	75%
Minimum Landscaped Area	25%
Maximum Building Height	50 ft.
Minimum Building Setbacks From:	
Ultimate Right-Of-Way Line	10 ft.
Abutting Residential or Institutional Zoning District Boundary Line	100 ft.
Abutting Commercial or Industrial Zoning District	100 ft.
Any Other Property Line Not Abutting a Zoning District Boundary or Street	50 ft.
Minimum Driveway, Parking, Loading Setback Measured From:	
Ultimate Right-of-Way: Parking or Parallel Drive	20 ft.
Ultimate Right-of-Way: Loading	100 ft.
Abutting Residential or Institutional Zoning District Boundary Line	100 ft.
Abutting Commercial or Industrial Zoning District	50 ft.
With Shared Parking and Loading	1 ft.
Street Intersection (applies only to driveways, measured between centerlines)	100 ft.

§265-126. General Regulations. The following general regulations shall apply for any development proposal within the M-2 District:

- A. Ownership. The tract of land shall be in single ownership, or ownership shall be such that the tract will be developed under a single direction in accordance with an approved plan.
- B. Sewer and Water Facilities. All development in the M-2 District shall be served by public sewer and water facilities, subject to approval by the Board of Supervisors, Pennsylvania Department of Environmental Protection, and appropriate sewer and water authorities.
- C. Development Plan. The applicant for subdivision or land development shall be accompanied by a plan or plans which shall:
 - (1) Show detailed use of the entire tract.
 - (2) Comply with the Subdivision and Land Development Ordinance as well as other applicable ordinances of Douglass Township.
 - (3) Clearly designate the proposed use(s) of each area of the tract proposed for land development.
- D. Development Stages and Permits. The development of the tract may be carried out in either a single phase or in stages. If carried out in stages, the development shall be in accordance with a development agreement which shall:
 - (1) Be binding to the overall tract and its development;
 - (2) Be recorded with the final plan;
 - (3) Be acceptable to the Board of Supervisors upon recommendation of the Township Solicitor.
- E. Other Development Regulations:
 - (1) Utilities — All utility lines (electrical, telephone, etc.) shall be placed underground.
 - (2) Signs — All signs in the M-2 District shall comply with the requirements of Article XXIV Signs, of this Chapter, including traffic control, directional and street signs.
 - (3) Lighting Facilities — Lighting facilities shall be provided in accordance with §230-66 of the township's subdivision and land development ordinance.
 - (4) Trash and Refuse Areas. Trash and refuse shall either be stored inside the building or within an opaque screened area, which shall be at least 6 feet high.
- F. Landscaped Planting and Buffer Areas. Shade trees and other plant materials satisfactory to the Board of Supervisors shall be provided in accordance with

§§230-46 through 230-49 of the township's subdivision and land development ordinance.

- G. Access. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the M-2 Industrial Development without causing undue congestion or interference with the normal traffic flow. The Township Planning Agency, with the advice of the Township Engineer, shall evaluate the adequacy of the thoroughfares and access points intended to accommodate the traffic generated by the proposed M-2 Industrial Development.
- H. Minimum Distance between Buildings on One Lot. The minimum distance between buildings on one lot shall be 25 feet.

§265-127. Plan Submission Requirements. All proposals for development within the M-2 District shall comply with the pertinent requirements of the Douglass Township subdivision and land development ordinance, concerning nonresidential developments.

ARTICLE XV

Floodplain Conservation District

§ 265-128. Standards. All uses, activities, land filling and development occurring within any floodplain shall be undertaken as set forth in Chapter 122, Floodplain Management.

ARTICLE XVI

MU Office and Mixed-Use Planned Development

§ 265-129. Declaration of Legislative Intent. The following is an expansion of the Statement of Community Development Objectives contained in Article I of this Chapter. It is the intent of this Article to provide for office uses and allow for the continuation and reinforcement of the Gilbertsville village character, currently a mix of residences, stores, offices and institutional uses. Further, it is the intent of this Article to:

- A. Provide employment centers in close proximity to existing and future high density residential development to reduce commuting distance for the workforce.
- B. Encourage activity and employment centers in locations with ease of access from highway interchanges to reduce the overall impact of traffic on Township streets.
- C. Allow for a balanced combination of offices, stores and shops, hotels and inns, residences and recreation in one district in proximity to each other to enable safe and convenient pedestrian circulation between uses as well as to encourage day and evening, weekday and weekend activity.
- D. Serve the need for community open space such as trails, parks and plazas near the center of Gilbertsville.
- E. Minimize the traffic hazard of multiple driveways by controlling access points in unified developments.

§ 265-130. Permitted Uses. A building or other structure may be erected, altered, or used, and a lot may be used or occupied for any of the following purposes: The following uses, and no others, are permitted.

A. By-Right Uses:

- (1) Use E-2: Business/Professional Office
- (2) Use E-5: Research Facility
- (3) Use F-5: Parkland
- (4) Use G-1: Adult/Child Day Care Center
- (5) Use G-2: Group Day Care Home
- (6) Use D-15: Marijuana Dispensary
- (7) Use D-24: Retail Establishment
- (8) Use F-4: Theater
- (9) Use D-4: Bank/Financial Institution
- (10) Use D-5: Bed and Breakfast
- (11) Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House)
- (12) Use D-20: Personal Service/Care
- (13) Use C-7: Multifamily Development
- (14) Use C-3: Single Family Attached Dwelling (Townhouse)
- (15) Use C-4: Single Family Semi-Detached Dwelling (Twin)
- (16) Use C-5: Two Family Detached Dwelling (Duplex)
- (17) Use G-7: Library or Community Center
- (18) Use D-16: Microbrewery/Microdistillery/Microwinery
- (19) Use D-22: Restaurant, Dine-In
- (20) Use D-23: Restaurant, Take Out

B. Conditional Uses:

- (1) Use B-3: Community Garden

- (2) Mixed-use planned developments are allowed as a conditional use provided the proposed development meets the conditional use criteria specified in §265-132 of this Chapter, as well as all other requirements of this Chapter. In a mixed-use planned development a building or group of buildings may be erected, altered or used and a lot may be used or occupied for any of the following uses or combination of uses as listed above in §265-130.A.

C. Accessory Uses:

- (1) Use A-2: Non-Residential Accessory Structure
- (2) Use A-5: Fences and Walls
- (3) Use A-7: Family Day Care Home
- (4) Use A-14: Drive-Through Facility
- (5) Use A-14: Mobile Food Vendor
- (6) Use A-12: Communications Antennae. Special Exception approval required if more than 15 feet higher than the structure on which it is mounted, or if not mounted on an existing structure.
- (7) Use D-19: Parking Structure
- (8) Use A-9: Accessory Roof-Mounted Solar Energy System
- (9) Use A-11: Outdoor Dining

§ 265-131. Mixed-Use Requirements. Every mixed-use planned development shall contain office, retail, residential and open space uses and may contain hotels. Each use shall fall within the following ranges of utilization, based on the total gross floor area of the development. Gross floor area used for parking should not be included in the calculations.

Use Type	Minimum %	Maximum %
Office/Entertainment/Institutions	10	60
Retail and Restaurants	10	50
Residential	10	50
Common Open Space	15%	--

- A. The maximum residential density shall be 12 dwelling units per acre.
- B. Common open space and plaza area shall comprise a minimum of 15 percent of the total tract area in conformance with § 265-137 of this Chapter.

§ 265-132. Conditional Use Criteria. An application for a conditional use as specified in §265-132 pursuant to §265-260 of this Chapter shall be accompanied by the following information, and subject to the following requirements:

- A. Minimum Tract Size: 25 acres.

- B. Location. The tract of land to be developed shall have direct vehicular access to at least two existing roads classified as feeders or higher road classification within the Township's 1976 Comprehensive Plan.
- C. The applicant shall construct all proposed roads shown in the 1988 Comprehensive Plan that cross or abut the property.
- D. Residential uses shall not face Route 100 or any collector road.
- E. Traffic Impact Analysis. A traffic impact study shall be required for any mixed-use planned development. Such study shall be prepared by a professional traffic engineer and shall address the ability of adjoining streets and intersections to safely handle the traffic generated by the proposed mixed-use development. In addition, all adverse effects of traffic generated by the mixed-use development shall be corrected by the applicant. The following topics should be addressed in the traffic impact study:
 - (1) Traffic impact on adjacent roadways, intersections and interchanges.
 - (2) Description of traffic characteristics of the proposed development.
 - (3) Traffic volumes for average daily traffic at peak hours, before and after the proposed development.
 - (4) Source of trip generation rates used.
 - (5) Documentation of on-site and off-site improvements proposed to mitigate any adverse impacts.
 - (6) All other information, findings, conclusions and recommendations necessary to produce a complete analysis and compliance with accepted traffic engineering principals and practice.

§ 265-133. General District Regulations. The following regulations shall apply to any mixed-use development proposal.

- A. Ownership. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of the entire tract and it shall be agreed that the tract will be developed under single direction in accordance with an approved plan.
- B. Land Development. The application for land development shall be accompanied by a plan showing in detail the proposed use of the entire tract. The plan shall clearly designate the proposed uses of each portion of the tract.
- C. Phasing. The development of a mixed-use planned development may be executed in phases according to a phasing plan submitted by the applicant and approved by the Board of Supervisors; this development shall be executed in accordance with a development agreement. Until 50 percent of the site's total proposed gross building square footage is constructed, each phase shall contain at least two of the use types listed in §265-131 of this Chapter and no single use shall comprise more than 60 percent of the total building square footage

of any particular phase. After half of the site's building square footage has been constructed, there are no mix requirements for the phases.

- D. Sewer and Water Facilities. All buildings in a mixed-use planned development shall be served by public water facilities and public sanitary sewer facilities subject to the approval of any applicable agency.

§ 265-134. Dimensional Standards. The following are the dimensional standards for mixed-use planned developments.

M-U Dimensional Requirements	
Maximum Building Coverage*	25% of the total tract size
Maximum Impervious Coverage**	65% of the total tract area
Maximum Individual Building Size for Commercial and Office Uses	30,000 sq. ft.
Maximum Height	3 stories or 45 ft.
Minimum Building Setback:	
From ultimate right-of-way of any public street or highway, except for residential uses from limited access highways	25 ft. or height of building
Residential uses from limited access highways	100 ft.
From any tract boundary abutting land zoned or used for residential or institutional use	100 ft.
From a tract boundary abutting land used or zoned for nonresidential use	50 ft.
From parking and/or driveways	20 ft.
From drop-off areas located at major building entrances	10 ft.
From floodplain boundaries	25 ft.
From other buildings on the tract	35 ft.
Minimum Parking Setbacks:	
From the ultimate right-of-way of any public street or highway	20 ft.
From residential or institutional uses or districts	25 ft.
From all other tract boundaries	20 ft.
From floodplain boundaries	25 ft.

*Building coverage is the percentage of the total lot area covered by the principal building.

**Impervious coverage is the percentage of the total lot area covered by buildings and paved surfaces which do not permit water to penetrate into the soil. This includes buildings (both principal and accessory), parking, driveways, walks, courts, pools (swimming and ornamental) and patios, unless constructed of pervious or porous materials, as determined by the township.

§ 265-135. Parking and Access Requirements.

- A. Access Drives. No more than one access point per 500 feet of proposed or existing street frontage is permitted, unless a traffic study provides convincing evidence otherwise, and upon recommendation of the Township Engineer.

§ 265-136. Common Open Space and Plaza Standards.

- A. A minimum of 15 percent of the total tract area shall be in common open space. Common open space shall conform to the regulations set forth in §265-73 of this Chapter.

- B. Required open space areas shall only consist of plazas, central greens, playing fields, playing courts, playgrounds, trails, greenways with trails, pedestrian malls, promenades, picnic areas, and other similar types of usable public spaces.
- C. Required open space areas shall be designed as focal points within the development. Public access shall be guaranteed to all required open space through a deed restriction or other means acceptable to the Douglass Township Supervisors.
- D. Plaza areas shall be provided in accordance with the following standards:
 - (1) All nonresidential uses are required to provide plaza space equal to no less than 2 percent of the total nonresidential gross floor area.
 - (2) Plaza areas shall be located within 100 feet of each nonresidential use and shall be encouraged to be located at the main entrance to the building(s) or by a gathering place such as a cafeteria.
 - (3) The plaza shall have a 15-foot minimum width, and main walkways within the plaza shall be at least 6 feet wide.
 - (4) Plazas shall be connected with the overall pedestrian system by at least one major walkway and shall be integrated with the landscape plan.
 - (5) Plazas shall have seating at the rate of 2 linear feet of bench, seating wall or seating steps per 250 linear feet of plaza.
 - (6) At least 25% of the plaza shall be landscaped with trees, shrubs, and mixed plantings with year-round interest. One tree is required for every 500 sq. ft. Trees shall be 3.5 inches in caliper.
 - (7) Lighting shall be provided.
 - (8) Trash and recycling containers shall be distributed throughout the plaza and maintained by the property owner.

§ 265-137. Landscape Plan. A landscape plan prepared by a licensed landscape architect shall be submitted with each plan application. The plan shall identify existing and proposed trees, shrubs, groundcover and natural features such as floodplains, steep slopes and rock outcroppings. When existing plants are proposed to remain, the applicant shall show in the plans the proposed methods to protect the plants during and after construction. The following regulations shall also apply:

- A. Buffer Requirements. Screening and softening buffers shall be provided in compliance with §230-47 of the township's subdivision and land development ordinance.

§ 265-138. Pedestrian Circulation.

- A. Walkways shall be provided throughout the site at the following locations:

- (1) Walkways shall be provided along all public streets and shall link up with walkways on abutting tracts.
- (2) An interior pedestrian circulation system, that is independent of the street walkway system yet connects to it, shall link all activity areas and destination points, including parking areas, plazas, recreational open spaces, building entrances, off-site locations and other destination points.
- (3) Developments shall be designed to support existing and/or future public transportation service through the provision of transit shelters, public transportation pick-up areas, roads and driveways designed to handle the weight and length of a forty-foot bus, and other similar features.

B. Design Criteria. All walkways shall meet the following design standards:

- (1) The walkways shall form a continuous, coordinated pedestrian system.
- (2) Residential walkways shall be at least 6 feet in width and nonresidential walkways shall be at least 8 feet in width.
- (3) A minimum 5-foot landscaped verge shall be provided between nonresidential walkways and the street.
- (4) Walkways shall be "barrier free" for handicapped individuals and shall facilitate easy pedestrian movement for all people, regardless of physical condition.
- (5) Walkways shall be comprised of materials that are compatible with the architecture, durable, easily maintained and non-slip.

§ 265-139. Design Standards. A mixed-use planned development shall be designed with a unified architectural scheme, to include building facades, street furniture, signs and lighting standards. The following regulations shall also apply:

- A. The maximum length of any single building shall be 230 feet.
- B. The use of traditional building materials such as local stone and wood is encouraged.
- C. Facades shall be varied to provide contrast of texture and materials. Blank walls shall not be permitted along any exterior wall facing a street.
- D. Front facades of buildings shall be oriented towards existing and proposed streets, with an every day entrance in the front façade. Building with multiple front facades shall have entrances in each front façade, or have corner entrances.
- E. Ground floor facades of retail, restaurant, and related uses facing a street shall comprise a minimum of 50 percent clear window area, with windows providing views of display areas or the inside of the building.

- F. Any building façade which faces a parking or loading area, street or other public space shall receive decorative treatment similar to all other facades.
- G. Buildings and parking areas shall be laid out to minimize disruption of the site's natural features.
- H. Lighting facilities shall be provided in accordance with §230-66 of the township's subdivision and land development ordinance.
- I. Architectural renderings shall be submitted with the plans.

§ 265-140. Private Ownership and Maintenance of Common Elements. Common elements including, but not limited to, open space, recreation, plazas, roads, parking, sewer, water and stormwater management facilities which will not be publicly owned, shall be subject to a form of ownership established in private agreements acceptable to the Board of Supervisors, upon recommendation of the Township Solicitor. Such private ownership shall be governed by the following:

- A. Access to, and use of these common elements may be restricted to the following:
 - (1) Property owners or tenants within the development.
 - (2) Nearby property owners or tenants who wish to join.
 - (3) Visitors to the property.
- B. Perpetual maintenance shall be guaranteed by condominium indenture or similar instrument, approved by the Board of Supervisors, upon recommendation of the Township Solicitor, which instrument:
 - (1) Shall be recorded with the Recorder of Deeds of Montgomery County simultaneously with the recording of the final plan.
 - (2) Shall restrict the common elements by deed restrictions granting the Township the right to enforce the restrictions.
 - (3) Shall include provisions for:
 - (a) Bonds posted by the developer to cover expenses incurred before formation of a homeowner's or businessmen's association.
 - (b) Adjustment of association fees to account for inflation.
 - (c) A reserve fund to cover capital improvements and/or unforeseen major maintenance requirements.
 - (d) Funds for professional management.
 - (4) Shall authorize the Township to maintain the common elements and assess the private ownership accordingly if private ownership fails to function as

required in the private agreements. Shall authorize the Township to bring the common elements up to township standards and assess the private ownership for the improvement of the common elements.

§ 265-141. Financial Subdivision. The land directly under nonresidential buildings and residential buildings not located on a separate lot may be subdivided for mortgage purposes only. The lots which are created shall follow the building footprint and shall be exempted from design, bulk, location and coverage requirements, which are intended for application to the development as a whole. However, the development as a whole, including all financially subdivided lots, must be able to meet all the requirements of this Chapter. The foregoing shall be approved only if there is provided a duly executed and acknowledged agreement, to be recorded at the time of subdivision in a form acceptable to the Township Solicitor, which:

- A. Requires each of the subdivided lots to be operated and maintained as an integral part of the previously approved development plan in accordance with these regulations.
- B. Ensures that each lot will have permanent means of access, adequate parking and use of common facilities.
- C. Prohibits the said lots from being treated as separate development parcels at a future time.

ARTICLE XVII

Route 100/County Line Road Intersection East Shopping Center Overlay District

§ 265-142. Purpose.

In addition to the general goals listed in the statements of purpose, and elsewhere throughout the ordinances of Douglass Township, the purpose of this overlay district is:

- A. To promote and maintain the safe, efficient circulation through the eastern portions of the Route 100 and County Line Road intersection area for commercial development by requiring such development to improve the existing roadways within and adjoining the district and to provide safe access to development sites.
- B. To provide a suitable location for commercial development of food stores and related convenience retail to meet the growing needs of the Township's current and future residents, strategically located to reduce travel times and the need to access regional roadways.
- C. To provide for the long-term development of the lands of the district to ensure that interconnectedness of roads, access points, pedestrian ways and other infrastructure results from the separate developments within and abutting the district.
- D. Make sure that the new commercial development is served by sufficient public improvements to offset the possible negative impacts through sufficient infrastructure improvements and otherwise to allow for the proper development of the area.

§ 265-143. Applicability within boundaries.

The Route 100/County Line Road Intersection East Shopping Center Overlay District ("Intersection Overlay District") shall alter the uses permitted in the base GC General Commercial zone to the extent set forth herein if development is elected to proceed within the district pursuant to the terms under this overlay district.

§ 265-144. Establishment of Intersection Overlay District.

The Intersection Overlay District shall comprise the land areas within the General Commercial GC District immediately east of the Route 100/County Line Road Intersection, as indicated on the Douglass Township Zoning Map.

§ 265-145. Prerequisites to application of Intersection Overlay District.

To appropriately benefit from the requirements of this district, development applications shall be limited to the following:

- A. Tract size. A minimum of 4 developable acres
- B. Access. The tract must provide frontage suitable for access purposes on two collector roads.
- C. No retail strip. To avoid the development of a retail strip, a tract developed pursuant to the Intersection Overlay shall not directly abut a tract to which this overlay has been applied.

§ 265-146. Use regulations.

- A. The following uses are permitted by right:

- (1) Use D-4: Bank/Financial Institution
- (2) Use D-8: Convenience Store
- (3) Use D-24: Retail Establishment
- (4) Use D-22: Restaurant, Dine-In
- (5) Use D-23: Restaurant, Take Out
- (6) Use D-29: Supermarket/Grocery Store
- (7) Use E-2: Business/Professional Office
- (8) Use D-16: Microbrewery/Microwinery/Microdistillery
- (9) Use F-5: Parkland

- B. The following uses are permitted by conditional use:

- (1) Use D-25: Shopping Center, to include any of the uses listed above in 265-146.A

§ 265-147. Dimensional standards.

Unless otherwise modified within this section, the standards of the GC General Commercial District shall apply. However, where the following standards are applicable, the standards as set forth herein shall supersede and apply:

- A. The maximum individual retail use footprint shall be 85,000 square feet. The total combined use footprint area in all structures shall not exceed 120,000 square feet.
- B. The minimum setbacks for buildings shall be 75 feet.

§ 265-148. Traffic movement.

A circulation plan shall be approved during the land development process to assure appropriate and safe access to the shopping center and all structures planned for the development. The following standards in addition to any other standards provided in any ordinance or applicable governmental regulation shall apply:

- A. Where appropriate measures are taken to allow for safe and efficient internal and external traffic circulation around a commercial use structure is provided, direct access from an abutting road or street to said structure shall be permitted.
- B. Where appropriate measures are taken to allow for safe and efficient internal and external traffic circulation, common driveways for internal circulation and parking aisles shall be permitted.
- C. Appropriate pedestrian walkways, clearly marked and safely situated, shall be provided, including perimeter sidewalks where appropriate or necessary.

§ 265-149. Parking facilities.

Parking spaces shall be 10 feet by 20 feet with at least four parking spaces for each 1,000 square feet of gross leasable area (gross leasable area shall not include mezzanine areas which are not for use by the public), including all proposed uses.

- A. Off-street parking shall be provided in accordance with Article XXV Off-Street Parking.
- B. Landscaping shall be provided in accordance with §§230-43 through 230-52 of the township's subdivision and land development ordinance.

§ 265-150. Structural design criteria.

Consistent with the intent of the district, and in order to mitigate the impact of various uses contemplated within the Intersection Overlay District, the following additional design criteria shall apply:

- A. The development shall exhibit a consistent architectural style throughout, including the main and satellite buildings and structures. Primary building materials shall include brick, decorative masonry block, siding, stucco or comparable materials that shall be subject to the review and recommendation of the Planning Agency and the approval of the Board of Supervisors.
- B. All building facades that face any public street, road or the on-site public parking areas will be treated as "front."
- C. Facades and shall include the architectural elements common to the site.
- D. Roof lines or parapets shall be varied and include peaks, towers or copulas at least every 200 feet in length or less if an appropriate architectural design cannot be obtained.
- E. All air conditioning and other equipment that shall be roof-mounted shall be screened from public view.
- F. Variations in color, materials, textures, overhangs, and setbacks of the building shall be provided to avoid an appearance of a large monolithic structure.
- G. The site shall provide public gathering areas outside of the structures. Such areas may include seating areas near entrances to major stores, outdoor eating areas for customers related to retail uses and areas suitable for employees on meal breaks, and sitting areas where the pedestrian circulation system links to public transportation stops, or other appropriate locations. These public gathering areas may include elements such as shade trees, benches, tables, special paving surfaces, and other elements suitable to the specific purpose of each location. Public art is encouraged.
- H. Architectural renderings shall be submitted with the plans.

§ 265-151. Public improvements and infrastructure.

- A. Provisions shall be made for appropriate public improvements, including but not limited to street, road and utility improvements that are deemed necessary by the Township Board of Supervisors.
- B. The applicant shall submit, at the applicant's expense, a traffic study prepared by a qualified professional containing an analysis of the transportation impacts of the proposed development and recommendations of appropriate alternatives for mitigating the impacts. The applicant may be required to submit, as part of or as a follow-up to the traffic study, preliminary designs for highway improvements deemed appropriate or desirable by the Township Board of Supervisors. The traffic study shall be considered, and the applicant shall mitigate significant transportation impacts to the satisfaction of the Township Board of Supervisors.

§ 265-152. Alternative development layouts and phased construction.

- A. Development may proceed in phases that provide for uniform and regular expansion of the development in accordance with the criteria and standards for this district.

- B. If the applicant is considering construction and operation of the development in phases, the applicant must present land development plans showing the full and final built-out of the development along with separate plans showing all site details at the completion of each phase. The final plan set to be approved as well as the record plans shall include each phase and the full and final built-out and shall be approved and recorded allowing for each phase, when completed, to operate as an approved development. All public improvements necessary for the planned shopping center shall be completed during the first phase and prior to use and occupancy of any structure.

ARTICLE XVIII

Active Adult Community Overlay District

§ 265-153. Declaration of legislative intent.

The following is an expansion of the statement of community development objectives contained in Article I of this chapter. It is the intent of this chapter to establish reasonable controls for active adult communities consisting of single-family detached, two-family and single-family attached, along with accessory uses and structures, in appropriate locations where the existing community character, superior road access, proximity to commercial centers, and the presence or planned extension of public sewer and water facilities would most readily accommodate this type of development. Furthermore, it is the intent of this article to:

- A. Encourage an appropriate mix of dwelling types and densities for active adult communities in Douglass Township consistent with the economic and social needs of older residents;
- B. Promote a variety of age groups and lifestyles within the Township;
- C. Encourage compact development thereby reducing the cost of provision of public services;
- D. Encourage innovative residential development and use of a variety of building configurations, as well as open space that provides for the recreational needs of older residents;
- E. Recognize that housing for older residents creates less demand on community facilities and services than other types of residential development;
- F. Encourage flexible site design standards that will protect the Township's environmental resources and preserve its character;
- G. Assure a procedure requiring a conditional use process and a master plan that the proposed development meets and resolves any and all impacts that adversely affects surrounding properties, the road and transportation system of the Township, and the orderly planning of the Township in association with the regional Comprehensive Plan;
- H. Encourage innovative, creative and functional design and development for an active adult community;

- I. Consider the economics of development for improved, functional housing taking into consideration impacts on the community; and
- J. Promoting variations in housing and layout design to achieve the objective of providing suitable, affordable and functional housing for an adult community.

§ 265-154. Permitted uses.

The following uses are permitted by conditional use.

- A. Use C-12: Active adult community. Permitted dwelling types:
 - (1) Use C-2: Single-family detached dwelling.
 - (2) Use C-4: Single Family Semi-Detached Dwelling (Twin)
 - (3) Use C-5: Two Family Detached Dwelling (Duplex)
 - (4) Use C-3: Single Family Attached Dwelling
- B. Accessory uses. The following uses are permitted as accessory uses to Use C-12: Active Adult Community an active adult community:
 - (1) Use F-2: Indoor Recreation/Amusement
 - (2) Use F-3: Outdoor Recreation/Amusement
 - (3) Use G-7: Library/Community Center
 - (4) Use E-2: Business/Professional Office, to include maintenance and security facilities directly related to the community.
 - (5) Use F-5: Parkland

§ 265-155. Overlay district.

An active adult community is permitted by conditional use in the M-1 Office and Light Industrial District on the west side of Route 100 and on parcels zoned R-2 to the south of, and directly abutting, Route 73, as shown on the township's zoning map.

§ 265-156. Specific requirements.

- A. Frontage and access.
 - (1) Each proposed development shall require frontage, primary and emergency access from a semi-controlled public access street or collector street.
 - (2) All lots shall have frontage on a public or private road and all lots shall have a driveway access to an internal road in the development.

- B. Minimum tract size: five net developable acres. The tract shall be one contiguous parcel, not dissected or transversed by a public road, and shall be held in single ownership, having a net developable acreage of five acres or more. For the purpose of establishing "net developable acres" for this overlay zone, "developable acreage" shall mean the land devoted to the particular housing type, including yards, driveway facilities directly serving those particular dwelling types, and the active common open space area for the proposed dwellings, but excluding any land within the public rights-of-way, wetlands and flood ways or floodplains.
- C. Sewer and water facilities. An active adult community shall be served by public sewer and public water facilities.
- D. Density, lot size, lot width, yard setbacks, building coverage, and impervious surface coverage. The maximum density, minimum lot size, minimum lot width, minimum yard setbacks, maximum building coverage, and maximum impervious surface coverage are shown in the table below.

	Use C-2: Single Family Detached Dwelling	Use C-3: Single Family Semi- Detached Dwelling (Twin)	Use C-5: Two Family Detached Dwelling (Duplex)	Use C-3: Single Family Attached Dwelling
Max. density (units/net developable acre)	4	4	4	4
Min. lot size (square feet per unit)	6,000	4,500	4,500	2,000
Min. lot width (feet)	50	40	70	40
Min. front yard (feet)	25	25	25	25
Min. side yard/aggregate (feet)	10/25	25 (one)	10/25	15 (end)
Min. rear yard (feet)	25	25	25	25
Max. building coverage (% of lot area)	25	30	30	40
Max. impervious surface coverage (% of lot area)	35	40	40	60
Maximum principal building height (feet)	35	35	35	35
Maximum accessory building height (feet)	20	20	20	20

- E. Minimum lot size for condominium lots. The minimum lot size for condominium lots shall equal the area of the building footprint.
- F. Minimum building separation: 25 feet. For building in excess of 25 feet in height, the minimum building separation shall equal the height of the taller building, plus five feet.
- G. Minimum tract building setbacks: 25 feet. For building in excess of 25 feet in height, the minimum tract boundary setback shall equal the height of the building along the setback, plus five feet.

H. Building design. All residential buildings shall comply with the design standards of §265-32.

- (1) Each residential unit shall provide for access to any floor below or above ground level by an elevator in addition to such stairways as are required under the applicable building codes.

I. Setback from Route 100 and Route 73. There shall be a minimum setback of at least 50 feet from the legal right-of-way of Route 100 and Route 73.

§ 265-157. Landscaping and buffering.

Landscaping and buffering shall be provided in compliance with § 230-43 through §230-52 of Chapter 230, Subdivision and Land Development, of the Douglass Township Code.

- A. Screening buffers shall be provided when an active adult community abuts land zoned or used for industrial purposes, when that land does not have an existing buffer.
- B. Softening buffers shall be provided when an active adult community abuts land zoned or used for any of the following: single-family detached residential uses, commercial, office, or institutional uses.

§ 265-158. Lighting.

- A. Lighting shall be provided in accordance with §230-66 of the Douglass Township subdivision and land development ordinance.

§ 265-159. Signs.

- A. All signs shall comply with the provisions of Article XXIV of this chapter.

§ 265-160. Outdoor storage, storage of recreational or business vehicles.

- A. The outdoor parking of the following types of vehicles shall be prohibited in this district between the hours of 11:00 p.m. and 6:00 a.m. each day:
 - (1) Recreational vehicles, including campers, motor homes or trailers.
 - (2) Off-road vehicles, including motorcycles and all-terrain vehicles.
 - (3) Business vehicles licensed as such and over 6,000 pounds in weight.

§ 265-161. Open space.

- A. Amount. The minimum open space shall be 30% of the net developable acreage of the property and shall be suitable for active recreational purposes.
- B. Design.

- (1) Minimum width. No open space area shall be less than 25 feet in width, unless specifically designed as a trail or open space connector.
- (2) Minimum size. No contiguous open space area shall be less than 5,000 square feet in size.
- (3) Accessibility. Open space areas shall be accessible to the residents of the active adult community.
- (4) Area not to be included in calculating open space. Any building required separation area, any required access area, parking area, stormwater detention facilities, swales, basins, buffering or required landscaping area and/or required boundary setback area shall not be included in calculating the open space area.

C. Open space and active recreation facilities.

- (1) Requirement. Active recreation facilities shall be required for all active adult communities with 20 units or more which shall include a community room at least the size of the average unit. All active adult communities shall include, but need not be limited to, walking trails and/or sidewalks, and an indoor or outdoor sitting area (such as a picnic grove, gazebo or park benches), as recommended by the Planning Agency and approved by the Board of Supervisors. The walking trails may be located in the setback areas where appropriate.
- (2) Location. Active recreation facilities shall be centrally located, and accessible from all areas of the active adult community.

§ 265-162. Ownership and maintenance.

The ownership and maintenance of common elements, including open space, shall comply with the requirements of § 265-73 of this chapter.

§ 265-163. General regulations.

- A. Master plan. A master plan shall be required for the entire tract and shall include a unified architectural theme. The master plan shall provide for the development and use of the property in accordance with the goals, objectives and standards of this article of this chapter, the conditional use standards of § 265-304 of this chapter, the Douglass Township Comprehensive Plan, and the Regional Comprehensive Plan. At a minimum, a master plan shall include the following:
 - (1) The design of the proposed active adult community, including uses, densities of use, number of lots, units and buildings, and approximate height and bulk of buildings.
 - (2) Existing and proposed streets, including the design of any improvements to existing or proposed streets, street widths and right-of-way widths, intersections with external streets, and pedestrian facilities.

- (3) Proposed parking facilities, including those on individual lots, common parking, staff parking and overflow parking.
 - (4) Proposed open space, showing locations, design, uses and proposed recreation facilities, if any, as well as the ownership and maintenance of open space and recreation facilities.
 - (5) Existing and proposed utilities, including water, sewer, stormwater, electricity, telephone, cable television, gas and any other utilities.
 - (6) Existing and proposed buffering and landscaping, including existing vegetation to be preserved, proposed vegetation, proposed setbacks, and other proposed measures for buffering.
- B. Phasing. If the proposed development is to be constructed in phases, it shall be planned and constructed in full compliance with this chapter at the end of each phase.
- C. Covenants and declaration of age restriction. All active adult communities shall be managed by a homeowners' association, approved by the Township. Among the covenants running with the land to assure compliance with the conditions of approval, appropriate covenants shall be recorded to assure that the community is maintained, and used as an age-restricted, active adult community, in compliance with the Federal Fair Housing Act.
- D. Conditional use standards and procedures.
- (1) An application for an active adult community shall comply with the procedures for consideration of a conditional use application in § 265-260 of this chapter.
 - (2) The conditional use application shall be reviewed by the Township Planning Agency, Township Engineer, and any other consultants or agencies the Township deems appropriate.
 - (3) The applicant shall reimburse the Township for the cost of any such review.
- E. Deviation from specific requirements concerning density, dimensional regulations, lot requirements, parking, elevator, swales and open space.
- (1) Recognizing that the construction of such a community may necessitate a deviation of the density, parking, elevator, swales in open space area, setback and/or dimensional requirements, those requirements may be deviated from as conditions established during the conditional use process taking into consideration the legislative intent, the goals of this article, the standards aforementioned, the base requirements set forth herein, the economics of the development, and the uniqueness, functionality, creativity and innovativeness of the architectural structures and the development design. The deviation shall not provide for more than eight units per developable acreage, shall assure sufficient setbacks from neighboring properties and Route 100, and Route 73 with appropriate screening and buffering.

- (2) The developer is encouraged to design, develop and construct an age-restricted community that meets the objectives of this article and pursuant to the following standards, in addition to the standards of §§ 265-303 or 265-304 of this chapter, which standards the Township shall consider imposing conditions or in deviating, where necessary, from the specific requirements aforesaid:
 - (a) Maintain the rural character of the area;
 - (b) Avoid adverse impacts on the neighboring properties;
 - (c) Avoid impacts to the infrastructures of the Township, particularly the road system;
 - (d) Improve on and off-site the infrastructure of the Township;
 - (e) Design, develop and construct housing that is unique, energy efficient and accommodating to the needs of its residents;
 - (f) Design and provide for on-site active recreational and community activities;
 - (g) Encourage innovative architectural dwellings, aesthetically compatible to the surrounding area;
 - (h) Otherwise design, develop and construct a state-of-the-art age-restricted community.
- (3) As part of the conditional use application, the applicant shall present a list of those requirements as set forth in this chapter that it seeks the Township to deviate from, the basis for the same, and how the applicant will meet the standards and objectives of this chapter by the Township's allowing the deviation.
- (4) The applicant shall have the burden of proof to demonstrate the need for the deviation and that the deviation will be in accordance with the standards of this chapter.
- (5) The Township may impose reasonable conditions as part of the conditional use process to assure that the deviations meet the standards and objectives of this chapter.

ARTICLE XIX

LOR - Limited Office Residential Overlay District

§ 265-164. Purpose.

The general goals of the LOR Limited Office Residential Overlay District are:

- A. Permit a more creative, efficient and economical development pattern which results in less impact on local resources and the required support facilities for public services.
- B. Provide for adequate parking.
- C. Provide for safe and efficient travel by vehicles, bicycles and pedestrians.
- D. Reduce potential problems resulting from conflicts between proposed development, including land use changes, and adjacent lands, properties and uses.
- E. Reduce impervious surface and the loss of vegetation, help replenish groundwater supplies and minimize sedimentation/erosion problems.
- F. Control stormwater and have the proper management of stormwater.
- G. Encourage a mixed use of land development compatible to the existing uses to allow for modified use of existing properties in a manner that maintains the character of the area.
- H. Provide for residential and nonresidential uses, with nonresidential uses being of the type and size to satisfy the needs of the surrounding area and community, avoiding the appearance of commercial centers, but promoting the revitalization and use of present structures and infrastructure while controlling and managing growth.

§ 265-165. Use regulations.

An existing building may be converted or altered to allow any one of the following uses as a conditional use when authorized by the Board of Supervisors subject to the standards set forth herein and in § 265-260 of this chapter.

- A. Use D-20: Personal Service/Care. One shop permitted per lot. No more than 2,000 square feet is permitted per shop.
- B. Use E-2: Business/Professional Office. One office permitted per lot. No more than 2,000 square feet is permitted per office.
- C. Use D-21: Repair Services.
- D. Use G-1: Adult/Child Day Care Center.
- E. Use G-2: Group Day Care Home
- F. Use D-5: Bed and Breakfast.

The following accessory uses are permitted.

- A. Use A-7: Family Day Care Home

§ 265-166. Use controls.

The LOR Overlay District shall apply to the entire lot area of only those parcels in the R-2 Residential District that abut Swamp Pike.

- A. The development, use or change of use and the structure for such use or development shall meet the design criteria of § 265-168. The design conditions shall be used by the Township in determining the appropriateness of the proposal during the conditional use process in addition to the conditional use standards under this chapter.
- B. The property shall not be capable of further subdivision and a covenant running with the land shall be established to require the same. Any portion of the property that is capable of being further subdivided under the district regulations shall be included and that area shall be limited by deed restriction or by agreement in form acceptable to the Township and duly recorded in the office of the Recorder of Deeds in and for Montgomery County.
- C. The property shall consist of one lot and shall be held in single and separate ownership.
- D. Appropriate driveway or driveways shall be required to assure safe traffic movement onto and off of the property, including necessary improvements to Swamp Pike by way of deceleration or acceleration lane, if necessary, to assure the safe movement. Each lot shall have appropriate turnaround capability for traffic on the property for emergency vehicle access and for full, complete and safe circulation of traffic from Swamp Pike onto the site and off of the site to Swamp Pike. The parking and vehicle access design standards in § 265-92 of the LC Limited Commercial District shall apply to conditional uses in the LOR Overlay District.
- E. Appropriate landscaping, buffering, fencing and architectural features shall be required to assure compatibility with existing residential uses and the reduction of any impacts on neighboring uses and/or properties.
- F. Such conditions and restrictions to assure the design considerations as set forth in § 265-168 are met shall be required.
- G. Such conditions, restrictions and controls to assure that the site design meets the goals and objectives of this chapter after the site impact assessment has been presented and evaluated shall be required.
- H. Existing buildings may be expanded by no more than 50% of the residential building floor area that existed at the time of passage of this Article. Building additions must be the rear or side of the existing principal building. All building additions shall comply with the design criteria of § 265-168.

I. Dimensional standards.

- (1) Lot area, width, yards, and building coverage shall comply with § 265-50 of the R-2 Residential District for lots served by central sewer and central water, as follows:

Minimum lot area	15,000 square feet
Minimum lot area for Use A-7 Family Day Care Home	15,000 square feet
Minimum lot area for Use G-1: Adult/Child Day Care Center	40,000 square feet
Minimum lot area for Use G-2: Group Day Care Home	20,000 square feet
Minimum lot width	100 feet
Minimum front yard	35 feet
Minimum side yard	20 feet
Minimum rear yard	25 feet
Maximum building coverage	15%
Maximum height	35 feet for primary structures, 20 feet for accessory structures

J. Additional conditional use regulations.

- (1) Conditional use approval shall require compliance with the standards and criteria in § 265-90, Standards and criteria for special exceptions and conditional uses, and § 265-93, Standards for conversions, of the LC Limited Commercial District.
- (2) Parking capacity shall comply with the requirements of Article XXV of this chapter. There shall be no parking in the front yard area.

§ 265-167. Operation controls.

The hours and/or days of operation shall be controlled to avoid impacts on neighboring uses and/ or properties.

§ 265-168. Design considerations.

The use and development of the property shall be evaluated according to the following standards in addition to other standards as set forth in this chapter and appropriate conditions and restrictions shall be established to effectuate the following design considerations:

- A. Consistency with the goals and objectives of the Douglass Township Comprehensive Plan and the Pottstown Metropolitan Regional Comprehensive Plan.
- B. The incorporation and preservation of existing vegetation, such as woodlands and hedgerows into the project design and appropriate landscaping and buffering. Landscaping in the front yard areas shall be preserved.
- C. The preservation of historic resources.
- D. The compatibility with adjacent existing or potential residential land areas.
- E. A design to assure stormwater management for the development.
- F. A design to assure safe vehicular movement in, through and out of the proposed development.
- G. The incorporation of pedestrian circulation opportunities into the site design.
- H. Signs shall meet the requirements of Article XXIV Sign Regulations.
- I. Lighting shall meet the requirements of §230-66 Outdoor Lighting.
- J. No outdoor storage is permitted, and trash must be kept inside a principal building until collection.
- K. All conditional use buildings and additions must have a residential character, as demonstrated through elevations and other architectural drawings, and must include the following features:
 - (1) A pitched roof covering the building or addition with a pitch of at least 6 vertical inches to every 12 horizontal inches. Dormers or gables shall be used to break up the bulk of roofs.
 - (2) On all sides of buildings, residential building materials and colors that are similar to those found in compatible residences in the immediate neighborhood.
 - (3) A working front door that faces the street and serves as the primary entrance.
 - (4) Residentially-scaled windows and doors, compatible in scale to those found in residences in the immediate neighborhood.
 - (5) A wall to window/door opening ratio that is between 2 to 1 and 1 to 1.

§ 265-169. Site impact assessment.

- A. Purpose. The following shall be submitted to provide sufficient information of proposed site features to evaluate effectively the impacts and site design to

establish such criteria as is necessary to assure that the goals and objects of the LOR Overlay are achieved.

B. Contents.

- (1) The identification and mapping of site features of the tract in accordance with the plan information requirements under the Chapter 230, Subdivision and Land Development, of the Douglass Township Code.
- (2) The identification and mapping of natural resources on the site.
- (3) Road characteristics, including a description of roads crucial to the circulation needs of the proposed development, including existing dimensions, conditions and functions thereof.
- (4) A visual analysis of the site.
- (5) Identification and narrative description of community facilities and services that are anticipated to serve the proposed development, including but not limited to schools, emergency services, hospitals, public water and sewer services, parks/recreation programs, utilities, transportation components, libraries and other such community facilities and services.
- (6) All other additional information required for a conditional use application pursuant to this chapter.

ARTICLE XX

Route 100 Corridor Master Plan Overlay District

§ 265-170. Declaration of legislative intent.

In expansion of the Statement of Community Development Objectives contained in Article I of this chapter, it is declared to be the intent of this article to:

- A. Encourage the growth and development of the Route 100 Corridor by allowing additional permitted uses within an overlay district beyond the permitted uses already established in the underlying zoning districts.
- B. Allow for the flexibility of uses in an area designated for growth by the future land use plan of the Pottstown Metropolitan Regional Comprehensive Plan (PMRCP).
- C. Recognize that the Route 100 Corridor in Douglass Township should be more intensively developed to handle larger densities and a variety of commercial/industrial uses based upon its proximity to Route 100.
- D. Permit increase in density in residentially zoned areas within the Route 100 Corridor Master Plan, a designated growth area.
- E. Provide for alternative mixed-use opportunities for parcels zoned for office and light industrial uses within the Route 100 Corridor Master Plan Overlay District.

- F. Allow for alternative types of commercial uses in areas zoned for mixed use.

§ 265-171. Description of Overlay Boundaries and applicability.

The boundaries of the Route 100 Corridor Master Plan Overlay District shall consist of the land depicted on the map entitled "Route 100 Corridor Master Plan Overlay District, as shown on the Douglass Township Zoning Map.

§ 265-172. Eligibility requirements.

Development under the provisions of this article shall be permitted on sites that meet the following eligibility criteria:

- A. More than 50% of a tract or parcel, existing at the date of adoption of this chapter must lie within the Route 100 Corridor Master Plan area, as identified on the Douglass Township Zoning Map.
- B. Must abut, front on, or have direct access to the proposed/constructed Market Street and/or the proposed/relocated Jackson Road as depicted on the Township Road Improvements Map.
- C. Provide for contribution of road improvements in accordance with the Township Act 209 Plan, as amended, for Market Street and/or the realignment of Jackson Road through the proposed development or through a set aside of financial security or land, or a combination of both, acceptable to the Douglass Township Board of Supervisors for the purposes of assuring the future construction of either roadway.

§ 265-173. Use regulations

- A. The following use regulations for nonresidential development in the Route 100 Corridor Master Plan Overlay District shall apply to any parcel in the GC, MU or M-1 base zoning districts.

(1) Permitted uses:

- (a) Use D-24: Retail Establishment
- (b) Use D-20: Personal Service/Care
- (c) Use E-2: Business/Professional Office
- (d) Use D-4: Bank/ Financial Institution
- (e) Use D-22: Restaurant, Dine-In
- (f) Use D-23: Restaurant, Take Out
- (g) Use D-27: Studio
- (h) Use D-29: Supermarket/Grocery Store

- (i) Use E-5: Research Facility
- (j) Use D-8: Convenience Store
- (k) Use D-25: Shopping Center
- (l) Use G-5: Educational Facility
- (m) Use G-6: Emergency Services
- (n) Use G-1: Adult/Child Daycare Center
- (o) Use G-7: Library or Community Center
- (p) Use E-3: Hospital
- (q) Use E-4: Medical Clinic/Office
- (r) Use F-2: Indoor Recreation/Amusement
- (s) Use F-3: Outdoor Recreation/Amusement
- (t) Use F-5: Parkland
- (u) Use D-14: Laundry (Self-Service)
- (v) Use F-4: Theater
- (w) Use D-16: Microbrewery/Microwinery/Microdistillery
- (x) Use D-19: Parking Structure
- (y) Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House). Hotel.
- (z) Use G-4: Continuing Care Retirement Community
- (aa) Use C-3: Single Family Attached Dwelling (Townhouse)
- (bb) Use C-4: Single Family Semi-Detached Dwelling (Twin)
- (cc) Use C-5: Two Family Detached Dwelling (Duplex)
- (dd) Use C-7: Multifamily Development
- (ee) Use D-9: Event Facility
- (2) The following accessory uses are permitted:
 - (a) Use A-2: Nonresidential Accessory Structure

- (b) Use A-5: Fences and Walls
- (c) Use A-9: Accessory Roof-Mounted Solar Energy System
- (d) Use A-11: Outdoor Dining
- (e) Use A-13: Drive-Through Facility
- (f) Use A-14: Mobile Food Vendor
- (g) Use D-12: Fuel Service Station

B. The following development standards for nonresidential development in the Route 100 Corridor Master Plan Overlay District shall apply to any parcel in the GC, MU or M-1 base zoning districts.

Nonresidential Development Dimensional Standards	
Minimum Lot Area	2 acres
Minimum Lot Frontage	100 feet on a public or private street
Minimum Building Setbacks:	
- From ROW of Route 100	70 feet
- From ROW of Market Street	40 feet
- From curblane of other streets and main access drives	10 feet
- From side or rear property lines	50 feet
- From off-street parking areas	8 feet
- Between adjacent building on the same site	25 feet or the average height of the two adjacent buildings, whichever is greater
Minimum Build-To Line	For developments with frontage on Market Street, a minimum of 20% of the street frontage shall have buildings set back not more than 100 feet from the right-of-way of Market Street
Building Height	
- Sites in the GC Base Zoning District	Minimum 20 feet, maximum 45 feet
- Sites in the MU base zoning district	Minimum 20 feet, maximum 45 feet
- Sites in the M-1 base zoning district	Minimum 20 feet, maximum 45 feet
Maximum Impervious Coverage	80% of gross tract area, excluding any area within the right-of-way of a street offered for dedication to Douglass Township
Maximum Building Coverage	35% of gross tract area

- (1) Master plan requirements. All development proposed within the Route 100 Corridor Master Plan Overlay District shall meet the following special development regulations:

- (a) Any building facade with frontage on a street or main access drive must have a finished facade in accordance with the design standards of § 265-173.B(5) below. Any building visible from Route 100 shall have a finished facade on all visible sides.
 - (b) All buildings shall be laid out to make walking from one building to another and to buildings on adjacent sites as easy as possible. Safe and convenient sidewalks to and from all individual uses and buildings and crosswalks at all proposed intersections of public or private streets and main access drives must be provided in accordance with § 265-173.B(5) below. Connections to sidewalks on adjacent properties shall be provided wherever possible.
 - (c) Proposed development in the Route 100 Corridor Master Plan Overlay District shall be screened from adjacent residential uses in accordance with § 265-173.B(5) below.
 - (d) New public or private streets shall be interconnected with each other and streets on adjacent sites. Where new streets are not proposed, sites shall be interconnected with access drives wherever practical.
 - (e) Loading spaces and service areas for nonresidential uses shall be located to the rear or sides of primary building facades and screened from view from new and existing streets and adjacent properties.
 - (f) A minimum of 5% of the total gross floor area of all buildings shall be set aside as public open space areas, which may include plazas, squares, greens, and parkways. Public open space areas shall be accessible to the public and comply with the design standards of § 265-173B(5) below.
 - (g) On-street parking is prohibited along Market Street and Route 100. On-street parallel parking shall be permitted along other public or private streets and main access drives and may count as part of the overall parking requirement. On-street parking spaces shall be a minimum of 22 feet in length.
 - (h) The form and design of all new development, including but not limited to buildings, structures, parking areas, and public open spaces areas, shall comply with the standards of § 265-173.B(5) below.
- (2) In connection with the overall integrated development of the Route 100 Corridor Master Plan Overlay District, individual lots may be created for purposes of financing and/or conveyancing, without the need for subdivision/land development approval. Such individual lots shall not be required to comply on an individual basis with the dimensional requirements of this chapter, provided that 1) the overall development complies with such dimensional requirements; 2) the deeds conveying such separate lots contain covenants requiring the purchasers to, at all times, operate and maintain such lots in good order and repair and in a clean and sanitary condition; 3) cross-easements for parking areas and all appurtenant ways, pedestrian access, and utilities shall be created, recorded, and maintained between such lots; and

- 4) such cross-easements shall be subject to the approval of the Township Solicitor. The purchaser of any such lot shall so covenant and agree thereby to be bound by such conditions as set forth herein.
- (3) Except as specifically noted herein, all other applicable provisions of this chapter and Chapter 230, Subdivision and Land Development, of the Douglass Township Code, shall apply.
- (4) Phasing of development and construction shall be permitted. A phasing plan shall be submitted demonstrating compliance of each phase with the Route 100 Corridor Master Plan Overlay District regulations.
- (5) Design standards. The intent of these standards is to ensure development contributes to a high-quality, mixed-use environment without limiting design flexibility and innovation. The applicant shall submit plans, elevations, renderings, reports, documents, and samples as necessary to demonstrate compliance with the following standards:
- (a) Building design standards. The intent of building design standards is to control building mass, form, and facade articulation without dictating architectural style and to ensure that building architecture generates visual interest.
- [1] Primary facade. Any building facade with a customer or visitor entrance shall be treated as a primary facade. At least 25% of the length of the ground floor of primary facades shall consist of windows, glass doors, or other transparent building surfaces. Reflective glass is prohibited. Where a building has more than one primary facade, the requirement for transparent building surfaces may be reduced to 10% on one of the primary facades. Walls or portions of walls where windows are not provided shall have architectural treatments and details, such as a change in building material or color, lighting fixtures, decorative tiles, hanging planters, awnings, or similar features.
- [2] Secondary facade. All other building facades shall be treated as a secondary facade. Secondary facades must have architectural treatments, building materials, and colors that are consistent with the primary facade. Blank facades without any articulation or decoration shall not be permitted on any visible sides of any building.
- [3] Developments with more than one building on the lot shall have a common and coherent architectural theme throughout the development.
- [4] All building entrances on primary facades shall be accentuated. Permitted entrance accents include: recessed, protruding, canopy, portico, overhang, or similar feature.

- [5] Buildings shall use parapets, mansard, or sloped roof styles along all roof edges to conceal large vents, HVAC, and other rooftop equipment and structures.
 - [6] Buildings must have at least a three-foot break in depth, for the full height of the building, every 150 feet of continuous primary facade. All secondary facades shall include some articulation and decoration to avoid the appearance of a blank wall.
- (b) Streetscape design standards. The intent of streetscape standards is to create high- quality pedestrian environments that reflect the level of service of main internal streets and access drives and adjacent roadways. Streetscape standards do not apply to secondary parking access drives or parking aisles.
- [1] Developments shall incorporate traffic calming devices along internal streets and main access drives to slow traffic and improve pedestrian mobility and safety whenever possible. Traffic calming devices include curb bump-outs, raised median islands, speed bumps, and raised crosswalks or intersections, consistent with the most recent version of PennDOT's Traffic Calming Handbook.
 - [2] Street trees shall be planted along adjacent roadways and all main internal streets and access drives every 50 feet in accordance with an overall landscape plan prepared for the development.
 - [3] Market Street shall be designed and constructed as a coordinated streetscape through all proposed developments in the Route 100 Corridor Master Plan Overlay District. All proposed plantings, lighting fixtures, street furniture, and pedestrian walkways shall be designed in a cohesive manner and approved by the Township Engineer.
 - [4] Sidewalks or paved walking paths are required to connect streets and access drives to all building entrances, parking areas, plazas, and other destinations. Sidewalks shall connect to existing sidewalks on abutting parcels wherever possible. No sidewalks are required along Route 100.
 - [5] All main internal streets and access drives shall have sidewalks with a minimum width of five feet.
 - [6] At least 20% of the linear distance of main internal streets and access drives shall be designed as enhanced pedestrian walkway areas. In such areas, sidewalks with a minimum unimpeded width of eight feet are required and shall be constructed of durable, attractive materials like brick, stone, or colored or textured concrete accented with pavers. These sidewalks shall be separated from the main internal streets and access drives by a four-foot-wide decorative verge area to allow for street trees and furnishings, such as benches and light fixtures. The verge area may consist of

planted areas and/or hardscaped areas designed to complement sidewalk paving.

- [7] All sidewalks shall have accessibility ramps and shall comply with the regulations of the Americans with Disabilities Act, as amended.
 - [8] Crosswalks not more than 10 feet and not less than six feet wide shall be required at all street intersections and wherever necessary to provide safe pedestrian access to buildings and open space areas. Crosswalk borders shall be highlighted with a contrasting color and/or texture. Installation and selected materials shall be durable and able to withstand vehicular traffic.
 - [9] Crosswalks at intersections within enhanced pedestrian walkway areas shall be constructed of patterned surface dressing, textured paving, or stone/brick/ concrete pavers that make them easy to view and distinguish from the roadway.
 - [10] All residential areas shall be compact and walkable neighborhoods. The applicant must demonstrate that the community is designed to promote pedestrian circulation between residential and commercial areas.
- (c) Parking design standards. The intent of parking design standards is to reduce the visual and environmental impacts of surface parking areas and structured garages.
- [1] All surface parking lots shall be set back 10 feet from the right-of-way of adjacent streets and 15 feet from all other property lines.
 - [2] All surface parking lots shall be set back eight feet from new and existing buildings.
 - [3] Surface parking lots adjacent to existing or proposed surrounding streets shall have a five-foot wide landscaped area with a three-foot-high wall or hedge to provide a screen. Parking lots adjacent to a residential use shall have a ten-foot-wide landscaped area with a six-foot-high wall or hedge. In addition to the wall or hedge, the landscaped area shall include any required street trees and a mix of groundcovers and shrubs. The landscaped areas shall be located on the side of the wall or hedge that is visible from the street or adjacent site. The screening and perimeter landscape requirements of § 230-47 shall not apply to nonresidential development in the Route 100 Corridor Master Plan Overlay District
 - [4] The interior of all surface parking lots shall be landscaped in accordance with § 230-48 of Chapter 230, Subdivision and Land Development.
 - [5] Structured parking shall have design treatments that provide visual interest, such as a change in color, texture, or building material.

Blank walls are not permitted. Structured parking shall be designed to continue the architectural elements of the rest of the development.

- [6] Cars in structured parking facilities shall be screened from the street through features such as grills, lattices, mock windows, louvers, false facades, etc. Such screening shall be in keeping with the rest of the building's architectural style and materials.
 - [7] Sidewalks to and from parking lots and garages shall be provided to ensure safe and convenient pedestrian access.
- (d) Public open space design standards. The intent of open space design standards is to provide improved common areas of an adequate size and proportion to serve a variety of passive recreational needs.
- [1] Required public open space areas shall consist of plazas, parks, central greens, parkways, and similar types of usable, public space. Sidewalks or paved walking paths are required to provide public access to such open space areas and ensure the areas are interconnected.
 - [2] An area equal to at least 5% of the total gross floor area of all buildings shall be required for public open space. For residential developments, at least 15% of the gross tract area shall be public open space (see §265-174.F). The minimum required public open space area may be divided up and dispersed throughout the development; however, no individual area shall be smaller than 2,000 square feet or larger than 30,000 square feet, unless designed as part of a parkway or trail system. For sites greater than one acre in size, a minimum of two separate public open space areas shall be provided.
 - [3] Public open space areas shall have a minimum of 50 feet of frontage along main internal streets and/or access drives.
 - [4] The minimum dimension of any public open space area shall be 15 feet.
 - [5] At least 25% of the public open space area or plaza shall be landscaped with a mix of trees, shrubs, and ground cover in accordance with an overall landscape plan prepared for the development by a registered landscape architect.
 - [6] Public open space areas shall be provided with benches, trash containers, and lighting fixtures in locations and amounts that are acceptable to the Township Engineer.
- (e) Lighting standards. The intent of lighting design standards is to limit the negative impacts of parking lot illumination on adjacent properties, minimize light pollution and energy consumption, and create a safe,

secure environment. Lighting shall comply with §230-66 of the Douglass Township subdivision and land development ordinance.

- [1] A lighting plan is required for all development proposed in the Route 100 Corridor Master Plan Overlay District. The amounts and spacing of fixtures proposed shall be approved by the Township Engineer.
 - [2] Lighting fixtures shall be in keeping with the rest of the development's architectural style and materials.
 - [3] Lighting shall be directed towards the proposed development to shield abutting properties.
 - [4] Light fixtures shall be set back at least 20 feet from adjacent residential uses.
- (f) Service area and equipment standards. The intent of service area and equipment design standards is to minimize the visual presence of service functions, such as delivery and refuse storage and pickup.
- [1] The storage of refuse shall be provided inside the building(s) or within an outdoor area completely enclosed by either walls or opaque fencing at least six feet in height. Any refuse area outside of the building shall be durable and designed to be architecturally compatible with the building(s) and shall not be located in the front of the building. No chain link fences or concrete cinder block shall be used for such outdoor enclosures.
 - [2] All wall-mounted or ground-mounted mechanical, electrical, communication, HVAC, and service equipment, including satellite dishes and vent pipes shall be screened from public view by parapets, walls, fences, landscaping, or other approved means.
- (g) Landscape and screening standards. The intent of landscape and screening design standards is to provide a high-quality and cohesive environment and encourage the use of plant materials that are resource efficient, sustainable, and easily maintained.
- [1] Except as noted for surface parking area landscaping above, the landscape regulations of § 230-43 through § 230-52 of Chapter 230, Subdivision and Land Development, of the Douglass Township Code, shall not apply.
 - [2] A landscape plan prepared by a registered landscape architect is required for all development. Landscaped areas include public open space areas, the interior and perimeter of surface parking areas; greenways, verges, stormwater basins, and natural areas. The amount and spacing of plant material, hardscape, and amenities shall be approved by the Township Engineer.

- [3] Provide safe, durable, and attractive paving surfaces that require low maintenance.
 - [4] The size and configuration of planting beds and all proposed plant material shall be appropriately scaled to the public open space where it is located.
 - [5] Landscaped and hardscaped areas shall be properly graded and drained for public safety and welfare.
 - [6] Where development abuts a residential zoning district outside of the Route 100 Corridor Master Plan Overlay District, a year-round visual screen shall be provided. The minimum width of the landscape screen shall be 1/2 of the required building setback. Where the required minimum setback is 10 feet, a six-foot-high fence and five-foot-wide landscaped area shall be required.
 - [7] Where site elements, such as trash receptacles or mechanical/service equipment are proposed, a year-round visual screen shall be provided. Proposed plant material, spacing, and configuration must provide a minimum six-foot high opaque screen surrounding the site element.
 - [8] Screens shall consist of a mix of trees, shrubs, ornamental grasses, and ground covers. Where space is limited, an architectural solution, such as a wall or privacy fence is permitted. Any such architectural feature shall be durable, easily maintained, and compatible with the development's proposed building design and materials. No chain link fences or concrete cinder block shall be used for screening purposes.
 - [9] Screen plantings and architectural elements shall be selected and located so as not to create conditions that are hazardous to public safety.
 - [10] Screen plantings and architectural elements shall not restrict or interfere with drainage patterns, rights-of-way, or easements.
 - [11] All plant material shall be guaranteed for 18 months to ensure the proper health and maintenance of landscaped areas.
- (6) Signage. The sign standards and requirements of Article XXVI of this chapter shall apply and be applicable. However, off-premises advertising signs shall be prohibited within the Route 100 Master Plan Overlay District.
- (a) As an alternative to the sign standards and regulations contained in Article XXIV of this chapter, the Board of Supervisors may modify by conditional use, the size, number and total amount of signage for each master plan when satisfying the following conditions:

- (a) The applicant shall submit a comprehensive sign package, which includes the location and design of all proposed signage, including the size, materials, lighting, and height of each sign.
- (b) The applicant shall also include with the conditional use submission, all specifications on all types of signs proposed, including but not limited to overall development, individual business and directional signs.
- (c) Sign permits through this conditional use process are available only for nonresidential development in the MU District that uses the Route 100 Corridor Master Plan Overlay Design option.
- (d) Each shopping center or mixed-use nonresidential development shall be permitted one entrance sign identifying the development at each vehicular entrance from a public street, provided the following additional standards are met:
 - [1] The overall height of each sign shall not exceed 35 feet; signs on the frontage of Route 100 shall not exceed 40 feet;
 - [2] Each sign shall not exceed 200 square feet; signs on the frontage of Route 100 shall not exceed 300 square feet;
 - [3] Signs with frontage on Route 100 shall be set back a minimum of 15 feet from the right-of-way of Route 100;
- (e) Tenants are permitted to have individual signs provided that the maximum total signage for each tenant of a multi-tenant center shall not exceed 100 square feet of sign for every 10,000 square feet of gross floor area per tenant up to a maximum of 400 square feet of signage total per tenant.
- (f) Each single-user nonresidential development or CCRC shall be permitted one entrance sign identifying the development at each vehicular entrance from a public street, provided each sign shall not exceed 15 feet in height and shall not exceed 80 square feet in size.
- (g) Changeable copy signs shall be permitted, provided they do not exceed 15% of the total sign area permitted by an individual tenant/user or shopping center.
- (h) All signs shall comply with Article XXIV of this chapter.
- (i) The applicant shall also satisfy and comply with the standards and criteria set forth in § 265-260 of this chapter.

§ 265-174. Development regulations and requirements for residential developments.

The following regulations shall apply to residential uses.

- A. Density. The maximum permitted base density shall be 12 dwelling units per developable acre of the tract.
- B. The maximum percentage of residential uses permitted per gross floor area of the development shall be 50%. Parking is not included in the gross floor area calculations.
- C. Design standards. In order to promote pedestrian-friendly design, residential developments shall provide pedestrian connections to adjacent commercial properties.
- D. Dimensional standards. The following dimensional standards shall apply to residential developments in the Route 100 Corridor Master Plan Overlay District:

Residential Dimensional Standards	
Tract building setback	25 feet from tract boundaries and ultimate rights-of-way
Tract parking setback	25 feet from tract boundaries, 10 feet from existing or proposed ultimate rights-of-way
Minimum lot area	N/A
Lot width	18 feet
Minimum building setbacks	
- From edge of paving of existing or proposed streets, private streets, common access drives and parking areas	25 feet
- From proposed parking areas and on-street parking spaces	5 feet
- Sides of buildings from edge of paving of proposed public and private streets and common access drives	8 feet
- Rear of buildings from paved cartway of proposed public and private streets and common access drives	10 feet
Distance between buildings:	
- Minimum side to side distance	20 feet
- Minimum rear or front to side distance	30 feet
- Minimum rear to rear or front to front distance	40 feet
Maximum building height	35 feet (3 stories)
Maximum building length	180 feet
Maximum building coverage	35%
Maximum impervious coverage	65%

- E. Circulation and access. Residential developments shall provide a system of interconnected public rights-of-way, private streets, and common access driveways. In the event of a conflict with other sections of this chapter or Chapter 230, Subdivision and Land Development, the provisions of this section shall apply. These standards may be modified by the Board of Supervisors on the recommendation of the Township Engineer and Township Planning Agency.
- (1) Public rights-of-way shall have a minimum right-of-way width of 50 feet and a minimum cartway width of 30 feet.
 - (2) Private streets shall have a minimum cartway width of 26 feet. Minimum right-of-way shall not be required for private streets.
 - (3) Common access driveways shall have a minimum cartway width of 20 feet. Minimum right-of-way shall not be required for common access driveways.
 - (4) Minimum center-line radius and tangent requirements for horizontal curves do not apply to common access driveways.
 - (5) Street intersection and clear sight triangle requirements may be modified with the recommendation of the Township Engineer.
 - (6) Private driveways may be located eight feet from the edge of paving of intersecting private streets and common access drives. Private driveways shall be 25 feet from the edge of paving of intersections with existing streets.
 - (7) Sidewalks shall be provided along both sides of public and private streets. Sidewalks shall also be provided along common driveways and parking areas to ensure safe and convenient access. At the discretion of the Board of Supervisors, walking trails may be provided in lieu of sidewalks.
- F. Common open space. Common open space areas may include squares, plazas, greens, informal parks, and preserved natural areas, providing space for passive and unstructured active recreation. The provisions of §§ 265-27 and 265-28 shall apply.
- (1) A minimum of 15% of the gross area of the site shall be permanently preserved as open space.
 - (2) Required open space shall maximize the conservation of significant natural, historic, and scenic resources on the site, including floodplain, wetlands, ponds, streams, woodlands, and steep slopes.
 - (3) Minimum required open space shall not include any areas within 15 feet of buildings.
 - (4) Minimum required open space areas may include underground stormwater management facilities.
 - (5) Required open space areas may also include surface stormwater management facilities, provided such facilities are designed using best management practices.

- (6) Open space shall be interconnected with common open space areas on adjacent parcels wherever possible.
 - (7) All developments with 25 or more dwelling units shall contain a primary park that is improved with a gazebo, picnic area, paved patio, or tot lot to help identify the park as the central gathering place for the development. This improved area shall be conveniently accessible by sidewalk or trail from all dwelling units in the development, and shall have a minimum of 100 feet of frontage on a street or internal access drive within the development.
 - (8) The recreation facilities requirements of § 265-27 shall apply. As an alternative, a "fee in lieu," per § 265-28D, or a "public trail option" per § 265-73(5), may be provided at the discretion of the Township's Board of Supervisors.
- G. Buffer. Buffers shall be installed in accordance with §230-47 of the township's Subdivision and Land Development ordinance.

ARTICLE XXI

Neighborhood Mixed-Use Overlay District

§ 265-175. Declaration of legislative intent.

The following is an expansion of the statement of community development objectives contained in Article I of this chapter. It is the intent of this article to provide for a mix of residential and convenience commercial uses to serve as a transitional area between higher intensity commercial uses and lower density residential neighborhoods. Further, it is the intent of this article to:

- A. Provide a mix of dwelling types in close proximity to Township employment centers.
- B. Serve the needs of residents by allowing for community commercial and personal service uses adjacent to neighborhoods.
- C. Establish a balanced mix of residential and nonresidential uses to serve as a buffer between the GC General Commercial District and R-2 and R-3 Residential Districts.
- D. Promote alternatives to automobile use by creating walkable mixed use neighborhoods.
- E. Encourage circulation connections and shared access to minimize traffic hazards.

§ 265-176. Permitted uses.

The following uses are permitted.

- A. Use C-2: Single Family Detached Dwelling

- B. Use C-3: Single Family Attached Dwelling (Townhouse)
- C. Use C-4: Single Family Semi-Detached Dwelling (Twin)
- D. Use C-12: Active Adult Community. Any of the above residential uses may be permitted within an age-qualified development, in compliance with the Federal Fair Housing Act, either by themselves or in combination with non-age-qualified housing, provided the development meets the standards set forth in § 265-182.
- E. Use D-4: Bank/Financial Institution
- F. Use D-20: Personal Service/Care
- G. Use D-22: Restaurant, Dine-In
- H. Use D-23: Restaurant, Take Out
- I. Use D-24: Retail Establishment
- J. Use E-2: Business/Professional Office
- K. Use G-1: Adult/Child Day Care Center
- L. Use F-5: Parkland

The following accessory uses are permitted.

- A. Use A-9: Accessory Roof-Mounted Solar Energy System
- B. Use A-11: Outdoor Dining
- C. Use A-13: Drive-Through Facility
- D. Use A-14: Mobile Food Vendor

The following uses are permitted as accessory uses to Use C-12: Active Adult Community:

- A. Use F-2: Indoor Recreation/Amusement
- B. Use F-3: Outdoor Recreation/Amusement
- C. Use G-7: Library/Community Center Community facilities;
- D. Use E-2: Business/Professional Office, to include office, maintenance, and security facilities directly related to the community

§ 265-177. Eligibility criteria.

The Neighborhood Mixed-Use Overlay District shall be available upon request to properties within the R-3 Residential or M-1 Office and Light Industrial District at

the discretion of the Board of Supervisors. A sketch plan demonstrating compliance with the criteria listed below and all applicable zoning regulations is required:

- A. The minimum tract size shall be 25 acres.
- B. The tract shall be served by public sewer and water service.
- C. Any use implementing the active adult housing option shall comply with all standards set forth in § 265-182C and § 265-163A through C.

§ 265-178. Mix requirements.

Developments in the Neighborhood Mixed Use Overlay District shall contain a mix of residential and nonresidential uses as follows:

- A. Every NMU development proposed for eligible tracts shall provide a mix of residential and nonresidential uses that fall within the ranges below, based on type of land use as a percentage of the gross tract area. At the discretion of the Board of Supervisors, the minimum amount of nonresidential uses required may be reduced to not less than 10% where improved open space is provided. Open space improvements shall include at least one multipurpose field, a trail system at least 1/4 mile in length, and parking for a minimum of 20 vehicles.

Use Type	Minimum %	Maximum %
Residential	65	85
Nonresidential	15	35
Common Open Space	20% of the gross tract area	N/A

- B. Every NMU development proposed for eligible tracts shall provide a mix of at least two dwelling types, including single-family detached, two-family, and single-family attached units. The minimum amount of any one dwelling type shall be 10%.

§ 265-179. General dimensional standards.

The following dimensional standards apply to all uses in a neighborhood mixed use development.

- A. Maximum building coverage: 25% of the gross tract area. The maximum individual building footprint for nonresidential uses shall be 20,000 square feet.
- B. Maximum impervious coverage: 45% of the total tract area.
- C. Maximum height. The maximum height for buildings or other structures shall be no more than three stories or 35 feet.

§ 265-180. Residential dimensional standards.

The following dimensional standards apply to residential uses in a neighborhood mixed use development. If fee simple lots are not proposed, equivalent lot areas and dimensional standards shall be used.

Residential Dimensional Standards			
		Use C-2: Single Family Detached Dwelling	Use C-3: Single Family Attached Dwelling and C-4: Single Family Semi-Detached Dwelling
Minimum lot size		8,000 sq. ft.	Use C-3: 1,800 sq. ft. Use C-4: 2,200 sq. ft.
Minimum lot width		70 ft. at the building setback line	20 ft.
Minimum front yard		25 ft.	
Minimum side yard		10 ft.	
Minimum rear yard		25 ft.	
Minimum setback from interior streets or drives			25 ft.
Minimum building separations:			
- Front to front			75 ft.
- Front/back to side			35 ft.
- Side to side			25 ft.
- Back to back			50 ft.
Maximum density	8 dwelling units/acre	8 dwelling units/acre	8 dwelling units/acre
Minimum building setbacks:			
- From ultimate ROW of any external public street or highway	50 ft.		
- From any other tract boundary	30 ft.		
- From interior street and private drives	25 ft.		
- From a nonresidential building	75 ft.		
- From nonresidential parking areas	50 ft.		
- From residential or recreational parking areas	25 ft.		
- From recreational uses	75 ft.		

§ 265-181. Nonresidential dimensional standards.

The following dimensional standards apply to nonresidential uses in a neighborhood mixed-use development.

Nonresidential Dimensional Standards	
Minimum building setbacks:	
- From the ultimate ROW of any external public street or highway	50 ft.
- From any other tract boundary	30 ft.
- From another nonresidential building	25 ft.
- From a residential building	75 ft.
- From nonresidential parking areas	5 ft.
- From residential parking areas	50 ft.
- From recreational uses	15 ft.

§ 265-182. General regulations.

The following general regulations shall comply with any development pursuant to the Neighborhood Mixed-Use Overlay District.

- A. A traffic impact study shall be required and submitted with the preliminary subdivision or land development plan.
- B. Development stages/phases. A neighborhood mixed-use development may be constructed in either a single phase or multiple phases. If construction is in phases, the development shall be in accordance with a development agreement which shall:
 - (1) Be binding to the overall tract and its development.
 - (2) Be recorded with the final plan.
 - (3) Be acceptable to the Township Engineer, Township Solicitor and Board of Supervisors.
 - (4) Disclosed to purchasers of all residential units, the location and types of the proposed nonresidential uses.
 - (5) Contain provisions for maintenance of any undeveloped lots or areas of the mixed-use development.
- C. Community centers for active adult communities.
 - (1) Centers shall comply with all building setbacks as identified in §265-181.
 - (2) Community centers shall be centrally located and accessible via walking trail from all areas of the development utilizing the active adult community residential option.
 - (3) Parking shall comply with §265-231.C(4).

§ 265-183. Common open space standards.

Common open space shall be provided as follows. Ownership and maintenance of common open space shall be in accordance with § 265-73.

- A. A minimum of 20% of the gross tract area shall be preserved in common open space.
 - (1) No area within 25 feet of a residential building shall be counted toward minimum required open space.
 - (2) Areas less than 25,000 square feet shall not be counted toward minimum required open space, with the exception of neighborhood open space areas as required below.
 - (3) The minimum dimension of common open space areas shall be 75 feet.
- B. Neighborhood open spaces, such as village greens, commons, landscaped cul-de-sac islands or pocket parks are small improved areas and shall be provided throughout the development where possible.
 - (1) A minimum of 10% of the minimum required open space shall be comprised of neighborhood open space areas.
 - (2) The minimum size for a neighborhood open space area shall be 2,500 square feet.
 - (3) At least one village green or commons shall be provided with a minimum area of 15,000 square feet as part of the neighborhood open space areas. Indoor or outdoor sitting areas, such as a picnic grove, gazebo, or park benches shall be provided within the neighborhood open space.
 - (4) The village green or commons area must be surrounded by roads or the front facades of homes on at least 75% of its perimeter.
- C. Recreational walking trails shall be provided connecting all areas of the development to the common open space and neighborhood open space elements. Additionally, trails shall connect all residential areas to each other and to the commercial component of the development, if not already connected by the required sidewalk network. Trails shall be concrete, macadam, or comparable all-weather material, and shall be a minimum of six feet wide. Walking trails may be located in the setback areas where appropriate.
 - (1) Seating areas shall be provided along the walking trail at appropriate intervals, as recommended by the Township Planning Agency. Locations for seating areas should take into consideration availability of shade, proximity to destinations, and scenic viewsheds. Shade trees should be planted along the walking trail if existing vegetation does not exist.

§ 265-184. Buffer requirements.

Screening and softening buffers shall be provided as follows:

- A. Screening buffers shall be provided where a neighborhood mixed used development abuts an existing residential use or where proposed residential uses abut existing nonresidential uses. The screening buffer shall be placed within the thirty-foot tract setback and must be developed in accordance with the provisions of § 230-47 of Chapter 230, Subdivision and Land Development.
- B. Softening buffers shall be provided along all side and rear property lines that are not required to have a screening buffer. Softening buffers shall also be used between residential and nonresidential uses within the neighborhood mixed use development. The softening buffer shall be placed within the thirty-foot tract setback along property lines or in an area a minimum of 20 feet wide between uses and must be developed in accordance with the provisions of § 230-47 of Chapter 230, Subdivision and Land Development.
- C. Buffers are not required where existing vegetation provides an adequate visual screen.

§ 265-185. Design standards.

The following design standards shall be incorporated into the proposed NMU development wherever possible:

- A. Streets should be interconnected with each other and with streets on abutting properties wherever possible. Cul-de-sac streets shall be minimized.
- B. Sidewalks shall be provided as required by Chapter 230, Subdivision and Land Development, of the Douglass Township Code.
- C. Entrances shall be oriented towards main streets. Windows shall be provided in facades facing streets wherever possible.
- D. Nonresidential buildings shall have pitched roofs wherever possible or a decorative cornice and parapet wall. All residential buildings shall have pitched roofs.
- E. Parking for nonresidential areas shall be located to the side or rear of buildings.

ARTICLE XXII

Riparian Corridor Conservation District

§ 265-186. Legislative intent.

In expansion of the community development objectives contained in Article I of this chapter and in support of the goals and recommendations of the Douglass Township Comprehensive Plan, it is the intent of this article to provide reasonable controls governing the restoration, conservation, disturbance, and management of existing riparian corridors by establishing a designated Riparian Corridor Conservation (RCC) District. In addition, the specific purposes and intent of this article are to:

- A. Improve surface water quality by reducing the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach wetlands and water bodies by using scientifically proven processes including filtration,

deposition, absorption, plant uptake, and denitrification, and by improving infiltration, encouraging sheet flow, and stabilizing concentrated flows.

- B. Improve and maintain the safety, reliability, and adequacy of the water supply for domestic, agricultural, commercial, industrial, and recreational uses along with sustaining diverse populations of aquatic flora and fauna.
- C. Preserve and protect areas that intercept surface water runoff, wastewater, subsurface flow, and/or deep groundwater flows from upland sources and function to remove or buffer the effects of associated nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into water bodies, as well as provide wildlife habitat, moderate water temperature in water bodies, and provide opportunities for passive recreation.
- D. Regulate the land use, siting, and engineering of all development to be consistent with the intent and objectives of this chapter, accepted conservation practices, and to work within the carrying capacity of existing natural resources.
- E. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically Erosion Control, of the Pennsylvania Clean Streams Law, Act 394, P.L. 1987, Chapter 102 of the Administrative Code (as amended October 10, 1980, Act 157), Title 25, and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District.
- F. Conserve the natural features important to land or water resources such as headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats and other features that provide recreational value or contain natural amenities that exist on developed and undeveloped land.
- G. Work with floodplain and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and riparian features.
- H. Recognize that natural features contribute to the welfare and quality of life of the Douglass Township residents.
- I. Conserve natural, scenic, and recreation areas within and adjacent to riparian areas for the community's benefit.

§ 265-187. Establishment and width determination.

- A. Applicability.
 - (1) The Riparian Corridor Conservation District is an overlay district that applies to lands adjacent to streams, including any adjacent wetlands, and/or naturally occurring water bodies draining into the identified stream. The District does not apply to man-made water bodies.
 - (2) The RCC District regulations shall apply when:

- (a) A plan is submitted for land development and/or the subdivision of land.
- (b) A building permit application is submitted for construction of a new structure and/ or an expansion of an existing structure within 100 feet of the bank of a mapped stream.
- (3) Lots containing legal structures in existence at the time of adoption of this article shall not be subject to the requirements of this article unless and until they are the subject of either §265-187.A(2)(a) or (b).
- (4) Any lands within 100 feet of a stream that are wholly separated from that stream by an existing public or private street shall be considered outside the RCC District and the regulations contained in this article shall not apply.

B. Boundary definition, zone determination, and interpretation. The Riparian Corridor Conservation District is an overlay district that applies to streams, wetlands, and water bodies, and the land adjacent to them, as specified in the following table:

Surface Water Feature	Minimum Corridor Width
Mapped Streams as mapped on the adopted "Douglass Township Riparian Conservation District Map" (Attachment A, as amended), including any adjacent wetlands and/or water bodies draining into the identified stream	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream</p> <p>Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater (total minimum width of Zones 1 and 2 = 100 feet plus the width of the stream)</p>
Unmapped Streams Any perennial stream [NOTE: A "perennial stream" shall mean any waterway that has continuous flow in parts of its bed all year round.] located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream</p> <p>Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater (total minimum width of Zones 1 and 2 = 100 feet plus the width of the stream)</p>

C. Zone designation adjustments for steep slopes. If the extent of the steeply sloped area (>25% slope) is more than 50 feet, Zone 1 shall extend to the fifty-foot maximum corridor width and Zone 2 shall not be required. If the extent of the steeply sloped area is less than 50 feet, Zone 1 shall extend to the limit of the steeply sloped area and the width of Zone 2 shall be adjusted so that the total corridor width on one side of a stream will be 50 feet maximum.

D. Boundary adjustments. The boundaries of the Riparian Corridor Conservation District, shall be adjusted in compliance with the following:

- (1) All properties measuring less than one acre shall be permitted to reduce Zone 1 to 10 feet and Zone 2 to an additional 25 feet, measured from the edge of Zone 1, for a total buffer width of 35 feet on each side of the stream bank.
- (2) If any structure legally existing at the time of the passing of this article lies within 100 feet of the defined edge of a stream, in whole or in part, Zone 2 requirements shall not apply. Zone 1 requirements shall apply as specified herein (10 feet buffer on each side of the stream for properties less than one acre; 25 feet buffer on each side of the stream for properties greater than one acre).

E. Identification and width determination. The applicant shall be responsible for the following:

- (1) Identifying the streams, wetlands, and/or water bodies on and within 50 feet of the applicant's site, and locating these features accurately on the applicant's plans.
- (2) Initial width determination of the riparian corridor(s) in compliance with § 265-187A, herein, and for identifying these areas on any plan that is submitted for subdivision, land development, or other improvements that require plan submissions or permits.

§ 265-188. Uses permitted.

The following uses are permitted by right in the Riparian Corridor Conservation District in compliance with the requirements of this article.

A. Zone 1:

- (1) Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone 1, including:
 - (a) Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas of public and private parklands, and reforestation.
 - (b) Stream bank stabilization.
- (2) Forestry operations approved by the Montgomery County Conservation District
- (3) Corridor crossings:
 - (a) Agricultural crossings by farm vehicles and livestock.
 - (b) Driveways serving one or two single-family detached dwelling units provided the mitigation requirements of § 265-193B are satisfied. The

corridor crossing standards of § 265-194 should be considered during the design of the driveway.

- (c) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of § 265-193B and the corridor crossing design standards of § 265-194 are satisfied.
- (4) Maintenance of the riparian corridor through the removal of invasive plants, trash, and solid waste, mitigation of soil erosion problems, and planting for the purpose of improving corridor vegetation.

B. Zone 2.

- (1) Open space uses including wildlife sanctuaries, nature preserves, forest preserves, passive areas of public and private parklands, recreational trails, and reforestation.
- (2) Use B-1: Agricultural uses conducted in compliance with methods prescribed in the Department of Environmental Protection's Erosion and Sediment Pollution Control Manual, as amended.
- (3) Corridor crossings:
 - (a) Agricultural crossings by farm vehicles and livestock.
 - (b) Driveways serving one- or two-family detached dwelling units, provided the mitigation requirements of § 265-193B are satisfied. The corridor crossing standards of § 265-194 should be considered during design of the driveway.
 - (c) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of § 265-193B and the corridor crossing design standards of § 265-194 are satisfied.
- (4) Use A:1 Residential accessory structures having an area equal to or less than 225 square feet.
- (5) Forestry operations approved by the Montgomery County Conservation District.
- (6) Use F-5: Parkland, provided these uses are designed in a manner that will not permit concentrated flow of stormwater runoff.
- (7) Centralized sewer and/or water lines and public utility transmission lines running along the corridor. When proposed as part of a subdivision or land development, the mitigation requirements of § 265-193.B shall be satisfied. In all cases, these lines shall be located as far from Zone 1 as practical.
- (8) No more than 1/2 the depth of any minimum required front, side, and or rear yards on private lots.

- (9) Use A-5: Fences that allow water to pass through. Walls are not permitted.
- (10) Maintenance of the riparian corridor through the removal of invasive plants, trash, and solid waste, mitigation of soil erosion problems, planting for the purpose of improving corridor vegetation, and lawn mowing.

§ 265-189. Uses specifically prohibited.

Any use or activity not authorized within § 265-188 shall be prohibited within the Riparian Corridor Conservation District and the following activities and facilities are specifically prohibited:

- A. Clearing of existing vegetation, except where such clearing is necessary to prepare land for a use permitted under § 265-188, herein, and where the effects of these actions are mitigated by reestablishment of vegetation, as specified under § 265-193.A.
- B. Storage of any hazardous or noxious materials.
- C. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of prescribed industry standards or the recommendations of the Montgomery County Conservation District.
- D. Roads or driveways, except where permitted as stream crossings in compliance with § 265-188.
- E. Motor or wheeled vehicle traffic in any area not designed to accommodate adequately the type and volume.
- F. Parking lots.
- G. Any type of permanent structure, except those needed for a use permitted in 265-188, herein.
- H. Subsurface sewage disposal areas.
- I. Stormwater basins, berms, and outfall facilities.
- J. Sod farming.

§ 265-190. Nonconforming structures and uses.

Nonconforming structures and uses of land within the Riparian Corridor Conservation District shall be regulated under the provisions of Article XXVI, Nonconforming Uses, Structures, Lots and Signs, herein, except that the one-year time frame for discontinuance shall not apply to agricultural uses which are following prescribed best management practices for crop rotation.

§ 265-191. Boundary interpretation and appeals procedure.

- A. When a landowner or applicant disputes the Zone (1 or 2) boundaries of the riparian corridor or the defined edge of a water body the landowner or applicant shall submit evidence to the Zoning Hearing Board that describes the boundary, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.
- B. The Municipal Engineer and/or other advisors selected by the Board of Supervisors shall evaluate all material submitted and provide a written determination within 45 days to the Board of Supervisors, Planning Agency, and landowner or applicant.
- C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the Zoning Hearing Board under the provisions of Article XXVII, Administrative Procedures. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

§ 265-192. Inspection of Riparian Corridor Conservation District.

- A. Lands within or adjacent to an identified Riparian Corridor Conservation District may be inspected by a Township representative when:
 - (1) A subdivision or land development plan is submitted.
 - (2) A building permit is requested.
 - (3) A change or resumption of nonconforming use is proposed.
- B. The district may also be inspected periodically by a Township representative for compliance with an approved restoration plan, excessive or potentially problematic erosion, hazardous trees, or at any time when the presence of an unauthorized activity or structure is brought to the attention of Township officials.

§ 265-193. Management of District.

- A. Riparian corridor planting. Reestablishment of forest cover and woodland habitat shall be required consistent with the requirements of § 230-53 of Chapter 230, Subdivision and Land Development.
- B. Mitigation measures. Uses permitted in § 265-188 involving stream crossings within the riparian corridor shall be mitigated by increasing the width of the corridor as replacement for the area lost due to the encroachment, so that the total corridor area (land area within Zone 1 and Zone 2) for each applicable side of the stream or water body is equal to that required by § 265-187.A. Corridor area is the product of the corridor width required by § 265-187.A and the total length for each applicable side of the stream or watercourse for which a riparian corridor is being established. Perimeter shall be used in place of length for determining wetland buffer area. The increased width shall be spread throughout the corridor to the maximum extent possible. For streams and watercourses, the increased width shall be applied along the length of the stream in blocks of 1,000 feet or

more, or the full length of the corridor on the affected property, whichever is less.

§ 265-194. Stream crossing standards.

All stream crossings permitted under § 265-188A or B, herein, shall incorporate, as required, the following design standards.

- A. The width of the right-of way should not be greater than the minimum right-of-way width required by Chapter 230, Subdivision and Land Development, of the Douglass Township Code.
- B. Crossings should be designed to cross the riparian corridor at direct right angles in order to minimize disturbance of the corridor.
- C. Crossings should be separated by a minimum of 1,000 feet of buffer length.
- D. Bridges should be used in place of culverts when crossings would require a seventy-two-inch or greater diameter pipe. When culverts are installed they should consist of slab, arch, or box culverts and not corrugated metal pipe. Culverts should also be designed to retain the natural channel bottom to ensure the passage of water during low flow or dry weather periods.

§ 265-195. Use of technical terminology.

Technical terminology used in this article shall be interpreted to have the meanings used by recognized sources and experts in the fields of forestry, woodland or meadow management, stream bank protection, wetlands management, erosion and sedimentation control, or other relevant fields.

ARTICLE XXIII

AHA - Airport Hazard Area

§ 265-196. Declaration of legislative intent.

- A. The following is an expansion of the statement of community development objectives contained in Article I of this chapter. In addition, the intent of this district is to regulate and restrict the height of structures and objects of natural growth, and otherwise regulate the use of property in the vicinity of Butter Valley Golf Port.
- B. It is hereby found that an obstruction has the potential for endangering the lives and property of users of Butter Valley Golf Port, and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of Butter Valley Golf Port; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of Butter Valley Golf Port and public investment therein. Accordingly, it is declared:
 - (1) That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Butter Valley Golf Port;

- (2) That it is necessary in the interest of the public health, safety, morals and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
 - (3) That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.
- C. It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the making and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

§ 265-197. District delineation.

The AHA Airport Hazards Area overlay shall include the approach zones to the Butter Valley Golf Port shown on Figure 1 the Airport Hazard Area Map for Butter Valley Golf Port Airport.

§ 265-198. Airport hazards area definitions.

The following words and phrases when used in this article shall have the meaning given to them in this section unless the context indicates otherwise:

AIRCRAFT — Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into or flight through the air.

AIRPORT — Butter Valley Golf Port. Any area of land or water

which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or right-of-way, together with all airport buildings and facilities thereon. As used herein, the term "airport" includes public airports but excludes private airports and heliports. Public and private airports are defined separately in this section.

AIRPORT ELEVATION — The highest point of an airport's usable landing area measured in feet above sea level. For Butter Valley Golf Port Airport, the airport elevation is 500 feet above sea level. For New Hanover Airport, the airport elevation is 280 feet above sea level.

AIRPORT HAZARD — Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this article and Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

APPROACH SURFACE — A surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation slope set forth in § 265-231 of this chapter. In plan the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL SURFACE ZONES — These zones are set forth in § 265-199 of this chapter.

CONICAL SURFACE — A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

FAA — Federal Aviation Administration of the United States Department of Transportation.

HEIGHT — For the purpose of determining the height limits in all zones set forth in this article and shown on the Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.

HORIZONTAL SURFACE — A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

LARGER THAN UTILITY RUNWAY — A runway that is constructed for an intended to be use by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

NONPRECISION INSTRUMENT RUNWAY — A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

OBSTRUCTION — Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in § 265-200 of this chapter.

PRECISION INSTRUMENT RUNWAY — A runway have an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE — A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface is set forth in § 265-200 of this chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

PRIVATE AIRPORT — An airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa.C.S.A. § 5102.

PUBLIC AIRPORT — An airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa.C.S.A. § 5102.

RUNWAY — A defined area on an airport prepared for landing and takeoff of aircraft along its length.

STRUCTURE — An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission line.

TRANSITIONAL SURFACES — These surfaces extend outward at 90° angles to the runway center line and the runway center line extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for these portions of the prevision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90° angle to the extended runway center line.

TREE — A perennial woody plant having a main trunk and usually a distinct crown.

UTILITY RUNWAY — A runway that is constructed for and intended to be used by propeller- driven aircraft of 12,500 pounds maximum gross weight or less.

VISUAL RUNWAY — A runway intended solely for operation of aircraft using visual approach procedures.

§ 265-199. Airport surface zones.

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to Butter Valley Golf Port. Such zones are shown on Figure 3, an explanatory diagram of visual and utility nonprecision runway zones with corresponding height limitations, and on Figure 2, the Airport Hazard Area Map for Butter Valley Golf Port Airport, each of which is attached to this article and made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. Utility runway visual approach surface zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and its 250 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- B. Utility runway nonprecision instrument approach surface zone. Established beneath the nonprecision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- C. Runway larger than utility visual approach surface zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.

- D. Runway larger than utility with a visibility minimum greater than 3/4 mile nonprecision instrument approach surface zone. Established beneath the nonprecision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- E. Runway larger than utility with a visibility minimum as low as 3/4 mile nonprecision instrument approach surface zone. Established beneath the nonprecision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- F. Precision instrument runway approach surface zone. Established beneath the precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- G. Transitional surface zone. Established beneath the transitional surfaces adjacent to each runway and approach surface as indicated on Figures 1, 2, and 3.
- H. Horizontal surface zone. Established beneath the horizontal surface 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.
- I. Conical surface zone. Established beneath the conical surface. This zone commences at the periphery of the horizontal surface and extends outward therefrom a horizontal distance of 4,000 feet.

§ 265-200. Airport surface zone height limitations.

Except as otherwise provide in this article, no structure shall be erected, altered or maintained and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. Utility runway visual approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extended to a horizontal distance of 5,000 feet along the extended runway center line.

- B. Utility runway nonprecision instrument approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extended runway center line.
- C. Runway larger than utility visual approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.
- D. Runway larger than utility with a visibility minimum greater than 3/4 mile nonprecision instrument approach surface zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.
- E. Runway larger than utility with a visibility minimum as low as 3/4 mile nonprecision instrument approach surface zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.
- F. Precision instrument runway approach surface zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway center line.
- G. Transitional surface zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 500 feet above mean sea level for Butter Valley Golf Port Airport and 280 feet above mean sea level for New Hanover Airport. In addition to the foregoing, when an airport has a precision instrument runway approach zone, there are established height limits sloped seven feet outward for each foot upward beginning at the sides of and at the same elevations as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90° angles to the extended runway center line.
- H. Horizontal surface zone. Established at 150 feet above the established airport elevation or at a height of 650 feet above mean sea level for Butter Valley Golf Port.
- I. Conical surface zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal surface and at 150 feet above the established airport elevation and extending to a height to 350 feet above the established airport elevation.

- J. Expected height limitations. Nothing in this article shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to the maximum height permitted by this chapter for the principal use. The Board of Supervisors may grant additional height as allowed by the applicable zoning district after consideration of the Airport Hazard Area.

§ 265-201. Use restrictions.

Notwithstanding any other provisions of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

§ 265-202. Nonconforming uses.

- A. Regulations not retroactive. The regulations prescribed by this article shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this article, or otherwise interfere with the continuance of any nonconforming use, except as provide in § 265-202 (relating to permits and variances). Nothing contained herein shall required any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this article, and is diligently executed.
- B. Marking and lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon or nearby of such markers and lights as shall be deemed necessary by the Township Zoning Officer to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of Douglass Township.

§ 265-203. Permits and variances.

- A. Future uses. Except as specifically provided in § 265-203.A(1), (2) or (3) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particular to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this article shall be granted unless a variance has been approved.
 - (1) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land

contour, or topographic features, such as tree or structure would extend above the height limits prescribed for such zones.

- (2) In the areas lying within the limits of the approach zones, but at the horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.
 - (3) In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any tree or structure, less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic feature, would extend above the height limit prescribed for such transition zones.
 - (4) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure, or growth of any tree in excess of any of the height limits established by this article, except that no permit is required to maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.
- B. Existing uses. Before any nonconforming structure may be replaced, substantially altered or rebuilt or tree allowed to grow higher or replanted, a permit must be secured from the Township authorizing the replacement or change. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this article or any amendments thereto or than it is when the application for a permit is made.
- C. Nonconforming uses abandoned or destroyed. Whenever the Zoning Officer determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this article.
- D. Variance. Any person desiring to erect any structure or increase the height of any structure or permit the growth of any object of natural growth or otherwise use his property in violation of the airport zoning regulations may apply to the Zoning Hearing Board for a variance from the zoning regulations in question. A variance may be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of the regulations and this article. Variances may be granted subject to any reasonable conditions that the Zoning Hearing Board may deem necessary to effectuate the purpose of this article. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration (FAA) as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for variance to the

requirements of this article may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the airport manager (or person of equivalent description) for advice as to the aeronautical effect of the variance. If the airport manager (or person of equivalent description) does not respond to the application within 15 days after the receipt, the Zoning Hearing Board may act without such input to grant or deny said application.

- E. Hazard marking and lighting. In granting any permit or variances under this section, the Zoning Hearing Board shall, if it deems the action advisable to effectuate the purpose of this article and reasonable under the circumstances, so condition the permit or variance as to require the owner of the structure or object of natural growth in question to permit the Township, at its own expense, or require the person or persons requesting the permit or variance, to install, operate and maintain thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

ARTICLE XXIV

Sign Regulations

§ 265-204. Applicability.

Any sign erected, altered, or maintained after the effective date of this chapter shall conform to the following regulations.

§ 265-205. Purpose and intent.

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this article is to regulate all signs within Douglass Township to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by:

- A. Setting standards and providing controls that permit reasonable use of signs while restricting the adverse visual effects of signs on the character of the Township.
- B. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
- C. Avoiding excessive conflicts from large or multiple signs, so that each permitted sign can provide an adequate message while minimizing clutter, unsightliness, and confusion.
- D. Establishing a process for the review and approval of sign permit applications.

§ 265-206. Definitions.

Words and terms used in this article shall have the meanings given in this section. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this article shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted

by practitioners including civil engineers, surveyors, architects, landscape architects, and planners.

ABANDONED SIGN — A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days, in the case of off-premises signs, or at least 360 days in the case of on-premises signs.

ADDRESS SIGN — A sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service. (Also known as "nameplate sign.")

ANIMATED SIGN — A sign depicting action, motion, or light or color changes through electrical or mechanical means.

AWNING — A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

AWNING SIGN — Any sign painted on, or applied to, an awning.

BALLOON SIGN — A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner.

BANNER — Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

BEACON LIGHTING — Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BUILDING FRONTAGE — As defined in § 265-35.

CANOPY — A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN — Any sign that is part of or attached to a canopy.

CHANGEABLE COPY SIGN — A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. Changeable copy signs consist of manual changeable copy signs and electronic changeable copy signs, which include: message center signs, digital displays, and trivision boards.

CLEARANCE — The distance above the walkway, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

DIGITAL DISPLAY — The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

DIRECTIONAL SIGN — Signs designed to provide direction to pedestrian and vehicular traffic into or within a site.

FACADE — The exterior wall of a building extending from grade to the top of the parapet, walls, or eaves, and encompassing the entire width of the building.

FESTOON LIGHTING — A type of illumination comprised of either: a) a group of incandescent light bulbs hung or strung overhead or on a building or other structure, or b) light bulbs not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG — Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

FLASHING SIGN — A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

FREESTANDING SIGN — A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:

- A. **GROUND SIGN** — A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building. (Also known as "monument sign.")
- B. **POLE SIGN** — A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

GOVERNMENT/REGULATORY SIGN — Any sign for the control of traffic or for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

HOLIDAY AND SEASONAL DECORATIONS — Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons.

ILLUMINATED SIGN — A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

ILLUMINATION — A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

- A. **EXTERNAL ILLUMINATION** — Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.
- B. **INTERNAL ILLUMINATION** — A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this article.

INCIDENTAL SIGN — A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN — Signs displayed in the window displaying information such as the business' hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN — A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

INTERACTIVE SIGN — An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

LIMITED DURATION SIGN — A nonpermanent, on-premises sign that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period.

LUMINANCE — An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/ft²).

MANUAL CHANGEABLE COPY SIGN — A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

MARQUEE SIGN — Any sign attached to a marquee for the purpose of identifying a use or product. If attached to a theater, performing arts center, cinema, or other similar use, it may also advertise films or productions.

MECHANICAL MOVEMENT SIGN — A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN — A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MESSAGE CENTER SIGN — A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING — The spreading of one message across more than one sign structure.

MURAL (OR MURAL SIGN) — A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols.

NEON SIGN — A sign illuminated by a neon tube, or other visible light-emanating gas tube, that is bent to form letters, symbols, or other graphics.

OFF-PREMISES SIGN — An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a third-party sign, billboard, or outdoor advertising).

OFFICIAL TRAFFIC SIGN — Official highway route number signs, street name signs, directional signs and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISES SIGN — A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial activity sold, offered, or conducted on the same property where the sign is located.

PENNANT — A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PERMANENT SIGN — A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

PERSONAL EXPRESSION SIGN — An on-premises sign that expresses an opinion, interest, position, or other noncommercial message.

PORTABLE SIGN — A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

- A. **SANDWICH BOARD SIGN** — A type of freestanding, portable sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (also known as "A-frame sign").
- B. **VEHICULAR SIGN** — A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

PRIVATE DRIVE SIGN — A sign indicating a street or drive which is not publicly owned and maintained and used only for access by the occupants of the development and their guests.

PROJECTING SIGN — A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee. (Also known as "blade sign.")

PUBLIC SIGN — A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

REFLECTIVE SIGN — A sign containing any material or device which has the effect of intensifying reflected light.

REVOLVING SIGN — A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

ROOF SIGN — A building-mounted sign erected upon, against, or over the roof of a building.

SCOREBOARD — A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

SECURITY SIGN — An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as "warning sign.")

SHIELDED — The description of a lighting fixture from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

SIGN — Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the sign faces as well as any sign supporting structures that consist of poles, posts, walls, frames, brackets, or other supports holding a sign in place.

SIGN AREA — The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols. See § 265-209C for standards for measuring sign area.

SIGN FACE — The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

SIGN HEIGHT — The vertical dimension of a sign as measured using the standards in § 265-209D.

SNIPE SIGN — A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on

any public property or in the public right-of-way or on any private property without the permission of the property owner. (Also known as "bandit sign.")

STOREFRONT — The exterior facade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

STREAMERS — A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET FRONTAGE — The side or sides of a lot abutting on a public street or right-of-way.

STREET POLE BANNER — A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

TEMPORARY SIGN — A type of non-permanent, on-premises sign that is located on private property that can be displayed for no more than 30 consecutive days at one time.

TRIVISION BOARDS — An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

WALL SIGN — A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as "fascia sign," "parallel wall sign," or "band sign.")

WINDOW SIGN — Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

§ 265-207. Prohibited signs.

The following signs are unlawful and prohibited:

- A. Abandoned signs.
- B. Snipe signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this article.
- C. Vehicular signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- D. Mechanical movement signs, including revolving signs.
- E. Pennant strings and streamers.

- F. Animated signs, flashing signs, or signs that scroll or flash text or graphics.
- G. Inflatable signs and devices or balloon signs, with the exception of balloons used in temporary, noncommercial situations.
- H. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
- I. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.
- J. Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- K. Reflective signs or signs containing mirrors.
- L. Interactive signs.
- M. Signs incorporating beacon or festoon lighting.
- N. Any banner or sign of any type suspended across a public street, without the permission of the owner of the property and road. Any banner sign or sign of any type on retaining walls or fences.
- O. Roof signs.
- P. Sandwich board/A-frame signs.
- Q. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
- R. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of this chapter.
- S. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by Douglass Township.
- T. Any sign that promotes illegal activity.

§ 265-208. Signs exempt from permit requirements.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the following regulations.

- A. Official traffic signs.
- B. Government/regulatory signs.

- C. Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside, and are located greater than three feet from the window.
- D. Holiday and seasonal decorations.
- E. Personal expression signs of any sign type, including flags, provided that they do not exceed three square feet in area per side, are noncommercial in nature, and not illuminated.
- F. Address signs. Up to two signs stating address, number and/or name of occupants of the premises and do not include any commercial advertising or other identification.
 - (1) Residential districts. Signs not to exceed three square feet in area.
 - (2) Nonresidential districts. Signs not to exceed five square feet in area.
- G. Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- H. Signs or emblems of a religious, civil, philanthropic, historical or educational organization that do not to exceed four square feet in area.
- I. Private drive signs. One sign per driveway entrance, not to exceed two square feet in area.
- J. Security and warning signs. These limitations shall not apply to the posting of conventional "no trespassing" signs in accordance with state law.
 - (1) Residential districts. Signs not to exceed two square feet in area.
 - (2) Nonresidential districts. Maximum of one large sign per property, not to exceed five square feet in area. All other posted security and warning signs may not exceed two square feet in area.
- K. Flags.
 - (1) Location. Flags and flagpoles shall not be located within any right-of-way.
 - (2) Height. Flags shall have a maximum height of 30 feet.
 - (3) Number. No more than two flags per lot in residential districts, no more than three flags per lot in all other districts.
 - (4) Size. Maximum flag size is 24 square feet in residential districts, 35 square feet in all other districts.
 - (5) Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the flag shall be

included in, and limited by the computation of allowable area for signs on the property.

- (6) Flags up to three square feet in area are considered personal expression signs and are regulated in accordance with § 265-208E.

L. Legal notices.

M. Incidental window sign.

N. Memorial signs, public monument or historical identification sign erected by Douglass Township, including plaque signs up to one square feet in area.

O. Signs which are a permanent architectural feature of a building or structure, existing at the time of adoption of this chapter.

P. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

Q. Incidental signs.

- (1) In the R-1, R-2, R-3, and R-4 Districts, one incidental sign is permitted per property, not to exceed one square foot in area.

- (2) In all other zoning districts, incidental signs shall not exceed six square feet in area.

R. Directional signs. May not exceed four square feet in area. Directional signs shall have a maximum height of eight feet.

S. Art and murals, provided such signs do not contain a commercial message.

T. Temporary signs in accordance with § 265-214, Regulations for temporary signs.

§ 265-209. General regulations.

A. Sign location.

- (1) No sign shall be erected or maintained as to prevent free ingress and egress to or from any door, window, or fire escape.

- (2) Only instructional signs shall be attached to a standpipe or fire escape.

- (3) Any sign located on a nonresidential property must maintain a setback distances from an adjacent residential district as required under this chapter for other commercial structures or buildings.

- (4) No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.

- (5) No sign may occupy a sight triangle.
 - (6) Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment.
- B. Sign materials and construction. Every sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the PA Uniform Construction Code; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.
- C. Sign area.
- (1) The "area of a sign" shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.
 - (2) Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
 - (3) Signs may be multisided.
 - (a) On-premises signs. In determining the area of a multisided, on-premises sign, only one side shall be considered, provided that the faces are not more than 18 inches apart. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area. When the interior angle formed by the faces of a multisided sign is greater than 45°, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.
 - (b) Off-premises signs. In determining the area of a multisided, off-premises sign, only one side shall be considered, provided that the faces are not more than 18 inches apart. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area. When the interior angle formed by the faces of a multisided sign is greater than 45°, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.
 - (4) Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects, shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.
 - (5) If elements of a sign are movable or flexible, such as a flag or banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.

- (6) The permitted maximum area for all signs is determined by the sign type and the zoning district in which the sign is located (see §§ 265-217 through 265-222).

D. Sign height.

- (1) Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.
- (2) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
- (3) The permitted maximum height for all signs is determined by the sign type and the zoning district in which the sign is located (see §§ 265-217 through 265-222).

E. Sign spacing. The spacing between sign structures shall be measured as a straight-line distance between the closest edges of each sign.

F. Sign illumination.

- (1) Signs may be illuminated, unless otherwise specified herein, consistent with the following standards:
 - (a) Maintenance. Illuminated signs, including the electrical components of the sign, shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.
 - (b) Location. The summary table below [§ 265-209F(7)] provides detailed information about what types of illumination are permitted in each zoning district.
 - (c) Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.
 - (d) No more than 0.1 footcandle of light shall be detectable at the boundary of any abutting property.
 - (e) Hours of operation:
 - [1] Signs may be illuminated from 5:00 a.m. until 11:00 p.m., or 1/2 hour past the close of business of the facility being identified or advertised, whichever is later.
 - [2] Signs shall provide an automatic timer to comply with the intent of this section.

- (f) Brightness. Message center signs and digital displays are subject to the following brightness limits.
 - [1] During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.
 - [2] At all other times, luminance shall be no greater than 250 nits.
 - [3] Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.
- (g) Message duration. The length of time each message may be displayed on a message center sign, digital display, or trivision board sign is based upon the visibility and speed limit unique to individual signs and adjacent road conditions. The following method should be used to calculate message duration for message center signs, digital displays, or trivision board signs.
 - [1] Determine the greatest distance from which the sign becomes visible on the road the sign is primarily intended to serve. If a sign is intended to be seen by more than one roadway, the road with the lower posted speed limit shall be used for determining message duration.
 - [2] Multiply the road's posted speed limit (MPH) by 5280, and then divide by 3600 to obtain the speed limit in feet/second.
 - [3] Divide the visibility distance by the speed limit (feet/second).
 - [4] Add an additional 10% of this number to the total.
 - [5] The resulting amount of time is the minimum permitted message duration.
- (2) Types of illumination. Where permitted, illumination may be:
 - (a) External. Externally illuminated signs, where permitted, are subject to the following regulations:
 - [1] The source of the light must be concealed by translucent covers.
 - [2] External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.
 - (b) Internal. Internally illuminated signs, where permitted, are subject to the following regulations:
 - [1] Internal illumination, including neon lighting, must be static in intensity and color.

- [2] Message center signs are permitted in accordance with the regulations contained in § 265-209F(3).
 - [3] Digital displays are permitted in accordance with the regulations contained in § 265-209F(4).
- (3) Message center signs are subject to the following regulations, in addition to all other illumination requirements established in this section.
 - (a) Sign type. Message center signs are permitted in the form of freestanding, monument, and wall signs, both on-premises and off-premises, in accordance with the regulations established in § 265-209F(7).
 - (b) Height. A message center sign shall have the same height limits as other permitted signs of the same type and location.
 - (c) Area:
 - [1] When used as an on-premises sign, message center signs shall not exceed 50% of the sign area for any one sign, and shall not exceed more than 30% of the total area for all signs permitted on a property.
 - [2] When used as an off-premises sign, message center signs may be used for the full permitted sign area.
 - (d) Maximum number. Where permitted, one message center sign is permitted per street frontage, up to a maximum of two message center signs per property.
 - (e) Message display.
 - [1] No message center sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 - [2] The content of a message center sign must transition by changing instantly (e.g., no fade-out or fade-in).
 - [3] Default design. The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
 - (f) Conversion of a permitted non-message center sign to a message center sign requires the issuance of a permit pursuant to § 265-224, Permits and applications.
 - (g) The addition of any message center sign to a nonconforming sign is prohibited.
- (4) Digital display signs are subject to the following regulations in addition to all other requirements established in this section.

- (a) Sign type. Digital displays are permitted in the form of freestanding, monument, and wall signs, both on-premises and off-premises, in accordance with the regulations established in § 265-209F(7).
- (b) Height. A digital display shall have the same height limits as for other permitted signs of the same type and location.
- (c) Area:
 - [1] When used as an on-premises sign, digital display signs shall not exceed 50% of the sign area for any one sign, and shall not exceed more than 30% of the total area for all signs permitted on a property.
 - [2] When used as an off-premises sign, digital display signs may be used for the full permitted sign area.
- (d) Maximum number per property. Where permitted, one digital display sign is permitted per property.
- (e) Message display:
 - [1] Any digital display containing animation, streaming video, or text or images which flash, pulsate, move, or scroll is prohibited. Each complete message must fit on one screen.
 - [2] One message/display may be brighter than another, but each individual message/display must be static in intensity.
 - [3] The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).
 - [4] Default design. The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
- (f) Conversion of a permitted non-digital sign to a digital sign requires the issuance of a permit pursuant to § 265-224, Permits and applications.
- (g) The addition of any digital display to a nonconforming sign is prohibited.
- (5) Electrical standards.
 - (a) Permits for illuminated signs will not be issued without an approved electrical permit, if required. Applications for electrical permits shall be filed at the same time as the sign permit application.
 - (b) All work shall be completed in full compliance with the Douglass Township Electrical Code as set forth in the PA Uniform Construction Code.

- (c) The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables.
- (d) The owner of any illuminated sign shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to Douglass Township as a condition precedent to the issuance of a sign permit.
- (6) Glare control. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.
- (7) Illumination standards by district. (See attached chart)

§ 265-210. Regulations for on-premises signs.

A. Wall signs.

- (1) No portion of a wall sign shall be mounted less than eight feet above the finished grade or extend out more than 12 inches from the building wall on which it is affixed. If the wall sign projects less than three inches from the building wall on which it is affixed, the eight-foot height requirement need not be met.

B. Window signs.

- (1) Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted shall be excluded from area calculations for window signs.

C. Projecting signs.

- (1) No portion of a projecting signs shall project more than four feet from the face of the building.
- (2) The outermost portion of a projecting sign shall project no closer than five feet from a curbline or shoulder of a public street.
- (3) Sign height. The lowest edge of a projecting sign shall be at least eight feet above the finished grade.

D. Canopy or awning signs.

- (1) A canopy or awning without lettering or other advertising shall not be regulated as a sign.

- (2) Canopy or awning signs must be centered within or over architectural elements such as windows or doors.
- (3) No awning or canopy sign shall be wider than the building wall or tenant space it identifies.
- (4) Sign placement.
 - (a) Letters or numerals shall be located only on the front and side vertical faces of the awning or canopy.
 - (b) Logos or emblems are permitted on the top or angled portion of the awning or canopy up to a maximum of three square feet. No more than one emblem or logo is permitted on any one awning or canopy.
- (5) Sign height. The lowest edge of the canopy or awning sign shall be at least eight feet above the finished grade.
- (6) Any ground-floor awning projecting into a street right-of-way must be retractable.
- (7) Awnings above the ground floor may be fixed, provided they do not project more four feet from the face of the building.
- (8) Multitenant buildings. If the awning or canopy sign is mounted on a multi-tenant building, all awning or canopy signs shall be similar in terms of height, projection, and style across all tenants in the building.

E. Marquee signs.

- (1) Such signs shall be located only above the principal public entrance of a building facing a public street or parking lot.
- (2) No marquee shall be wider than the entrance it serves, plus two feet on each side thereof.
- (3) No marquee shall extend closer to the curb than three feet.
- (4) Sign height.
 - (a) No portion of a marquee sign shall extend vertically above the eaveline.
 - (b) The lowest edge of the marquee sign shall be at least 10 feet above the finished grade.

F. Freestanding signs.

- (1) When located within 15 feet of the curblin, the lowest edge of any freestanding pole sign shall be greater than eight feet.

- (2) Freestanding ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.
- (3) Sign placement.
 - (a) All freestanding signs shall be set back five feet from the right-of-way, except for official traffic signs and government/regulatory signs.
 - (b) No freestanding sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, cartway of the right-of-way or other areas required to remain unobstructed.

G. Manual changeable copy signs. Manual changeable copy signs are permitted only when integrated into a freestanding, marquee, wall, or portable sign.

§ 265-211. Regulations for off-premises signs.

A. Locations permitted.

- (1) Off-premises signs are permitted in the following locations:
 - (a) M-1 and M-2 Zoning Districts.

B. Sign size. An off-premises advertising sign is subject to the following size restrictions according to the posted speed limit of the road which the off-premises sign faces.

	Posted Speed Limit (MPH)				
	≤35	26-45	46-55	56-65	Limited Access
Sign area max (sq. ft.)	60	100	150	200	300

C. Height and location of sign.

- (1) The lowest edge of an off-premises sign shall be at least seven feet above the finished grade.
- (2) Off-premises signs shall have a maximum height of 30 feet.

D. Spacing. Off-premises signs shall be:

- (1) Setback from the ultimate right-of-way a distance equal to the height of the off-premises sign or 15 feet, whichever is greater.
- (2) Located no closer than 25 feet to any property line.
- (3) Located no closer than 50 feet to any building, structure, or on-premises sign located on the same property.

- (4) Located no closer than 500 feet to another off-premises sign on either side of the road measured linearly.
 - (5) Located no closer than 100 feet to any intersection, or interchange (on/off-ramp).
 - (6) Located no closer than 500 feet to any property line abutting a public park, playground, religious institution, cemetery, school, or residential district.
 - (7) Not attached to the external wall or otherwise affixed to any part of any building and shall not extend over any public property or right-of-way.
 - (8) Not located on sewer rights-of-way, or water, electric, or petroleum pipelines.
 - (9) Not located on a bridge.
- E. Number of signs per lot. No more than one sign shall be permitted per 500 feet of street frontage. Vertically or horizontally stacked signs shall not be permitted.
 - F. Content. Off-premises signs shall not display any message or graphic of an obscene or pornographic nature as determined by Douglass Township.
 - G. Multisided off-premises signs. Signs may be single- or double-sided, in accordance with

§ 265-212. Sign area.

- H. Message sequencing. Message sequencing is prohibited.
- I. Construction and maintenance.
 - (1) All plans for off-premises signs shall be certified by a licensed engineer registered in Pennsylvania.
 - (2) All off-premises advertising signs shall be constructed in accordance with industry-wide standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising, or their successor organizations. All off-premises advertising signs shall be structurally sound and maintained in good condition and in compliance with the Pennsylvania Uniform Construction Code.
 - (3) The rear face of a single-face, off-premises advertising sign shall be painted and maintained with a single neutral color as approved by Douglass Township.
 - (4) Every three years, the owner of the billboard shall have a structural inspection made of the billboard by a licensed engineer registered in Pennsylvania and shall provide to Douglass Township a certificate certifying that the billboard is structurally sound.

- J. Identification of sign owner. All off-premises signs shall be identified on the structure with the name, address, and phone number of the owner of such sign.
- K. Landscaping.
- (1) Landscaping shall be provided at the base of all off-premises signs. Trees and shrubbery, including evergreen and flowering trees, of sufficient size and quantity shall be used to achieve the purpose of this section.
 - (2) Trees greater than four inches in diameter removed for construction of the sign shall be replaced on-site at a ratio of one replacement tree for each removed tree using native species no less than three inches in diameter.
- L. Additional regulations. All off-premises signs shall comply with any and all applicable zoning regulations of Douglass Township, and any and all municipal, state and/or federal regulations. In the event any other applicable regulation is in conflict with the provisions of this section, the more strict regulation shall apply.
- M. Application/plan requirements. Plans submitted for off-premises advertising signs shall show the following:
- (1) The location of the proposed sign on the lot with the required sign setbacks from the property line and ultimate right-of-way.
 - (2) The location of existing trees.
 - (3) The distance to the nearest existing off-premises advertising sign.
 - (4) The distance to the nearest right-of-way, property line, building, structure, on-premises sign, off-premises sign, intersection, interchange, safety rest area, bridge, residential district, or institutional use, sewer rights-of-way, and water, electric or petroleum pipelines.
 - (5) Site plan containing all of the applicable requirements set forth in this chapter, as amended.
 - (6) Certification under the seal by a licensed engineer that the off-premises sign, as proposed, is designed in accordance with all federal, state, and local laws, codes, and professional standards.
- N. Illumination and changeable copy of off-premises signs.
- (1) Off-premises signs may incorporate manual changeable copy signs.
 - (2) Off-premises signs may be illuminated, provided that:
 - (a) All light sources are designed, shielded, arranged, and installed to confine or direct all illumination to the surface of the off-premises sign and from adjoining properties.
 - (b) Light sources are not visible from any street or adjoining properties.

- (c) The off-premises sign complies with all other illumination standards found in § 265-209F.
- (3) The following illumination types shall be permitted subject to the regulations found in § 265-209F, Sign illumination.
 - (a) Message center sign.
 - (b) Digital display.
 - (c) External illumination.
 - (d) Internal illumination.
- (4) Off-premises signs may incorporate trivision boards.
 - (a) The length of time each message of the trivision board may be displayed before changing is based upon the visibility and the posted speed limit unique to individual signs and adjacent road conditions. The message duration for trivision boards shall be calculated using the method described in § 265-209F(1)(g), Message duration.
- O. Safety. In applying for special exception relief, the applicant bears the burden of proof to establish that the proposed off-premises sign will not create a public health or safety hazard in the matter and location that it is proposed and in the manner by which it is to be operated.

§ 265-213. Regulations for limited duration signs.

Limited duration signs, as defined in this section, located on private property are subject to the regulations set forth below. Limited duration signs that comply with the requirements in this subsection shall not be included in the determination of the type, number, or area of signs allowed on a property. Unless otherwise stated below, the requirements listed below shall apply to both commercial and noncommercial signs.

A. Size and number.

- (1) Nonresidential zones:
 - (a) One large limited duration sign is permitted per property in all nonresidential zones. If a property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional large limited duration sign may be permitted so long as there is a minimum spacing of 200 feet between the two large limited duration signs.
 - [1] Type. Freestanding, window, or wall signs are permitted.
 - [2] Area. Each large limited duration sign shall have a maximum area of 16 square feet.

- [3] Height. Large limited duration signs that are freestanding shall have a maximum height of eight feet.
- (b) Small limited duration signs. Small limited duration signs are permitted in all nonresidential zones.
 - [1] Type. Freestanding, window, or wall signs are permitted.
 - [2] Area. Each small limited duration sign shall have a maximum area of six square feet.
 - [3] Height. Small limited duration signs that are freestanding shall have a maximum height of six feet.
- (2) Residential zones:
 - (a) Large limited duration sign. One large limited duration sign is permitted per property so long as the property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.
 - [1] Type. Freestanding, window, or wall signs are permitted.
 - [2] Area. Each large limited duration sign shall have a maximum area of 16 square feet.
 - [3] Height. Large limited duration signs that are freestanding shall have a maximum height of eight feet.
 - (b) One small limited duration sign is permitted per property.
 - [1] Type. Freestanding, window, or wall signs are permitted.
 - [2] Area. Each small limited duration sign shall have a maximum area of six square feet.
 - [3] Height. Small limited duration signs that are freestanding shall have a maximum height of six feet.

B. Permit requirements.

- (1) A permit for a limited duration sign is issued for one year and may be renewed annually.
- (2) One sign is allowed per permit. An applicant may request up to two permits per address, but is subject to the size and number restrictions set forth in this section.
- (3) An application for a limited duration sign permit must include:

- (a) A description of the sign indicating the number, size, shape, dimensions, and the expected length of time the sign will be displayed;
- (b) A schematic drawing of the site showing the proposed location of the sign in relation to nearby building and streets;
- (c) The number of signs on the site.

C. Installation and maintenance.

- (1) All limited duration signs must be installed such that in the opinion of the Douglass Township Zoning Officer they do not create a safety hazard.
- (2) All limited duration signs must be made of durable materials and shall be well- maintained.

Zoning District		
	Nonresidential	Residential
Large limited duration signs (max area 16 square feet)	Number: 1 per property; 2 if property is 5+ acres with 400+ feet of street frontage or has >10,000 square feet of floor area. Height: maximum 8 feet	Number: 1 per property; 2 if property is 5+ acres with 400+ feet of street frontage or has >10,000 square feet of floor area. Height: maximum 8 feet
Small limited duration signs (max area 6 square feet)	Number: 1 per property; 2 if property is 5+ acres with 400+ feet of street frontage or has >10,000 square feet of floor area. Height: maximum 6 feet	Number: 1 per property Height: Maximum 6 feet

- (1) Limited duration signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

D. Illumination. Illumination of any limited duration sign is prohibited.

§ 265-214. Regulations for temporary signs.

A. Temporary signs, as defined in this section, located on private property, are exempt from standard permit requirements. Temporary Signs that comply with the requirements in this subsection shall not be included in the determination of the type, number, or area of signs allowed on a property. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.

B. Size and number.

(1) Nonresidential zones:

- (a) Large temporary signs. One large temporary sign is permitted per property in all nonresidential zones. If a property is greater than five

acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional large temporary sign may be permitted so long as there is a minimum spacing of 200 feet between the two large temporary signs.

[1] Type:

[a] Freestanding sign.

[b] Window sign.

[c] Wall sign.

[d] Banner.

[2] Area:

[a] Each large temporary freestanding, window, or wall sign shall have a maximum area of 16 square feet.

[b] Each large temporary banner shall have a maximum area of 32 square feet.

[3] Height:

[a] Large temporary signs that are freestanding shall have a maximum height of eight feet.

[b] Banners shall hang at a height no greater than 24 feet.

- (b) Small temporary signs. In addition to the large temporary sign(s) outlined above, one small temporary sign is permitted per property in all nonresidential zones. If a property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional small sign may be permitted so long as there is a minimum spacing of 200 feet between both sets of small temporary signs.

[1] Type:

[a] Freestanding sign.

[b] Window sign.

[c] Wall sign.

[2] Area. Each small temporary sign shall have a maximum area of six square feet.

[3] Height. Small temporary signs shall have a maximum height of six feet.

(2) Residential zones:

- (a) Large temporary signs. One large temporary sign is permitted per residential property so long as the property is greater than five acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.

[1] Type:

- [a] Freestanding sign.
- [b] Window sign.
- [c] Wall sign.
- [d] Banner Sign.

[2] Area:

- [a] Each large temporary freestanding, window, or wall sign shall have a maximum area of 16 square feet.
- [b] Each large temporary banner shall have a maximum area of 32 square feet.

[3] Height:

- [a] Large temporary signs that are freestanding shall have a maximum height of eight feet.
- [b] Banners shall hang at a height no greater than 24 feet.

- (b) Small temporary signs. One small temporary sign is permitted per residential property.

[1] Type:

- [a] Freestanding sign.
- [b] Window sign.
- [c] Wall sign.

[2] Area. Each small temporary sign shall have a maximum area of six square feet

[3] Height. Small temporary signs shall have a maximum height of six feet.

Zoning District		
	Nonresidential	Residential
Large temporary signs (max area: 32 square feet for banner, 16 square feet for all other signs)	Number: 1 per property; 2 if property is 5+acres with 400+ feet of street frontage, or has >10,000 square feet of floor area. Height: Ground: maximum 8 feet Banner: Maximum 24 feet	Number: 1 per property; 2 if property is 5+acres with 400+ feet of street frontage, or has >10,000 square feet of floor area. Height: Ground: maximum 8 feet Banner: Maximum 24 feet
Small temporary signs (max area: 6 square feet)	Number: 1 per property; 2 if property is 5+acres with 400+ feet of street frontage, or has >10,000 square feet of floor area. Height: maximum 6 feet	Number: 1 per property Height: Maximum 6 feet

C. Duration and removal.

- (1) Temporary signs may be displayed up to a maximum of 30 consecutive days, two times per year.
- (2) Douglass Township or the property owner may confiscate signs installed in violation of this article. Neither Douglass Township nor the property owner is responsible for notifying sign owners of confiscation of an illegal sign.

D. Permission.

- (1) The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.

E. Municipal notification.

- (1) Temporary signs are exempt from the standard permit requirements but the date of erection of a temporary sign must be written in indelible ink on the lower right hand corner of the sign.

F. Installation and maintenance.

- (1) All temporary signs must be installed such that in the opinion of the Douglass Township Code Enforcement Officer, they do not create a safety hazard.
- (2) All temporary signs must be made of durable materials and shall be well-maintained.

- (3) Temporary signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

G. Illumination. Illumination of any temporary sign is prohibited.

§ 265-215. Regulations for portable signs.

A. General provisions.

- (1) Illumination. Illumination of any portable sign is prohibited.
- (2) Hours of display.
 - (a) Signs shall not be displayed on any premises before 6:00 a.m. and shall be removed each day at or before 10:00 p.m. However, all portable signs must be taken in during hours of non-operation of the business being advertised.
 - (b) All portable signs must be taken in during inclement weather.

B. Sandwich board or A-frame signs. Sandwich board signs that comply with the requirements in this subsection shall not be included in the determination of the type, number, or area of signs allowed on a property.

- (1) Number. One sandwich board sign is permitted per establishment. For the purposes of this subsection, a parking garage or parking lot shall be considered an establishment.
- (2) Area. Each sign shall have a maximum area of seven square feet per sign face.
- (3) Height. Signs shall have a maximum height of 3.5 feet.
- (4) Sign placement.
 - (a) If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and any building or other obstruction.
 - (b) The sign must be located on the premises, and within 12 feet of the primary entrance, of the establishment it advertises. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking lot.
 - (c) Portable signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.
- (5) Manual changeable copy.
 - (a) Manual changeable copy signs are permitted when integrated into a sandwich board sign.

- (b) Commercial messages must advertise only goods and services available on the premises.
- C. Advertising vehicles. Any vehicle or trailer which is parked on a public right-of-way or on public or private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises is hereby deemed to be an advertising vehicle and shall be prohibited. This section shall not prohibit any form of vehicular signage, where the vehicle is used primarily for other business purposes such as deliveries, but is intended to prevent the use of vehicles to circumvent the purposes of this article.

§ 265-216. Regulations for street pole banners.

- A. General provisions. Street pole banners that comply with the requirements of this subsection shall not be included in the determination of the type, number, or area of signs allowed on a property.
 - (1) Illumination. Illumination of any street pole banner is prohibited.
 - (2) Area. Each street pole banner shall have a maximum area of 12.5 square feet and a maximum width of three feet. Up to two street pole banners are permitted per street pole.
 - (3) Height.
 - (a) When the street pole banner's edge is less than 18 inches from the curb, the lowest edge of the street pole banner shall be at least 14 feet above the finished grade.
 - (b) When the street pole banner's edge is greater than 18 inches from the curb, the lowest edge of the street pole banner shall be at least eight feet above the finished grade.
 - (4) Location.
 - (a) No street pole banner shall extend beyond the curbline.
 - (b) Street pole banners shall maintain a minimum of three foot vertical clearance below any luminaries located on the pole measured from where the ballasts connect to the poles.
 - (c) Street pole banners shall not interfere with the visibility of traffic signals or signs. No street pole banner shall be located on a pole that has traffic or pedestrian control signals.
 - (5) Installation and maintenance.
 - (a) All street pole banners must be made of lightweight and durable fabrics with wind slits.

- (b) Street pole banners signs that are frayed, torn, or faded so that they are no longer legible will be deemed unmaintained and will be required to be removed.

B. Permit requirements.

- (1) A permit for a street pole banner is issued for one year and may be renewed annually.
- (2) An application for a street pole banner permit must include the following:
 - (a) A diagram or map of the specific poles to be used for banner installation and the streets on which the poles are located.
 - (b) A proof of the banner design, including the banner's dimensions.
 - (c) If brackets are to be installed, submit specifications for your bracket installation system.

§ 265-217. Signs in R-A Residential-Agriculture District.

In addition to the exempt signs described in § 265-208, Signs exempt from permit requirements, the following numbers and types of signs may be erected in the R-A District, subject to the conditions specified here and in §§ 265-210 through 265-214.

- A. Any limited duration sign as defined and regulated in § 265-213, Regulations for limited duration signs.
- B. Any temporary sign as defined and regulated in § 265-214, Regulations for temporary signs.
- C. Signs associated with a residential use or parcel in the R-1, R-2, R-3, and R-4 shall comply with § 265-218.
- D. Parks and open space.
 - (1) One freestanding sign is permitted at each street access to a park or open space facility subject to the following:
 - (a) Area. Each sign shall have a maximum area of 24 square feet per sign face.
 - (b) Height. Signs shall have a maximum height of 10 feet.
 - (c) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.

[1] External illumination.

- (2) Signs located on the interior of the site used to identify various use areas, facility boundaries, on-site traffic direction, trail use information, the hours

and rules for the use of the grounds, etc. are exempt from permit requirements subject to the following:

- (a) Area. Each sign shall have a maximum area of 10 square feet.
 - (b) Height. Signs shall have a maximum height of eight feet.
 - (c) Illumination. These signs shall be nonilluminated.
- (3) Signs for recreation and sporting facilities shall be allowed provided that the following criteria is met:
- (a) Signs on the interior walls or fence of an open stadium shall be no greater than 24 square feet in size and shall be designed to be viewed from the inside of the stadium only, and nonilluminated.
 - (b) One freestanding scoreboard, not to exceed 200 square feet in area and 20 feet in height, is permitted per playing field.
 - [1] Commercial messages shall not exceed 30% of the front face of the scoreboard.
 - [2] The face of all scoreboards, including any attached commercial signs and panels, shall be permanently oriented toward the recreation and spectator area.
 - [3] Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - [a] Internal illumination.
 - [b] External illumination.
 - [c] Message center sign.
 - [d] Digital display (not to exceed 30% of the total scoreboard area).
- E. Freestanding signs for nonresidential uses in the R-A District shall be permitted subject to the following regulations.
- (1) Number. One sign per street frontage, up to a maximum of two signs per lot.
 - (2) Area. Each sign shall have a maximum area of 24 square feet per sign face.
 - (3) Height. Signs shall have a maximum height of six feet.
- F. Projecting and wall signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Number. One sign per tenant per building frontage up to a maximum of two signs per tenant.
- (2) Area. Each sign shall have a maximum area of 24 square feet per sign face.
- (3) Height. Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.

G. Window signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Area. A maximum of 15% of the total window area of any single building frontage may be used for signs.

H. Summary Table for Signs in R-A Residential - Agriculture District.

R-A Residential Agriculture District			
	Wall and Projecting	Window	Freestanding
Maximum number	Nonresidential uses: 1 per tenant per building frontage, up to a maximum of 2 signs per tenant	N/A	Parks and open space: 1 per street access plus 1 freestanding scoreboard per playing field Nonresidential uses: 1 per street access up to a maximum of 2 signs per lot
Maximum area (square feet)	Parks and open space: signs on the interior walls or fence of an open stadium: 24 Nonresidential uses: 20	Nonresidential uses: 15% of total window area	Parks and open space: 24 (entrance), 200 (scoreboard), 10 (signs interior to the site) Nonresidential uses: 32
Maximum height	Nonresidential uses: the eaveline or the bottom of the second story window will, whichever is lower	N/A	Parks and open space: 10 feet (entrance), 20 feet (scoreboard), 8 feet (signs interior to the site) Nonresidential uses: 6 feet

§ 265-218. Signs in R-1, R-2, R-3, and R-4 Districts.

In addition to the exempt signs described in § 265-208, Signs exempt from permit requirements, the following numbers and types of signs may be erected in the R-1, R-2, R-3, and R-4 Residential Districts subject to the conditions specified here.

- A. Any limited duration sign as defined and regulated in § 265-213, Regulations for limited duration signs.
- B. Any temporary sign as defined and regulated in § 265-214, Regulations for temporary signs.
- C. Signs associated with an institutional use or parcel within a residential zone shall comply with § 265-219, Signs in institutional district.

- D. Signs for parks and open space uses in the R-1, R-2, R-3, or R-4 Districts are regulated in § 265-217D.
- E. Home occupations.
 - (1) One freestanding sign shall be permitted subject to the following regulations:
 - (a) Area. Each sign shall have a maximum area of six square feet per sign face.
 - (b) Height. Signs shall have a maximum height of four feet.
 - (c) Illumination. These signs shall be nonilluminated.
 - (2) One wall or projecting sign shall be permitted, up to two square feet in area, subject to the following regulations.
 - (a) Height. Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
- F. Identification sign for nonresidential uses permitted in the R-1, R-2, or R-3 Districts only.
 - (1) One sign shall be permitted per property with a maximum area of 24 square feet and a maximum height for freestanding signs of six feet.
 - (2) Window signs for nonresidential uses shall be permitted provided that no more than 15% of the total window area of any single building frontage may be used for signs.
- G. Freestanding signs for residential developments shall be permitted subject to the following regulations.
 - (1) Number. One sign per street frontage.
 - (2) Area. Each sign shall have a maximum area of 15 square feet per sign face.
 - (3) Height. Signs shall have a maximum height of eight feet.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) External illumination.

H. Summary Table for Signs in R-1, R-2, R-3, and R-4 Districts.

Residential Districts		
	Wall and Projecting	Freestanding
Maximum number	Home occupations: 1 per lot Nonresidential use: 1 per lot	Home occupations: 1 per lot Nonresidential use: 1 per lot Residential developments: 1 per lot
Maximum area (square feet)	Home occupations: 2 Nonresidential use: 24	Home occupations: 6 Nonresidential use: 24 Residential developments: 15
Maximum height	The eaveline or the bottom of the second story window sill, whichever is lower	Home occupations: 6 feet Nonresidential use: 6 feet Residential developments: 8 feet

§ 265-219. Signs in Institutional District (IN).

In addition to the exempt signs described in § 265-208, Exempt signs, the following numbers and types of signs may be erected for institutional uses, including schools, religious institutions, municipal buildings, hospitals, clubs, or permitted uses of a similar nature subject to the conditions specified here and in §§ 265-210 through 265-214.

- A. Any limited duration sign as defined and regulated in § 265-213, Regulations for limited duration signs.
- B. Any temporary sign as defined and regulated in § 265-214, Regulations for temporary signs.
- C. Any street pole banner as defined and regulated in § 265-216, Regulations for street pole banners.
- D. Signs associated with a residential use or parcel within an institutional zone shall comply with § 265-218.
- E. Signs in parks and open space. Signs for parks and open space uses in institutional districts are regulated in § 265-217D.
- F. Freestanding signs for uses other than parks and open space shall be permitted subject to the following regulations.
 - (1) Number. One sign per entrance from a public road, up to three signs per property held in single and separate ownership.
 - (2) Area. Each sign shall have a maximum area of:
 - (a) Twenty-four square feet for lots less than two acres; and
 - (b) Forty square feet for lots greater than two acres.

- (3) Height. Signs shall have a maximum height of 10 feet.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) Internal illumination.
 - (b) External illumination.
 - (c) Message center sign.
 - (d) Digital display.
 - (5) Freestanding signs located on the interior of the site used to identify facilities, on-site traffic direction, hours of operation, and other information are exempt from permit requirements, subject to the following:
 - (a) Area. Each sign shall have a maximum area of 10 square feet.
 - (b) Signs shall have a maximum height of eight feet.
 - (c) Illumination. These signs shall be nonilluminated.
- G. Building signs, including wall signs, awning or canopy signs, projecting signs, and window signs, are permitted for institutional uses. The total sign area of all building signs is limited by the lot size and wall area of the property as follows:
- (1) Area:
 - (a) On lots less than two acres:
 - [1] Total sign area of all building signs shall not exceed 5% of the total wall area for all walls that directly face a public street or parking lot.
 - [2] No single building sign shall exceed 24 square feet.
 - (b) On lots of two acres or more but less than five acres:
 - [1] Total sign area of all building signs shall not exceed 6% of the total wall area for all walls that directly face a public street or parking lot.
 - [2] No single building sign shall exceed 36 square feet.
 - (c) On lots of five acres or more:
 - [1] Total sign area of all building signs shall not exceed 7% of the total wall area for all walls that directly face a public street or parking lot.

[2] No single building sign shall exceed 60 square feet.

- (2) Height. Signs shall have a maximum height equal to the eaveline.
- (3) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) Internal illumination.
 - (b) External illumination from above.
 - (c) Halo illumination or back-lit letters.

H. Summary Table for Signs in Institutional Districts.

Institutional District			
	Wall, Awning/Canopy, Projecting, and Window	Freestanding (Entrance)	Interior Freestanding
Maximum number	N/A	1 per street entrance, up to 3 per lot	No limit
Maximum area (square feet)	A. Lots < 2 acres: 5% of the total wall face area for all walls that directly face a public street or parking lot. No single wall sign shall exceed 24 square feet. B. Lots > 2 and < 5 acres: 6% of the total wall face area for all walls that directly face a public street or parking lot. No signal wall sign shall exceed 36 square feet. C. Lots \geq 5 acres: 7% of the total wall face area for all walls that directly face a public street or parking lot. No single wall sign shall exceed 60 square feet.	24 square feet for lots less than 2 acres 40 square feet for lots greater than 2 acres	10 square feet
Maximum height	The eaveline	10 feet	8 feet

§ 265-220. Signs in the Limited Commercial (LC) District.

In addition to the exempt signs described in § 265-208, Signs exempt from permit requirements, the following numbers and types of signs may be erected in the LC District, subject to the conditions specified here and in §§ 265-210 through 265-214.

- A. Any limited duration sign as defined and regulated in § 265-213, Regulations for limited duration signs.
- B. Any temporary sign as defined and regulated in § 265-214, Regulations for temporary signs.
- C. Any sign permitted in residential districts, as defined and regulated in § 265-218.

- D. Any portable sign as defined and regulated in § 265-215, Regulations for portable signs.
- E. Any street pole banner as defined and regulated in § 265-216, Regulations for street pole banners.
- F. The total area of all wall, projecting, awning/canopy signs shall be limited to 1.5 square feet per one linear foot of building frontage that faces a public street or parking lot, subject to maximum size limitations based on sign type.
- G. Wall signs for nonresidential uses shall be permitted subject to the following regulations.
 - (1) Number. One sign per tenant per street frontage, up to two signs per tenant. Where a property has entrances facing both a street and a parking lot, a second sign is permitted to face the parking lot.
 - (2) Area. Each sign shall have a maximum area of 15% of a façade that faces a public street or parking lot, up to a maximum of 50 square feet per sign face.
 - (3) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) External illumination, lit from above.
 - (b) Internal illumination.
- H. Projecting signs for nonresidential uses shall be permitted subject to the following regulations.
 - (1) Number. One sign per ground floor tenant per street frontage, plus one sign per building entrance serving one or more commercial tenants without a ground floor entrance.
 - (2) Area. Each sign shall have a maximum area of 10 square feet per sign face.
 - (3) Illumination. These signs shall be nonilluminated.
 - (4) Height. These signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
- I. Canopy or awning signs for nonresidential uses shall be permitted subject to the regulations established in § 265-210D.
 - (1) Illumination. These signs shall be nonilluminated.
 - (2) Height. These signs shall have a maximum height equal to the eaveline.
- J. Window signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Area. A maximum of 15% of the total window area of any single storefront may be used for permanent signs that are etched, painted, or otherwise permanently affixed to the window.
 - (2) Illumination. These signs shall be nonilluminated.
- K. Freestanding signs for nonresidential uses shall be permitted subject to the following regulations.
- (1) Number. One sign per street frontage, up to two signs per property held in single and separate ownership.
 - (2) Area. Each sign shall have a maximum area of 15 square feet plus an additional five square feet per tenant, up to a maximum of 30 square feet.
 - (3) Height. Freestanding signs shall have a maximum height of 10 feet.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) External illumination.
 - (b) Internal illumination.
 - (c) Message center signs.
 - (d) Digital displays.

L. Summary Table for Signs in the LC District.

LC District				
	Wall and Awning/Canopy	Projecting	Window	Freestanding
Maximum number	Wall: 1 per tenant per street frontage (up to 2 per tenant) Awning/canopy: N/A (see § 265-210)	1 sign per tenant per street frontage, plus 1 per building entrance serving tenants without a ground floor entrance	N/A	1 per street frontage, up to 2 per lot
Maximum area (total)	1.5 square feet per linear foot of building frontage facing a public street or parking lot, subject to maximum size limitations based on sign type		N/A	N/A
Maximum area (individual)	Wall: 15% of a façade that faces a public street or parking lot. Maximum 50 square feet per sign face. Awning/canopy: N/A (see § 265-210)	10 square feet	15% total window area (permanent signs) 25% total window area (all signs)	15 square feet plus 5 square feet per additional tenant up to 30 square feet
Maximum height	The eaveline or the bottom of the second story window sill, whichever is lower		N/A	10 feet

§ 265-221. Signs in General Commercial (GC), Office and Light Industrial (M-1), Manufacturing Industrial (M-2), and Mixed Use (MU) Districts.

In addition to the exempt signs described in § 265-208, Signs exempt from permit requirements, the following numbers and types of signs may be erected in the GC, M-1, M-2, and MU districts subject to the conditions specified here and in §265-210.

- A. Any limited duration sign as defined and regulated in § 265-213, Regulations for limited duration signs.
- B. Any temporary sign as defined and regulated in § 265-214, Regulations for temporary signs.
- C. Any sign permitted in residential districts, for the appropriate uses, as defined and regulated in § 265-218.
- D. Any portable sign as defined and regulated in § 265-215, Regulations for portable signs
- E. Any street pole banner as defined and regulated in § 265-216, Regulations for street pole banners.
- F. The total area of all wall, projecting, and awning/canopy signs shall be limited to two square feet per one linear foot of building frontage that faces a public street or parking lot, subject to maximum size limitations based on sign type.

G. Wall signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Number. No maximum number.
- (2) Area. Up to 15% of a façade that faces a public street or parking lot may be occupied by a wall sign. Each sign shall have a maximum area of 100 square feet per sign face.
- (3) Height. These signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
- (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) Internal illumination.
 - (b) External illumination from above.
 - (c) Halo illumination or back-lit letters.
 - (d) Neon.

H. Projecting signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Number. One sign per ground floor establishment per street frontage, plus one sign per building entrance serving one or more commercial tenants without a ground floor entrance.
- (2) Area. Each sign shall have a maximum area of 20 square feet per sign face.
- (3) Height. These signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
- (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) External illumination from above.
 - (b) Internal illumination.
 - (c) Neon.

I. Window signs for nonresidential uses shall be permitted subject to the following regulations.

- (1) Area. A maximum of 15% of the total window area of any single storefront may be used for permanent signs that are etched, painted, or permanently affixed to the window. A maximum of 25% of the total window area of any

single storefront may be covered by a combination of permanent and nonpermanent window signs.

- (2) Illumination. These signs shall be nonilluminated.
- J. Canopy or awning signs for nonresidential uses shall be permitted subject to the regulations established in § 265-210, Regulations for on-premises signs.
 - (1) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) External illumination from above.
- K. In addition to building signs, freestanding signs for nonresidential uses shall be permitted subject to the following regulations.
 - (1) Number. One sign per street frontage, up to two signs per property held in single and separate ownership.
 - (a) For permitted gas stations, an additional 50 square feet of sign area per street frontage shall be permitted. The additional square footage of permitted sign area allotted to gas stations can be incorporated into a single freestanding sign on each frontage (up to 100 square feet in area) or distributed between two freestanding signs per frontage (up to 50 square feet in area per sign).
 - (b) For permitted drive-through establishments, one additional freestanding sign (up to 50 square feet in area) shall be permitted in the drive-through lane for the advertising of items for sale to users of the drive-through lane only.
 - (2) Area. Each freestanding sign shall have a maximum area of 50 square feet plus an additional 10 square feet per tenant up to a maximum of 100 square feet.
 - (3) Height. Signs shall have a maximum height of 20 feet.
 - (4) Illumination. The following illumination types shall be permitted subject to the regulations in § 265-209F, Sign illumination.
 - (a) Internal illumination.
 - (b) External illumination.
 - (c) Message center signs.
 - (d) Digital displays.
- L. Off-premises signs shall be permitted, subject to the regulations detailed in §265-211, Regulations for off-premises signs

M. Summary Table for Signs in Commercial and Industrial Districts.

Building Signs			
	Wall, Awning/Canopy, Projecting, and Window	Projecting	Freestanding
Maximum number	Wall: no maximum number Awning/canopy: N/A (see § 265-210)	1 per ground floor tenant per street frontage, plus 1 per building entrance serving tenants without a ground floor entrance	1 per street frontage, up to 2 per lot (plus 1 additional for gas stations or 1 additional for drive-through establishments)
Maximum area (total)	2 square feet per linear foot of building frontage facing a public street or parking lot, subject to maximum size limitations based on sign type		N/A
Maximum area (individual)	Wall: 15% of a façade that faces a public street or parking lot. Maximum 100 square feet per sign face. Awning/canopy: N/A (see § 265-210)	20 square feet	50 square feet plus an additional 10 square feet per tenant up to 100 square feet
Maximum height	The eaveline or the bottom of the second story window sill, whichever is lower		20 feet

§ 265-222. Signs in Overlay Districts

A. Active Adult Community District.

- (1) In the Active Adult Community District, identification signs, entrance signs, and traffic directional signs shall be permitted according to the provisions of §265-205, §265-209 and §265-219.
- (2) No business signs, roof signs, ground signs or multiple directory signs shall be permitted.

B. Route 100 Master Plan Overlay District.

- (1) Off-premises advertising signs shall be prohibited.
- (2) As an alternative to the sign standards and regulations contained in Article XXIV of this chapter, the Board of Supervisors may modify by conditional use, the size, number and total amount of signage for each master plan when satisfying the following conditions:
 - (a) The applicant shall submit a comprehensive sign package, which includes the location and design of all proposed signage, including the size, materials, lighting, and height of each sign.
 - (b) The applicant shall also include with the conditional use submission, all specifications on all types of signs proposed,

including but not limited to overall development, individual business and directional signs.

- (c) Sign permits through this conditional use process are available only for nonresidential development in the MU District that uses the Route 100 Corridor Master Plan Overlay Design option.
- (d) Each shopping center or mixed-use nonresidential development shall be permitted one entrance sign identifying the development at each vehicular entrance from a public street, provided the following additional standards are met:
 - [1] The overall height of each sign shall not exceed 35 feet; signs on the frontage of Route 100 shall not exceed 40 feet;
 - [2] Each sign shall not exceed 200 square feet; signs on the frontage of Route 100 shall not exceed 300 square feet;
 - [3] Signs with frontage on Route 100 shall be set back a minimum of 15 feet from the right-of-way of Route 100;
- (e) Tenants are permitted to have individual signs provided that the maximum total signage for each tenant of a multi-tenant center shall not exceed 100 square feet of sign for every 10,000 square feet of gross floor area per tenant up to a maximum of 400 square feet of signage total per tenant.
- (f) Each single-user nonresidential development or CCRC shall be permitted one entrance sign identifying the development at each vehicular entrance from a public street, provided each sign shall not exceed 15 feet in height and shall not exceed 80 square feet in size.
- (g) Changeable copy signs shall be permitted, provided they do not exceed 15% of the total sign area permitted on an individual tenant/user or shopping center.
- (h) All signs shall comply with Article XXIV of this chapter.
- (i) The applicant shall also satisfy and comply with the standards and criteria set forth in § 265-260 of this chapter.

§ 265-223. Removal of unsafe, unlawful, or abandoned signs.

A. Unsafe or unlawful signs.

- (1) Upon written notice by Douglass Township, the owner, person, or firm maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication, or it is determined by Douglass Township to be a nuisance, or it is deemed unsafe by Douglass Township, or it is unlawfully erected in violation of any of the provisions of this article.

- (2) Douglass Township may remove or cause to be removed the sign at the expense of the owner and/or lessee in the event of the owner of the person or firm maintaining the sign has not complied with the terms of the notice within 30 days of the date of the notice. In the event of immediate danger, Douglass Township may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

B. Abandoned signs.

- (1) It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within 180 days of the sign becoming abandoned as defined in this section. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.
- (2) Where the owner of the property on which an abandoned sign is located fails to remove such sign in a 180 days Douglass Township may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, Douglass Township may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

§ 265-224. Permits and applications.

- A. It shall be unlawful for any person, firm, or corporation to erect, alter, repair, or relocate any sign within Douglass Township without first obtaining a sign permit, unless the sign is specifically exempt from the permit requirements as outlined in § 265-208, Exempt signs.
- B. In order to apply for a sign permit, the applicant must provide the following information, in writing, to Douglass Township:
 - (1) Name of organization and location.
 - (2) Name, address, and telephone number of the property owner, and the signature of the property owner or duly authorized agent for the owner.
 - (3) Contact person and contact information.
 - (4) Description of the activities occurring on the site where the sign will be installed.
 - (5) Description of any existing signage that will remain on the site.
 - (6) Identification of the type of sign(s) to be erected by the applicant.
 - (7) Site plan depicting the locations of proposed signage and existing remaining signage.
 - (8) Two copies of a plan drawn to scale depicting:

- (a) Lot dimensions, building frontage, and existing cartways, rights-of-way and driveways.
 - (b) The design of each sign face and sign structure, including dimensions, total area, sign height, depth, color scheme, structural details, materials, lighting scheme and proposed location.
 - (c) Building elevations, existing and proposed facades, parapet walls, eaveline and the location and size of all proposed and existing permanent signage.
 - (d) Current photographs showing existing signs on the premises and certifying the date on which photographs were taken.
- (9) A permit fee, to be established from time to time by resolution of Douglass Township, shall be paid.
- C. Douglass Township shall have 30 business days from the receipt of a complete application to review the application.
- D. A permit shall be issued on or before the end of the thirty-business-day review period if the application for a new sign or renewal complies with the regulations contained herein.
- E. If Douglass Township does not issue a determination within the thirty-business-day period, the sign permit is deemed approved.
- F. An application for a sign permit may be denied by Douglass Township within the thirty-business-day review period if the application fails to comply with the standards contained herein. Douglass Township shall inform the applicant of the reasons for denying the application for sign permit by certified mail.
- G. Upon denial of an application for a sign permit, the applicant has 30 business days to revise and resubmit the application for review by Douglass Township. In the alternative, the applicant may also appeal the decision of Douglass Township to the governing body within the thirty-business-day time period. Douglass Township at its next regularly scheduled meeting, shall review Douglass Township's denial of the application.
- H. With the exception of lighting permits for digital signs, these permits shall not expire provided that such signs are not abandoned or destroyed. In the instance that substantial repair or replacement becomes necessary (i.e., repairs that costs more than 50% of the replacement cost of the damaged sign); the organization must apply for a new sign permit, and pay an additional fee, if required.
- I. All illuminated signs shall require certification in order to demonstrate continued compliance with the brightness requirements set forth in § 265-209F, Sign illumination. This certification must be renewed every three years. This will allow Douglass Township to adjust standards as needed based on changing technology and evaluation of impacts. Douglass Township reserves the right to assess the brightness of any sign at any time to ensure compliance with illumination requirements.

§ 265-225. Nonconforming signs.

Regulations around nonconforming signs shall be in accordance with §265-239 of this chapter.

§ 265-226. Substitution clause.

Notwithstanding any provision of this chapter to the contrary, to the extent that this chapter allows a sign containing commercial copy, it shall allow a noncommercial sign to the same extent. The noncommercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to noncommercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this chapter.

§ 265-227. Violations and penalties.

The placement of a sign that requires a sign permit without a sign permit shall be unlawful. All violations of this article shall be subject to enforcement as provided in Article XXVII, Administrative Procedures, of this chapter. In addition to those remedies, nothing shall prohibit Douglass Township from utilizing any and all remedies available to it in law and equity to enforce the provisions of this article.

ARTICLE XXV Off-Street Parking

§ 265-228. Declaration of legislative intent.

In expansion of the statement of community development objectives found in Article I of this chapter, the intent of this article, among others, is as follows:

- A. Set reasonable standards and provide reasonable controls to assure sufficient parking capacity for the uses or potential uses of land in the Township.
- B. Provide flexibility in the implementation of these standards by permitting construction of a reduced number of parking spaces under appropriate conditions.

§ 265-229. Applicability and interpretation.

- A. Any building or other structure erected, altered, or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with driveways or other means of circulation and access to and from a street in compliance with the requirements of Chapter 230, Subdivision and Land Development, of the Douglass Township Code.
- B. When a building, structure or lot contains two or more uses, the total parking requirement shall be calculated by adding the minimum parking requirements of each separate use, except when shared parking is permitted in accordance with

§265-232. In cases where a building, structure or lot contains two or more uses, the Township shall, at its discretion, determine which uses are primary uses and which uses are accessory uses. The number of uses in a building shall equal the number of leasable units in the building, including owner-occupied units.

- C. Fractions of spaces shall be rounded up to the nearest whole number when calculating required parking spaces.
- D. References to the capacity of a facility shall always refer to the total design capacity or the maximum permitted building occupancy, whichever is greater.
- E. References to number of persons or employees shall always refer to the greatest number anticipated at any one time, e.g., the largest shift. Unless otherwise specified as a separate requirement, employee parking is included and averaged into the minimum parking requirements herein.

§ 265-230. Parking use requirements.

Any building or other structure erected, altered, or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with driveways or other means of circulation and access to and from a street in compliance with the requirements of Chapter 230, Subdivision and Land Development, of the Douglass Township Code.

A. Accessory Uses

- (1) Use A-6: Home Occupations. At least one additional parking space, and not more than two additional off-street parking spaces shall be provided in addition to those required for principal residential use. Such parking shall be provided on the lot of the residence.
- (2) Use A-7: Family Day Care Home: one space per employee
- (3) Use A-12: Communications Antennae: If the antenna site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift.

B. Agricultural Uses

- (1) Use B-1: Agricultural Use: One space per employee
- (2) Use B-2: Agritourism Enterprise: One space per four people, plus event overflow parking per the requirements of §265-230.K of this chapter. Field parking must be mowed and maintained to prevent vehicle fire.
- (3) Use B-4: Riding Academy/Stable: one space per 8 animals at capacity

C. Residential uses.

- (1) Use C-1: Country Residence, Use C-2: Single-Family Detached Dwelling, Use C-4: Single-Family Semi-Detached Dwelling (Twin), Use C-5: Two-Family Detached Dwelling (Duplex), Use C-6: Mobile Home Park
 - (a) Primary parking for residents. A minimum of two off-street parking spaces shall be required for each dwelling unit. The first space in a garage shall not be counted. Driveways leading to garages may be counted as parking spaces when the driveway provides access to only one dwelling unit.
 - (b) Visitor parking. Additional guest parking, at a minimum standard of two-tenths of a space per dwelling unit, may be required at the discretion of the Township Supervisors. On-street parking may be counted as visitor parking, provided that it is located not more than 300 feet from the front door of the unit it serves.
- (2) Use C-3: Single Family Attached Dwelling (Townhouse). Parking for single-family attached dwelling units may be provided as privately owned space on the individual property containing the dwelling unit, or as commonly-owned space, conveniently located among the dwelling units.
 - (a) Primary parking for residents. A minimum of two off-street parking spaces shall be required for each dwelling unit. The first space in a garage shall not be counted. Driveways leading to garages may be counted as parking spaces when the driveway provides access to only one dwelling unit.
 - (b) Visitor parking. Additional guest parking shall be provided in the form of commonly-owned, conveniently located parking areas, at a minimum standard of two-tenths of a space per dwelling unit. On-street parking may be counted as visitor parking, provided that it is located not more than 300 feet from front door of the unit it serves.
- (3) Use C-7: Multifamily Development, including, Use C-8: Multifamily Conversion:
 - (a) Primary parking for residents:
 - [1] For all one bedroom units: 1.5 spaces.
 - [2] For all two bedroom units: 1.75 spaces.
 - [3] For all units with three or more bedrooms: 2.0 spaces.
 - (b) Visitor parking. Two-tenths of a space per unit for visitor parking shall be required in addition to the primary parking for residents. The applicant may request a waiver from the Township, allowing the required visitor parking to be provided in reserve parking, according to § 265-231 herein. On-street parking may be counted as visitor parking, provided that it is located not more than 300 feet from an entrance to the building it serves.

- (4) Use C-9: Independent Living Unit:
 - (a) Primary parking for residents: 1.5 spaces per dwelling unit.
 - (b) Visitor parking. One-half of a space per unit for visitor parking shall be required in addition to the primary parking for residents. The applicant may request approval from the Township Supervisors, upon recommendation of the Township Planning Agency and Township Engineer, allowing the required visitor parking to be provided in reserve parking, according to § 265-231 herein. On-street parking shall not be counted as required parking spaces.
- (5) Use C-10: Assisted Living Unit: one space per four patient beds, plus one space per employee on the largest shift.
- (6) Use C-11: Nursing Home Unit: one space per four patient beds, plus one space per employee on the largest shift.
- (7) Use A-16: Accessory Dwelling Unit: 1.5 spaces

D. Commercial uses.

- (1) Use D-1: Adult Use: The requirements for Use D-24: Retail Establishment or D-28: Tavern/Bar shall be used, depending on the configuration of the space.
- (2) Use D-2: Automobile Sales & Rental: one space per 500 square feet of indoor sales area plus one space per 5,000 square feet of outdoor sales area.
- (3) Use D-3: Automobile Repairs and Service: three spaces per service bay plus one space per 300 square feet (excluding service bays).
- (4) Use D-4: Bank/Financial Institution. Without drive-in service: five spaces per employee on the largest shift with drive- in service: three spaces per employee on the largest shift, plus three stacking spaces for each drive-thru lane; in addition, three spaces per ATM.
- (5) Use D-5: Bed and Breakfast: 1 space per room
- (6) Use D-6: Car wash. Full service: four spaces per bay plus five stacking spaces per bay; self- service: three stacking spaces and two drying spaces per bay.
- (7) Use D-7: Club/Lodge: one space per four seats at capacity or one space per 50 square feet of public floor area, whichever is greater.
- (8) Use D-8: Convenience Store: one space per 150 square feet of gross floor area.
- (9) Use D-9: Event Facility: one space per 4 fixed seats for the largest place of public assembly

- (10) Use D-10: Farmers' Market: one space per vendor
- (11) Use D-11: Funeral home: one space per four seats at capacity or one space per 50 square feet of public floor area, whichever is greater.
- (12) Use D-12: Fuel Gasoline service station or fuel service islands: Fuel sales as the primary use on a lot: one space per two pumps. Fuel sales as an accessory use on a lot: no parking required, provided that the parking area for the primary use is within 100 feet of the fuel service islands.
- (13) Use D-14: Laundry (self-service): one space per two washing machines.
- (14) Use D-15: Marijuana Dispensary: one space per 250 square feet of gross floor area
- (15) Use D-16: Microbrewery/Microdistillery/Microwinery: one space per 250 square feet of gross floor area
- (16) Use D-17: Mixed Use: net total of the parking requirement for each use in the building. The users of the building shall utilize shared parking consistent with the provisions of §256-232.
- (17) Use D-18: Overnight Lodging (Hotel, Motel, Tourist Home, Rooming House): one space per rental unit, plus one space per employee on the largest shift (any restaurant, bar, etc. shall be treated as a separate use)
- (18) Use D-20: Personal service/care: three spaces per service provider.
- (19) Use D-21: Repair Services: one space per 250 square feet of gross floor area
- (20) Use D-22: Restaurant, Dine-In: one space per 120 square feet of gross floor area, plus one space per employee on the largest shift.
- (21) Use D-23: Restaurant, Take Out: one space per 100 square feet of gross floor area waiting (stacking) spaces for drive-thru uses shall be provided in accordance with the regulations of the Zoning District in which the use is located.
- (22) Use D-24: Retail Establishment store or business office: one space per 250 square feet of gross floor area (four per 1,000).
- (23) Use D-25: Shopping center: Parking shall be provided for each individual primary and satellite use, according to the requirements in § 265-230 herein. At a minimum, one space per 250 square feet of total gross floor area (four per 1000) shall be provided for the total gross floor area of all primary and satellite uses within a shopping center.
- (24) Use D-26: Short-Term Transient Lodging or Vacation Rental
- (25) Use D-27: Studio: one space per five students, and/or one space per 300 square feet of gross floor area for non-student patrons.

- (26) Use D-28: Tavern/Bar: one space per 80 square feet of gross floor area.
- (27) Use D-29: Supermarket/Grocery Store: one space per 250 square feet of gross floor area

E. Office Uses

- (1) Use E-1: Animal Care, Use D-13: Kennel: one space per 250 square feet of gross floor area.
- (2) Use E-2: Business/Professional office: one space per 250 square feet of gross floor area.
- (3) Use E-3: Hospital: one space per two patient beds, plus one space per employee on the largest shift.
- (4) Use E-4: Medical Clinic/Office: seven spaces per healthcare provider.
- (5) Use E-5: Research Facility: one space per 300 square feet of gross floor area

F. Recreational and entertainment uses:

- (1) Use F-1: Golf course: three spaces per hole plus one space per employee; any area for restaurant, members clubhouse, etc., shall be calculated as a separate use.
- (2) Use F-2: Indoor Recreation/Amusement: one space per four persons at capacity.
- (3) Use F-3: Outdoor Recreation/Amusement: one space per four persons at capacity, plus event overflow parking per the requirements of §265-230.K of this chapter.
- (4) Use F-4: Theater: one space per four seats at maximum capacity.
- (5) Use F-5: Parkland: Minimum 10 spaces per park; in addition, each active recreation facility listed herein shall have its own parking spaces provided per § 265-230.F.

G. Institutional uses:

- (1) Use G-1: Adult/Child Day Care Center: one space per four persons at capacity, plus one space per employee.
- (2) Use G-2: Group Day Care Home: one space per employee
- (3) Use G-3: Cemetery: one space per 250 square feet of office area, plus one space for every 3 seats in chapels with fixed seating
- (4) Use G-4: Continuing Care Retirement Community: The requirements of Use C-3: Single-Family Detached Dwelling, Use C-4: Single-Family Attached

Dwelling, Use C-5: Single-Family Semi-Detached Dwelling (Twin), Use C-7: Multifamily Development, Use C-10: Assisted Living Unit, Use C-11: Nursing Home Unit, and Use C-9: Independent Living Unit shall apply, depending on the unit types within the CCRC.

- (5) Use G-5: Educational Facility (elementary or intermediate): three spaces per classroom, plus one space per employee, plus event overflow parking per § 265-230.K of this chapter.
- (6) Use G-5: Educational Facility (secondary or high school): eight spaces per classroom, or one space per four seats at capacity in the largest assembly hall, whichever is greater, plus one space per employee, plus event overflow parking per § 265-230.K of this chapter.
- (7) Use G-6: Emergency Services: one space per 250 square feet gross floor area
- (8) Use G-7: Library/Community Center: one space per 600 square feet of public floor area.
- (9) Use G-8: Senior Living Facility: Skilled nursing care facility, assisted living, rehabilitation center: one space per four patient beds, plus one space per employee on the largest shift.
- (10) Use G-9: Place of Worship: one space per four seats at capacity in largest assembly area.

H. Industrial uses:

- (1) Use H-1: Artisan Manufacturing: one space per 500 square feet of gross floor area
- (2) Use H-2: Data Center: one space per employee or one space per 600 square feet of gross floor area, whichever is greater
- (3) Use H-4: Heavy Manufacturing, Use H-6: Solid Waste Management Facility, Use H-8: Sewer Treatment Plant: one space per employee, or one space per 600 square feet of gross floor area, whichever is greater.
- (4) Use H-5: Light Manufacturing: one space per employee, or one space per 350 square feet of gross floor area, whichever is greater.
- (5) Use H-7: Solar Energy Facility: one space per employee
- (6) Use H-9: Warehouse/Storage Facility: one space per 2,000 square feet gross floor area
- (7) Use H-10: Contractor's Service business: one space per 500 square feet of retail or office area, plus one space per 5000 square feet of outdoor storage area.

- I. Other uses. Uses similar to those listed above may be permitted by the Township Supervisors to follow the requirements of the use listed herein that best fits the proposed use, upon recommendation of the Township Planning Agency, Township Solicitor and Township Engineer. If a proposed use is not approved to be similar to a use listed herein for the purposes of parking, uses other than those listed above shall provide parking in accordance with the fitted curve equation for that particular use to building square footage or number of employees, whichever yields a greater number, as shown in the most up-to-date version of the Institute of Transportation Engineers' Trip Generation Manual.
- J. General requirements, applicable to all nonresidential uses:
 - (1) Minimum parking. In no case shall fewer than three off-street parking spaces be provided for each individual nonresidential use. The number of uses in a building shall equal the number of leasable units in the building, including owner-occupied units.
 - (2) Maximum parking. In order to reduce the environmental impacts of parking areas in the Township, the maximum amount of permitted parking shall be 120% of the minimum required parking for all nonresidential uses. If the applicant anticipates the need for more than 120% of the minimum required parking for a use, the applicant may request permission from the Township Supervisors to allocate space for additional parking, which shall be initially held in reserve according to § 265-231 below.
 - (3) Loading areas. All nonresidential uses shall have at least one unloading area or dock for each building or group of buildings.
- K. Event parking, applicable to institutional and recreational uses:
 - (1) School event parking. In addition to the requirements herein, all schools shall designate an area of level lawn for special event overflow parking, which shall provide one space for every four auditorium, assembly hall, or stadium seats (whichever facility is largest) or 100 spaces, whichever is less.
 - (2) Institutional and recreational event parking. Other institutional and recreational facilities may be required to provide overflow event parking at the discretion of the Township, at a rate of one space for every four seats or spectators. Overflow parking shall be located within 200 feet of the parcel boundary. If the overflow parking is located across a street from the event, pedestrian crosswalks shall be provided, in consultation with PennDOT where relevant. The applicant shall indicate on submitted plans the frequency of parking events, total maximum anticipated attendance, and total number of seats in the largest assembly area. Final determination of the number of spaces required for overflow event parking shall be made by the Township Engineer, at the recommendation of the Township Planning Agency and Township Supervisors.
 - (3) Event parking areas. All overflow parking areas are encouraged to be constructed of stabilized soil or similar pervious but stable materials. Temporary overflow parking may also be provided on areas such as tennis courts, playgrounds, and playing fields.

§ 265-231. Parking held in reserve.

If the number of spaces required by § 265-230 above is substantially greater than the number anticipated by the applicant, reserve parking may be used in accordance with the following criteria:

- A. The total number of spaces which must be paved initially may be reduced up to 50% by the Board of Supervisors, upon recommendation of the Township Planning Agency and Engineer.
- B. To qualify for use of the reserve parking concept, the applicant shall provide evidence supporting reduced parking needs to the Township Planning Agency for their review and recommendations.
- C. Suitable area must be available on the site for 100% of the parking required by § 265-230 above. The reserved area shall be considered as impervious area in all site calculations. All stormwater controls shall be engineered and constructed for the total designed parking area, including the area held in reserve.
- D. Applicants who anticipate the need for more than the maximum permitted parking (more than 120% of the minimum required parking) may request approval from the Township Supervisors, upon recommendation of the Township Planning Agency and Township Engineer, to design for more parking. Any parking over 120% of the minimum required spaces shall be initially held in reserve. The reserve area shall be included in any impervious area calculations and all stormwater controls shall be engineered and constructed for the total designed parking area, including the area held in reserve. The applicant may then request to construct the additional parking only after the project is fully occupied and operational.
- E. The Board of Supervisors may require the construction of additional parking spaces, up to the maximum required by § 265-230 of this chapter, upon recommendation of the Township Planning Agency, Engineer, and Zoning Officer, when there is evidence of a continued overflow of parking from a site which has a parking area held in reserve.
- F. Parking capacity will be reevaluated by the Township Zoning Officer whenever there is a proposed change in use, ownership, building size, land area, number of residents or number of employees. Following reevaluation, the Board of Supervisors may require the construction of additional parking spaces, up to the maximum required by § 265-230 of this chapter, upon recommendation of the Township Planning Agency and Engineer.
- G. The Zoning Officer may deny or revoke the use and occupancy permit of any use that fails to comply with this provision.
- H. The applicant shall provide a financial guaranty to cover the cost of engineering and installation of the reserved parking spaces, for a period of two years following installation of the initially constructed spaces. The type and amount of the guaranty must be approved by the Board of Supervisors upon recommendation of the Township Solicitor and Engineer.

§ 265-232. Shared parking.

- A. The parking spaces required in § 265-230 above may be reduced when two or more establishments share the same parking area, whether on the same lot or adjacent lots, subject to the following conditions:
 - (1) Some portion of the common off-street parking area must lie within 200 feet of an entrance, regularly used by patrons, into all of the buildings served by the shared parking facilities.
 - (2) Access and parking easements must be prepared and recorded for each property affected by the shared parking.
- B. The minimum amount of required shared parking shall be calculated according to the following formula:
 - (1) Calculate the minimum amount of parking required for each primary and accessory/ satellite land use separately.
 - (2) To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in Table One for each of the five time periods. [For example, if a proposed use is a retail store, and the total minimum required parking is 12 spaces, then multiply 12 by 60% (0.6) for a weekday daytime peak of 7.2 parking spaces.]
 - (3) Calculate the column total for each of the five time periods. Fractions of a space shall be added together and then the sum of all columns shall be rounded up to the nearest whole number.
 - (4) The column (time period) with the highest value shall be the minimum shared parking requirement.
- C. An applicant may request approval from the Board of Supervisors, upon recommendation of the Township Planning Agency and Township Engineer, to use different peak usage percentages, if the applicant can demonstrate that the proposed use will have significantly different peak times, based on unique characteristics of the proposal.

Shared Parking Requirements					
Use	Weekday Day (8:00 a.m. to 6:00 p.m.)	Weekday Evening (6:00 p.m. to 12:00 midnight)	Weekend Day (8:00 a.m. to 6:00 p.m.)	Weekend Evening (6:00 p.m. to 12:00 midnight)	Nighttime (12:00 midnight to 8:00 a.m.)
Office and industrial	100%	10%	5%	5%	5%
Retail/commercial	80%	90%	100%	60%	5%
Hotel/motel	70%	90%	70%	100%	100%
Restaurant/bar	70%	100%	70%	100%	10%
Entertainment and recreation	40%	100%	80%	100%	10%
Institutional (non-religious)	100%	40%	10%	10%	5%
Religious institution	20%	40%	100%	40%	5%
Residential	50%	100%	80%	100%	100%

§ 265-233. Additional parking requirements.

- A. All parking areas must meet the requirements of Chapter 230, Subdivision and Land Development, of the Douglass Township Code.
- B. Industrial and commercial parking areas shall not be used for the sale, repair, or dismantling of any vehicles, equipment, materials, or supplies.
- C. Common parking facilities shall be owned and maintained by some form of corporate ownership, homeowners' association, trust, etc., acceptable to the Township Board of Supervisors upon recommendation of the Township Solicitor.

ARTICLE XXVI

Nonconforming Uses, Structures, Lots and Signs

§ 265-234. Applicability; definitions.

The regulations of this chapter shall apply to nonconforming uses, nonconforming structures, nonconforming lots, and nonconforming signs, as those terms are defined in Article II of this chapter.

§ 265-235. Standards.

Any lawful building or other structure, or any lawful use of a building, land or sign legally existing at the time of adoption of this chapter, or authorized by a building permit issued prior thereto, may be continued in the form evident at the time of adoption of this chapter.

§ 265-236. Nonconforming use.

- A. Expansion. The nonconforming use of a building or of a lot shall not be expanded so as to use other portions of the building or lot and a nonconforming building housing a nonconforming or permitted use shall not be expanded or structurally-altered, except insofar as is permitted by law to assure the structural safety of the building; unless the Zoning Hearing Board shall, by special exception as hereinafter provided, authorize the expansion of such use or building. The Zoning Hearing Board, upon proper application, may grant such special exception, provided that:
- (1) It is clear that such expansion is not materially detrimental to the character of the surrounding area or to the interest of the municipality.
 - (2) The area devoted to the nonconforming use shall not be increased more than once during the life of the use. In addition, the area devoted to the nonconforming use shall not be increased more than 50% above its original size.
 - (3) Any expansion of the building or of a lot having a nonconforming use shall conform to all applicable area and bulk regulations of the district in which it is situated and to all regulations applicable to such a use in the district or districts.
 - (4) Any expansion of a nonconforming use must meet the off-street parking and buffering requirements of this chapter.
- B. Change of use.
- (1) A nonconforming use may be changed to another nonconforming use by the grant of a special exception only upon determination by the Zoning Hearing Board, after public hearing, that the proposed new use will be similar to or less detrimental to its neighborhood and abutting properties than is the use it is to replace. In evaluating relative detriment, the Zoning Hearing Board shall take into consideration, among other things: potential traffic generation; nuisance characteristics such as emission of noise, dust, odor, glare and smoke, fire hazards, and hours and manner of operation.
 - (2) Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.
- C. Restoration. A structure containing a nonconforming use involuntarily destroyed by fire, explosion, flood or other phenomena, or legally condemned, may be reconstructed and used for the same nonconforming use, provided that:
- (1) Reconstruction of the structure shall commence within one year from the date the structure was destroyed or condemned and shall be completed within one year of the date commenced.
 - (2) The reconstructed structure shall not exceed the area and bulk of the damaged or destroyed structure, except as provided by § 265-237A(1), above.

- D. Discontinuance or abandonment. If a nonconforming use of a structure or land is razed or removed or discontinued or abandoned for 12 or more consecutive months, subsequent use of such structure or land shall conform with the regulations of the district in which it is located. However, the same nonconforming use shall be allowed, provided the request for the nonconforming use is filed within the twelve-month period and thereafter approved by the Zoning Hearing Board and the permit application for such approved nonconforming use is filed within 30 days after the decision of the Zoning Hearing Board.

§ 265-237. Nonconforming structure.

- A. Alteration, renovation, or enlargement.

- (1) Nonconforming structures may be altered, renovated, or enlarged provided that such alteration, renovation or of the structure as it existed on the date when the structure became nonconforming. Such alteration, renovation or shall not increase any existing nonconformity. In the case of a nonconforming structure which is occupied by a nonconforming use, such alteration or renovation shall also meet the requirements of § 265-237.A of this chapter. In the case of a nonconforming structure which is located on a nonconforming lot, such alteration, renovation shall also meet the requirements of § 265-239.C of this chapter.
- (2) Any structural alteration of or addition to existing buildings shall conform with all area and bulk regulations including minimum area, height, width, yard and coverage requirements for the district in which it is located as well as building code regulations currently in effect.
- (3) A nonconforming structure may be enlarged with Special Exception approval by the Zoning Hearing Board.

- B. Restoration. Any lawful nonconforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm, or other active cause may be reconstructed in the same location provided that:

- (1) The reconstructed building or structure shall not exceed the height, area or bulk permitted by §265-237.A, or the original building, whichever shall be the more limited, except as specified by Article XV, Floodplain Conservation District.
- (2) Reconstruction shall begin within one year from the date of damage or destruction and shall be completed without interruption.

§ 265-238. Nonconforming lot.

- A. A building may be constructed on a nonconforming lot of record in existence at the effective date of this chapter under all of the following circumstances:

- (1) An owner of two or more contiguous nonconforming lots which, if combined, would create a lot of conforming size, shall be required to combine such lots prior to the issuance of a building permit.

- (2) A building may be constructed on a lot which is nonconforming solely in respect to lot area requirements, when authorized by the Zoning Officer.
- (3) Where the side, rear or front yard setbacks cannot be met, a special exception to construct a building on a nonconforming lot may be authorized by the Zoning Hearing Board. Special Exception approval is not needed if the setback requirements of the R-1 are met.
- B. No lot area shall be reduced so that the area or width of the lot or the applicable setback dimensions shall be smaller than herein prescribed.
- C. An existing structure located on a lot nonconforming as to area may be used for the use permitted in the district in which it is located, provided the structure complies within all bulk requirements of that district, if a nonconforming structure is located on a nonconforming lot, such structure may be used for a use permitted in the district in which it is located when it is determined by the Zoning Officer, or by the Zoning Hearing Board on appeal, that the proposed use is not injurious to health, safety, morals, and general welfare of the Township in general and the surrounding property owners in particular.

§ 265-239. Nonconforming signs.

- A. Signs legally in existence at the time of the adoption of this chapter, which do not conform to the requirements of this chapter, shall be considered nonconforming signs.
- B. All permanent signs and sign structures shall be brought into conformance with the sign regulations when and if the following occurs:
 - (1) The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration.
 - (2) If more than 50% of the sign area is damaged, it shall be repaired to conform to this chapter.
 - (3) An alteration in the structure of a sign support.
 - (4) A change in the mechanical facilities or type of illumination.
 - (5) A change in the material of the sign face.
 - (6) The property on which the nonconforming sign is located submits a subdivision or land development application requiring municipal review and approval.
 - (7) The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of either a use and occupancy permit or a change of use and occupancy permit by Douglass Township.

C. To determine the legal status of existing signs, in each of the cases listed in § 265-223.B, the applicant shall submit the following information to the Douglass Township Zoning Officer:

- (1) Type(s) of existing sign(s) located on the property.
- (2) The area and height of all signs.
- (3) For freestanding signs, the distance between the curbline or shoulder and the nearest portion of the sign.
- (4) Type of sign illumination.
- (5) The material of which the sign is constructed.
- (6) The building frontage.
- (7) If off-premises sign, the applicant shall also submit the plan requirements listed in § 265-212.N.

D. Prior to the events listed in § 265-223.B, nonconforming signs may be repainted or repaired up to 50% of the replacement cost of the sign, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign, and do not in any way increase the extent of the sign's nonconformity.

E. Nonconforming signs shall be exempt from the provisions of § 265-223.B, under the following conditions:

- (1) The nonconforming sign possesses documented historic value.
- (2) The nonconforming sign is of a unique nature or type by virtue of its architectural value or design, as determined by the National Park Service, Pennsylvania Historical and Museum Commission, or local historical commission.
- (3) When a nonconforming sign is required to be moved because of public right-of-way improvements.

F. All nonconforming temporary signs, portable signs, and banners must be permanently removed within 90 days of the effective.

§ 265-240. Signs on premises of legally nonconforming uses.

- (1) Signs on the premises of legally nonconforming uses (such as an office in a residential area) may remain until the existing use of the premises is discontinued.
- (2) If a sign wears out or is damaged (including rust, faded colors, discoloration, holes, or missing parts or informational items), or is changed for any other reason, the number, size, and area of all signs relating to the premises shall not be increased beyond the characteristics of the sign or signs that existed on that property at the time this chapter was adopted.

ARTICLE XXVII
Administrative Procedures

§ 265-241. Administration.

The duty of administering and enforcing the provisions of this chapter is hereby conferred upon the Zoning Officer who shall have such powers as are conferred on him by this chapter and who shall administer this chapter in accordance with its literal terms. The Zoning Officer shall not have the power to permit any construction or any use or change of use which does not conform to this chapter.

§ 265-242. Duties.

The duties of the Zoning Officer shall be:

- A. To examine all applications for building and zoning permits.
- B. To issue permits only for construction and uses which are in accordance with the regulations of this chapter and other applicable ordinances as may be subsequently enacted.
- C. To record and file all applications for permits with the accompanying plans.
- D. To issue permits for uses by special exception only after such uses and buildings are approved by the Zoning Hearing Board in accordance with the regulations of this chapter.
- E. To receive all required fees and issue all necessary stop orders.
- F. Upon the request of the Planning Agency or of the Zoning Hearing Board, or Board of Supervisors, to present to such body, facts, records and any similar information on specific requests to assist such bodies in reaching their decision.
- G. To institute civil enforcement proceedings as a means of enforcement.

§ 265-243. Appeal.

Any appeal from a decision or action of the Zoning Officer shall be made directly to the Zoning Hearing Board.

§ 265-244. Complaints regarding violations.

Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Officer. He shall record promptly such complaint, immediately investigate, and take action thereon as provided by this chapter.

§ 265-245. Notification of violation.

Enforcement notice shall be given as provided in §616.1 of the Pennsylvania Municipalities Planning Code, as amended.

§ 265-246. Enforcement.

This chapter shall be enforced by the Zoning Officer. No permit of any kind as provided in this chapter shall be granted by him for any purpose except in compliance with the provisions of this chapter, or a decision of the Zoning Hearing Board or a court of competent jurisdiction.

§ 265-247. Enforcement notice.

If it appears that a violation of this chapter has occurred, the Zoning Officer, the Board of Supervisors, or its designee shall initiate enforcement proceedings by sending an enforcement notice as follows. The enforcement notice shall state at least the following:

- A. The name of the owner of record and any other person against whom the Township intends to take action.
- B. The location of the property in violation.
- C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter.
- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 30 days of receipt of the enforcement notice.
- F. The notice shall further set forth that the recipient may be liable for attorney's fees, administrative costs, penalties, fines and/or costs relating to the violation and the proceeding.
- G. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

§ 265-248. Requirements for zoning permits.

A zoning permit shall be required prior to the erection, construction, alteration, moving or change in use of any building or structure or part thereof and before any zoning permit is issued for a new principal building or structure, permanent reference monuments of solid steel 3/4-inch in diameter and 36 inches in length or marble or concrete monuments four inches square by 30 inches in length shall be set at all corners and angle points of the boundaries of the lot and a certificate of compliance from a registered surveyor dated within 30 days of the date of the application for the zoning permit shall be submitted to the Township.

§ 265-249. Violations and penalties.

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon conviction thereof in a civil enforcement proceeding, pay a judgment of not more than \$1000 plus all court costs,

including reasonable attorney's fees and administrative costs incurred by Douglass Township as a result thereof. If the defendant neither pays nor timely appeals the judgment, Douglass Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation is continued shall constitute a separate violation, unless the Pennsylvania Court of Common Pleas determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs, reasonable attorney's fees and/or administrative costs collected for the violation of this chapter shall be paid over to Douglass Township.

§ 265-250. Application for permits.

Application for permit shall be made in writing to the Zoning Officer on such forms as may be furnished by the Township. Such application shall include building and plot plans of a satisfactory nature in duplicate, and shall contain all information necessary for such official to ascertain whether this proposed erection, alteration, use or change in use complies with the provisions of this chapter. No permit shall be considered complete or permanently effective until the Zoning Officer has certified that the work meets all the requirements of applicable codes and ordinances.

§ 265-251. Issuance of permits.

- A. No zoning permits shall be issued except in conformity with the regulations of this chapter, except after written order from the Zoning Hearing Board or any court of competent jurisdiction. In addition, no zoning permits shall be issued in regard to any lot or tract of land if any fees and/or costs including, but not limited to, legal and engineering costs and Zoning Hearing Board costs due to the Township in connection with said lot or the subdivision in which it is located, whether required by this or any other law, ordinance or regulation or by development agreement are unpaid and no permit shall be issued to a party who has not paid all such fees and/or costs due from said party to Douglass Township, whether in connection with the lot or tract of land which is the subject of the application or any other lot or tract of land in Douglass Township. Further, in addition, in the event that the Department of Labor and Industry approval is required in connection with the proposed construction or use, no zoning permits shall be issue until such approval is obtained and proof thereof is furnished to the Zoning Officer.
- B. In case of refusal, the applicant shall be informed of his right to appeal to the Zoning Hearing Board.
- C. Proceedings of the Zoning Hearing Board shall be governed by the Pennsylvania Municipalities Planning Code, as amended. The Board shall fix its own rules of procedure. The Board of Supervisors shall establish by resolution a schedule of fees for appeals to the Zoning Hearing Board.
- D. The building permit or assigned permit to which the applicant may be entitled as a result of a decision of the Zoning Hearing Board shall be applied for within 12

months of the date of the written decision therefore. Failure to do so will render the decision null and void.

- E. A building or zoning permit shall not be issued for a building or other object that is proposed within a recorded easement or right-of-way. This includes alleyways, stormwater easements, sewer easements, open space easements, and conservation easements.

§ 265-252. Expiration of permits.

No permit for the erection, razing, change, alteration or removal of buildings shall be valid or effective after 12 months from the date of issuance thereof and shall thereafter be void, unless the work authorized by such permit shall have been substantially commenced within 12 months from the date of issuance and proceeded with, with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by reason of any reasonable cause not due to his own negligence, the permit may be renewed without additional cost to the applicant.

§ 265-253. Certificate of occupancy.

- A. Upon completion of the erection or alteration of any building or portion thereof authorized by any permit, and prior to occupancy or use, or prior to any change in occupancy or use, the permittee shall notify the Zoning Officer of such completion or change and obtain a certificate of occupancy. No certificate of occupancy shall be issued until all requirements of the ordinances of Douglass Township, including this chapter and Chapter 230, Subdivision and Land Development, have been satisfied.
- B. In commercial and industrial zoning districts, at such times as performance standards are imposed, no certificate of occupancy shall become permanent until 30 days after the facility is fully operating, when upon a reinspection by the Zoning Officer, it is determined that the facility is in compliance with all performance standards.

§ 265-254. Permits for variances and special exceptions.

- A. Variances and special exceptions shall expire after 12 months, unless the use of construction authorized thereby has been begun within that time. If such use is discontinued for a period of more than one year, or if such construction is removed or destroyed, the variance or special exception shall terminate.
- B. Special exceptions shall not be granted by the Zoning Hearing Board unless the applicant therefore shall establish:
 - (1) That granting of the special exception will not adversely affect the public interest.
 - (2) That the proposed structure or development complies with the letter and intent of this chapter.
 - (3) That the public health, safety and welfare has been protected in the following respects, where applicable:

- (a) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.
 - (b) Off-street parking and loading areas where required with particular attention to the items in 1) above, and the noise, glare or odor effects of the proposal on adjoining properties and properties generally in the district.
 - (c) Refuse and service areas, with particular reference to the items in 1) and 2) above.
 - (d) Utilities, with reference to locations, availability and compatibility.
 - (e) Screening and buffering with reference to type, dimensions and character.
 - (f) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with properties in the district.
 - (g) Required yards and other open space.
 - (h) General compatibility with adjacent properties and other property in the district.
 - (i) Compliance with any standards for special exception established in a separate zoning district.
- C. Extension of permits for variances and special exceptions may be granted by the Zoning Hearing Board for a period of one year or, if the circumstances warrant, for a specified period of time in excess of one year. If the extension exceeds one year, the terms and conditions of the extension by the Zoning Hearing Board shall specify the exact time of the extension and the requirements in connection therewith (for example, if the applicant shall continue to pursue subdivision and/or land development approval).

§ 265-255. Conditional use process.

- A. An application for any conditional use shall be filed with the Township Manager and presented to the Board of Supervisors and shall provide:
- (1) The name and address of the applicant;
 - (2) The name and address of the owner of the real estate to be affected by the proposed conditional use application;
 - (3) A description and location of the real estate on which the conditional use is proposed;

- (4) A statement of the present zoning classification of the real estate in question, the improvement thereon, and the present use thereof;
 - (5) A statement of the section of this chapter which authorized the conditional use, and the standards which regulate the design of said use.
 - (6) A sketch plan and an accurate description of the improvements and additions intended to be made shall be submitted under the application for conditional use. The submission shall contain a site plan at a scale of one inch equals 100 feet or one inch equals 50 feet showing:
 - (a) Topography of the site depicted by contours at not greater than five-foot intervals.
 - (b) The location of the lot relative to the surrounding lots and buildings including the names of property owners.
 - (c) The location, dimensions and arrangement of all access points, off-street parking facilities, loading and unloading stations, pedestrian ways, sidewalks and streets.
 - (d) The location, uses planned, dimensions, gross floor area, building coverage and height of each building or other structure.
 - (e) The location, dimensions and arrangement of proposed signs, landscaping, screening and buffering, and recreation areas.
 - (f) The location, dimensions and arrangement of sanitary and stormwater sewage, water supply, storage areas, solid waste disposal facilities, parking lot lighting and all other utilities.
 - (g) Other information deemed necessary by the Board of Supervisors.
- B. The proposal shall demonstrate conformance to the policies of the Township plans and ordinances in compatibility with the same, in addition to any conditions and standards listed in the relevant zoning district. The applicant shall provide all of the information, data and studies needed to allow the Board of Supervisors to reach conclusive evaluations of the following items:
- (1) The compatibility of the proposed development with existing and proposed land uses adjacent to the site.
 - (2) The impact of the Township transportation network and the ability of the adjacent streets and intersections to efficiently and safely move the volume of traffic generated by the development.
 - (3) The impact on the Boyertown School District including an estimate of new pupils generated by the proposed development and their impact on classroom capacities, class sizes, existing or planned facilities.
 - (4) The impact on the Township's community facilities including estimates of additional community facilities which will be needed to serve the proposed

conditional use and estimates of the abilities of existing commercial facilities to meet the demands generated by the proposed conditional use.

- (5) The impact on the economy of the Township and region including an analysis of the work locations of the residents of the proposed development.
 - (6) The impact on the Township's community facilities including estimates of additional community facilities which will be needed to serve the proposed conditional use. Community facilities including, but shall not be limited to, sewage disposal facilities and systems, solid waste disposal facilities and systems, water supply facilities and systems, storm drainage systems, and electrical utility facilities and systems.
 - (7) The ability of the Township to provide police and fire protection to the proposed conditional use.
 - (8) The impact on the Township's recreational facilities including estimates of additional facilities which will be needed to serve the conditional use.
 - (9) A cost revenue analysis which shall identify the net cost of the proposed conditional use to the Township and to the Boyertown School District. The net cost shall be the difference between the governmental expenditures which will be required to serve the proposed conditional use and the revenues that it will generate. The cost analysis shall clearly identify whether a net gain or net loss is anticipated and shall itemize the measurements used in the evaluation.
 - (10) The compatibility of the proposed use with respect to vehicle parking, transportation, water, sewage, the reliable and adequate water supply for the use, as well as the preservation of the natural, scenic and historic values in the environment.
 - (11) Information as to how the use will not affect the overcrowding of land, blight, danger and congestion in travel and transportation.
 - (12) Information as to how the use will accommodate reasonable overall community growth, including population and employment growth.
- C. The application for a conditional use shall be filed with the Township Manager on such forms as may be prescribed for that purpose, and shall be accompanied by the application fee, prescribed from time to time, but the Board of Supervisors. No application shall be received for filing unless accompanied by the required filing fee. The Board of Supervisors shall submit the application to the Township Planning Agency within five days of receipt, after reviewing the same at its next public meeting following the application, and the Planning Agency shall review the application and make a recommendation to the Board of Supervisors within 60 days thereafter. Upon written application and the demonstration of a hardship, the Board of Supervisors may waive in full or in part the requirements herein.
- D. The Board of Supervisors shall hold a public hearing on the conditional use application in accordance with the following procedures:

- (1) Notice of the hearing shall be given to the public by publication in newspaper of general circulation in the Township at least twice, the first such notice to be not less than 14 days prior to the date of the scheduled hearing. Notice of the hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing. The Board of Supervisors shall conduct its first hearing on the application within 60 days from the date of its public meeting after the Planning Agency has reviewed the application unless the applicant waives or extends the time limitation.
 - (2) The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance on the record before the Board of Supervisors, and any other person, including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have the power to require that all persons who wish to be considered parties enter written appearances on forms provided by the Board for that purpose.
 - (3) The Chairman or Acting Chairman of the Board of Supervisors shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents required by the parties.
 - (4) Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
 - (5) The Board of Supervisors shall keep a stenographic record of the proceedings.
 - (6) The Board of Supervisors shall render a written decision within 45 days after the last hearing before the Board. Where the application is contested or denied, the decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefore.
 - (7) A copy of the final decision shall be delivered to the application and the parties before the Board of Supervisors personally or mailed to them not later than the five days following the date of decision.
- E. In granting or denying a conditional use or establishing conditions with reference to such grants, the Board of Supervisors shall use as a guide in evaluating a proposed conditional use, and may determine to be mandatory, those standards established for review of special exception applications by § 265-303 of this chapter. The burden of establishing compliance with those enumerated standards shall be upon the applicant by a fair preponderance of the credible evidence. The standards required by this subsection shall be deemed a part of the definitional aspect under which a conditional use may be granted, and the failure of the applicant to establish his compliance with all of the standards shall, at the discretion of the Board of Supervisors, be deemed either a basis for the establishing of conditions or limitations on an approval or the basis for a determination that the applicant has not met the requirements for which a conditional use may be granted.

- F. Nothing in this section shall be construed to relieve the applicant for a conditional use approval from obtaining the other required approvals mandated by Chapter 230, Subdivision and Land Development, of the Douglass Township Code, or other applicable ordinances.
- G. Appeals from a determination of the Board of Supervisors pursuant to any application for conditional use shall be only as prescribed within such times permitted by the applicant provisions of the Pennsylvania Municipalities Planning Code.
- H. In granting an application for conditional use, the Board of Supervisors may attach such additional reasonable conditions and safeguards as it deems necessary and appropriate to insure compliance with the provisions of this chapter and to protect the health, safety and general welfare of the community.
- I. In addition to the aforesaid requirements, if a Master Plan is required prior to conditional use approval, the Master Plan must be submitted with the conditional use application.
- J. No application shall be accepted for conditional use review unless the application contains all of the documents and information required, including a Master Plan, if applicable, and the payment of the fees required and any escrows necessary per resolution of the Board of Supervisors.
- K. The Board of Supervisors may, by resolution, establish the application fee for a conditional use review as well as any reasonable escrow necessary for the payment of all professional and administrative fees and costs associated with such review including the hiring of any consultants that the Board may require for the review.

§ 265-256. Amendments.

The Board of Supervisors may, from time to time, amend, modify or repeal this chapter, including the Zoning Map, as follows:

- A. The Township may initiate a zoning change at any time.
- B. Applicants for rezoning shall petition the Board of Supervisors by letter on or before the fifth day of the month preceding the month in which the hearing shall be held.
- C. Applications shall be accompanied by payment as a deposit against advertising, stenographic, legal, engineering and other expenses connected with the application. The Board shall bill or credit applicants when total expenses are determined after the hearing.
- D. Applications shall be accompanied by development plans for the area proposed to be rezoned, including layout, elevations and architectural sketches, along with a study of the impact on the Township to be expected from the development.

- E. All applications shall be reviewed by the Planning Agency and its recommendations shall be forwarded to the Board of Supervisors before the 20th days of the month preceding the month in which the hearing will be held.

§ 265-257. Public notice.

Notice of a rezoning hearing shall be given as required by §609 of the Pennsylvania Municipalities Planning Code, as amended.

§ 265-258. Referral to Township and County Planning Agencies.

The Board of Supervisors shall refer all requests for zoning ordinance amendments to both the Douglass Township Planning Agency and the Montgomery County Planning Commission for review and recommendations at least 30 days prior to the public hearing on the proposed amendment. The respective planning agencies shall consider whether the proposed amendment(s) would be consistent with the intent of the Douglass Comprehensive Plan, the Pottstown Metropolitan Regional Comprehensive Plan and the Montgomery County Comprehensive Plan's Future Land Use Plan, as well as general planning principles.

§ 265-259. Schedule of fees.

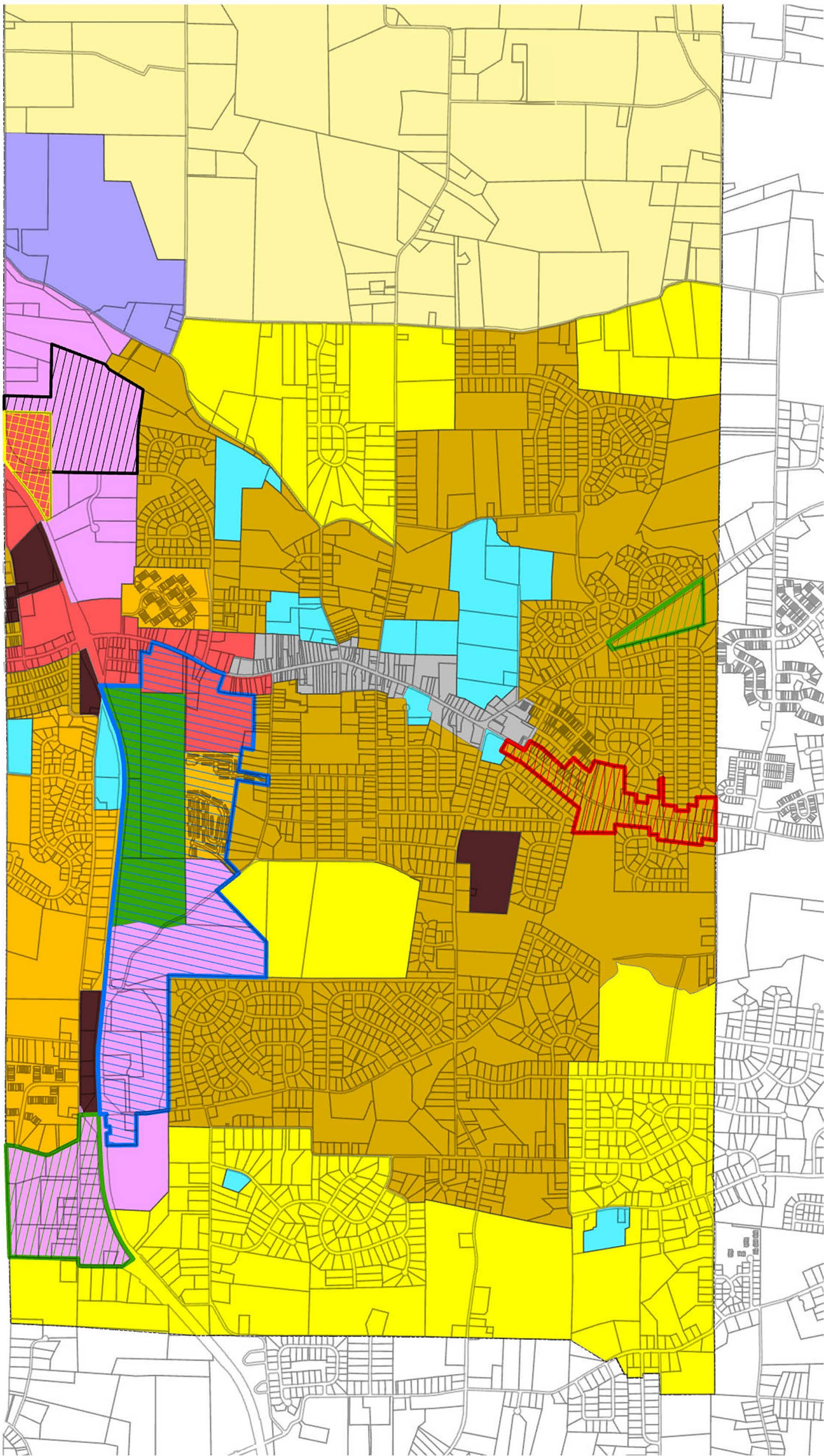
The Board of Township Supervisors shall determine a schedule of fees, charges and expenses, as well as a collection procedure for special permits, variances, amendments and other matters pertaining to this chapter, by resolution. Said schedule of fees shall be posted in the office of the Zoning Officer and the Township Secretary.

§ 265-260. Consultants.

- A. The Township may, at its discretion, engage land planners, engineers, traffic engineers, architects or such other planners or consultants it believes are necessary to review the design and assure that the provision set forth in this chapter are met, including but not limited to the goals and design criteria thereof.
- B. The applicant shall be responsible for all such costs and expenses.
- C. The applicant, in conjunction with the filing of the application for a conditional use, shall deposit in escrow with the Township monies to cover all costs of review for the payment of consultant that the Township so engages at its sole discretion. The amount of escrow shall be fixed from time to time by resolution of the Board.

Exhibit "B"

Douglass Zoning Southern Section




- R-A Residential-Agriculture
- R-1 Residential
- R-2 Residential
- R-3 Residential
- R-4 Residential
- IN Institutional
- LC Limited Commerical


- GC General Commercial
- M-1 Office and Light Industrial
- M-2 Manufacturing Industrial
- MU Mixed Use
- AAC Active Adult Community

- LOR Limited Office Residential
- R100 Route 100 Corridor Master Plan
- NMU Neighborhood Mixed Use
- Route 100/County Line Road Intersection East Shopping Center

Montgomery County Planning Commission



00.250.51 Miles



Montgomery County Courthouse - Planning Commission

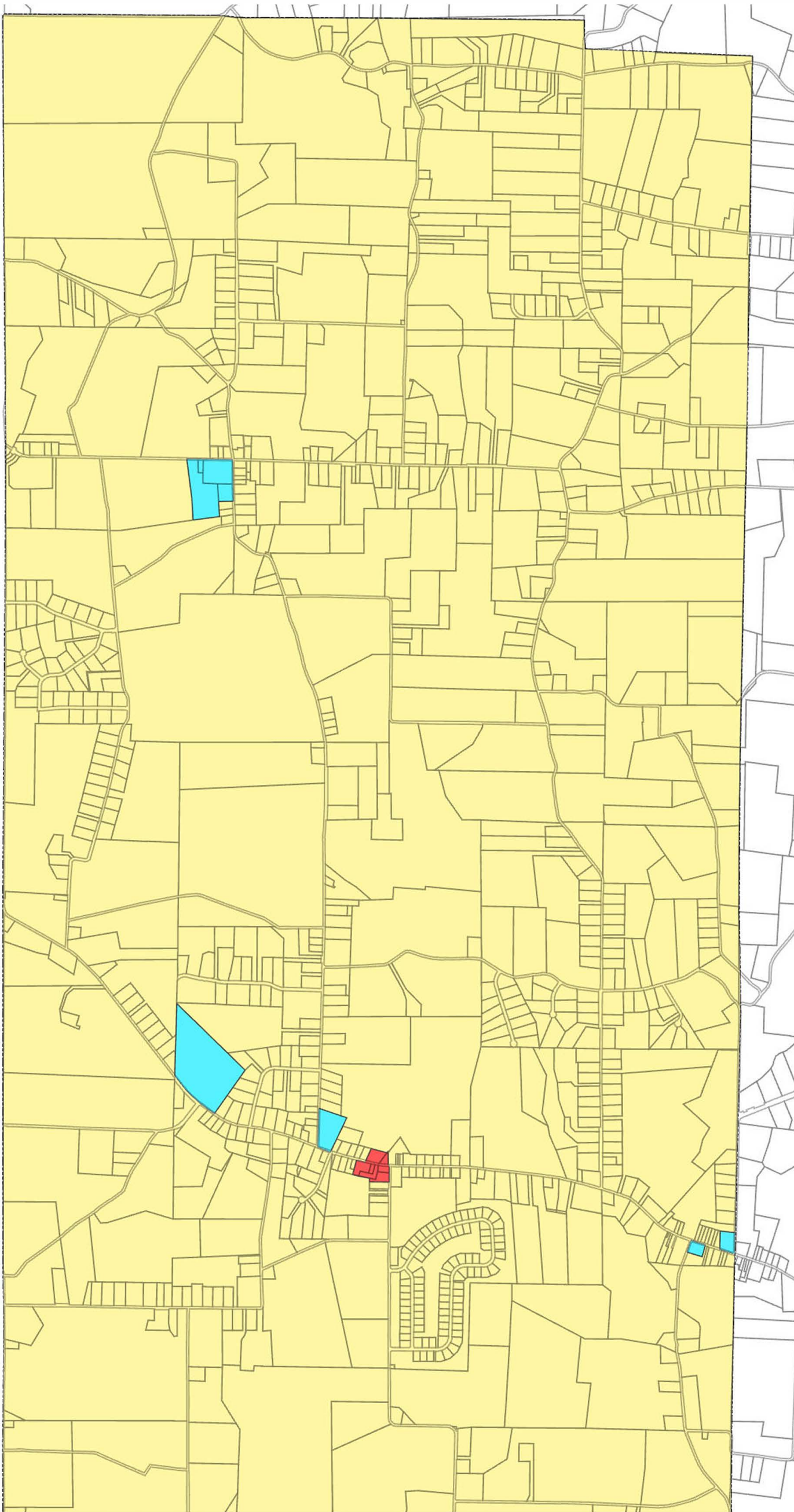
PO Box 311 Norristown PA 19404-0311

(p) 610 278-3722 (f) 610 278-3941

www.montcopa.org/plancom

This map is based on aerial photography and official sources. Property lines were compiled from individual block maps from the Montgomery County Board of Assessment Agents, with no verification from the deed. This map is not meant to be used as a legal definition of properties or for engineering purposes.

Douglass Zoning Northern Section




- R-A Residential-Agriculture
- R-1 Residential
- R-2 Residential
- R-3 Residential
- R-4 Residential
- IN Institutional
- LC Limited Commerical


- GC General Commercial
- M-1 Office and Light Industrial
- M-2 Manufacturing Industrial
- MU Mixed Use
- AAC Active Adult Community

- LOR Limited Office Residential
- R100 Route 100 Corridor Master Plan
- NMU Neighborhood Mixed Use
- Route 100/County Line Road Intersection East Shopping Center

Montgomery County Planning Commission



00.250.51 Miles



Montgomery County Courthouse - Planning Commission
PO Box 311 Norristown PA 19404-0311
(p)610 278-3722 (f) 610 278-3941
www.montcopa.org/plancom

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