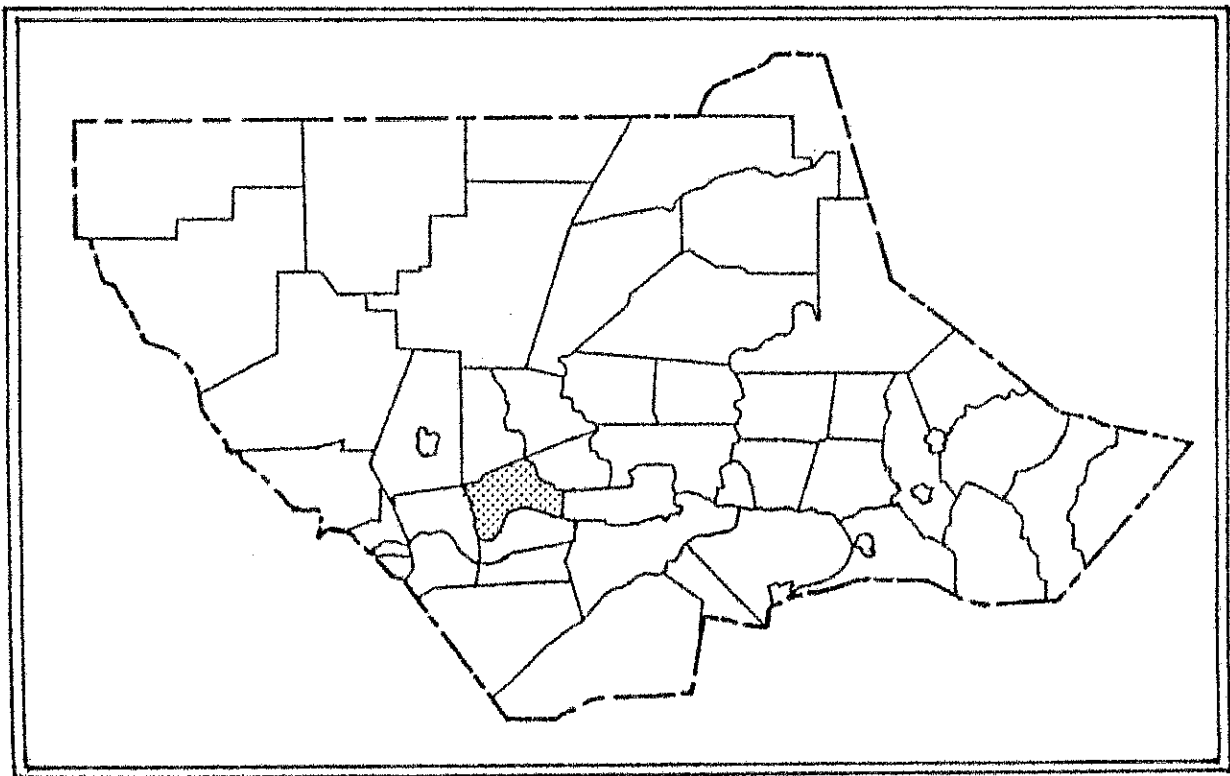


**ZONING
ORDINANCE**

Woodward Township

Lycoming County, PA



2004

WOODWARD TOWNSHIP
LYCOMING COUNTY, PENNSYLVANIA

ZONING ORDINANCE

Enacted: June 16, 1993

As Amended: October 10, 2002, September 30, 2003,
February 26, 2004, and August 18, 2004

Effective: August 23, 2004

Prepared by
WOODWARD TOWNSHIP BOARD OF SUPERVISORS
WOODWARD TOWNSHIP PLANNING COMMISSION
and
WOODWARD TOWNSHIP ZONING OFFICER

with the assistance of
LANDPLAN, INC.
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Participants

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(2004)**

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WOODWARD TOWNSHIP ZONING ORDINANCE

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ARTICLE 1

TITLE, AUTHORITY, AND PURPOSE

100 SHORT TITLE

This Ordinance shall be known and be cited as the "Woodward Township Zoning Ordinance of 1993, as amended October 10, 2002, September 30, 2003, February 26, 2004, and August 18, 2004".

101 AUTHORITY

Section 601 of the PA Municipalities Planning Code (Act 247 of 1968, as amended) provides that the Supervisors of Woodward Township may implement comprehensive plans or accomplish any of the purposes of the Planning Code by enacting a zoning ordinance.

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

102 GENERAL PURPOSES

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

- A. promote, protect and facilitate the public health, safety, morals, and the general welfare; coordinated and practical community development; and proper density of population; emergency management preparedness and operations, airports and national defense facilities; the provision of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains;
- B. prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood, panic or other dangers;

- C. preserve prime agriculture and farmland considering topography, soil type and classification, and present use;
- D. provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing;
- E. accommodate reasonable overall community growth and provide opportunities for development of a variety of residential dwelling types and nonresidential uses; and
- F. facilitate appropriate development of the Township, protect the tax base, and encourage economy in public expenditures.

103 COMMUNITY DEVELOPMENT OBJECTIVES

This Ordinance provides a legal basis and framework for future development in Woodward Township. Its provisions were guided by the policy recommendations set forth in the Township's Comprehensive Plan of December 1975, which policies were updated and restated as General Development Goals and Objectives in February 1992. The following list of goal statements represent the Township Supervisors' legislative finding with respect to land use; density of population; the need for housing, commerce and industry; the location and function of streets and other community facilities and utilities; the need for preserving agricultural land and protecting natural resources, and other factors which the Supervisors believe relevant in guiding the future development of the municipality.

- A. Development densities and locations should be controlled in order to prevent overcrowding of certain areas of the Township and to help maintain the character of the community's different segments.
- B. The peaceful, pleasant semi-rural environment of the Township should be preserved for future generations.
- C. Land use policies and regulations should encourage development to locate in the best-suited areas of the Township. Development should be required to respect the physical capabilities and limitations of the area and its environment.
- D. Township land use policies and regulations should respect current municipal residents and property owners and avoid creating economic hardship or inequities for them as development occurs.
- E. Environmental hazard areas (including steep slopes, wetlands, floodplains, poor soils areas, etc.) and fragile resource areas (including aquifer or groundwater recharge areas) should be utilized only in ways which will not create nor increase problems for the Township, its residents, or surrounding municipalities.

- F. Effective stormwater management controls should be incorporated into the design of all new developments and sufficient documentation regarding the type and capacity of all such facilities should be provided to the Township by the developer as an integral part of his development plans.
- G. Agricultural activities within the Township should be encouraged to continue where possible.
- H. Suitable, safe residential environments should be maintained and a variety of housing types and styles should be available for Township residents of all ages, family size, and income levels.
- I. Adequate, accessible public facilities, services, and utilities should be available for all Township residents. Land use control regulations should require developers to supply all necessary sewer, water and utility services for and within their proposed developments.
- J. An adequate, safe transportation network should be provided and maintained throughout the Township. New developments should be located and designed to maintain the integrity of the existing street system and minimize potential safety hazards for all users. Pedestrian and vehicular circulation routes should be separated to the extent possible, particularly in the vicinity of schools and other places of public assembly, to avoid creating potentially hazardous conflicts.
- K. Commercial, industrial, institutional, and other non-residential uses and activities should be maintained, promoted and encouraged to locate in the Township as a means of providing local employment opportunities. These uses should however, be situated only in areas designated for such activities to avoid creating conflicts between non-compatible land uses.
- L. Existing municipal recreation and public areas and community facilities should be adequately maintained to assure their continued usefulness and sufficient open space should be reserved by developers in new subdivisions to provide space for neighborhood recreation.
- M. Local and regional planning efforts and public sector expenditures should be coordinated to help maximize the effectiveness of such investments, to provide for orderly growth and development, and to foster pleasant, safe living environments throughout the area.

104 DISCLAIMER OF MUNICIPAL LIABILITY

This Ordinance is not intended to create nor assume liability on the part of Woodward Township or any officer or employee thereof for any fire, flood, or other damage that may result from reliance on this Ordinance or from any administrative decisions lawfully made thereunder. These regulations shall not guarantee a specific level of protection for any construction. The applicant shall in all cases rely

on accepted engineering methods or building practices when designing or constructing structures approved pursuant to these regulations.

105 INTERPRETATION (See also Section 1400)

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes stated herein. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, other ordinance or regulation shall prevail.

ARTICLE 2

DEFINITIONS

200 INTERPRETATIONS

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

201 DEFINITIONS

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

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

ADULT ENTERTAINMENT ESTABLISHMENT: Adult book stores, adult theaters, massage parlors, and similar establishments providing entertainment of a sexual nature.

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

AGRIBUSINESS: The sale of agricultural products or commodities, including but not limited to, farm produce, seed, fertilizers, and farm machinery.

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

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, aquaculture, forestry, animal and poultry husbandry, and the accessory uses for packing, treating, or storing the produce; provided however, that the operation of any such

accessory use shall be secondary to that of the normal agricultural activities.

ALLEY: A minor vehicular right-of-way, privately or publicly owned, which provides a secondary means of access to the side or rear of properties.

ALTERATION: As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or increasing in height, or the moving from one location or position to another. An alteration does not include maintenance and repair.

AMENDMENT: A change or revision to the text or map of the Woodward Township Zoning Ordinance approved and enacted by the Township Supervisors.

ANIMAL HUSBANDRY: The raising or keeping of livestock and/or poultry for capital gain or profit or with the intent of selling any livestock or poultry products, including custom butchering. The boarding of livestock or poultry as farm or household pets pursuant to the regulations of this Ordinance shall not be construed as animal husbandry.

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

AREA: The surface included within a set of lines.

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

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

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

AUTOMOTIVE SERVICE STATION: A building or place of business where gasoline

or any motor vehicle fuel or oil or other lubricating substance, batteries, tires, and other automotive accessories are supplied and dispensed to the motor vehicle trade, at retail, and where minor repair service may be offered.

BALLOON TEST: The use of a balloon or similar object to locate or identify the proposed height and location of a communications tower.

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

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

BOARDER OR ROOMER: A person occupying any room or group of rooms forming a single habitable unit used for living and sleeping, but not for cooking or eating purposes and paying compensation for the lodging or board and lodging by prearrangement for a week or more at a time to an owner or operator. An individual occupying such room(s) and paying such compensation without prearrangement or staying less than one (1) week shall be classified as a guest for the purposes of this Ordinance.

BOARDING OR ROOMING HOUSE: A single-family dwelling or part thereof, where lodging is provided for a fee by the owner or operator for at least three (3) but not more than ten (10) additional persons for one (1) week or more at a time, whether or not provision has been made for meals.

BOARD OR ZONING HEARING BOARD: The Zoning Hearing Board of Woodward Township, Lycoming County, PA; appointed by the Township Supervisors.

BORROW AREA: An excavated area where material has been borrowed for use as fill at another location, not including the excavation or removal of fill or the grading of a site preparatory to the construction of a building. (See also EXTRACTIVE OPERATION.)

BUFFER YARD: Yard space, either landscaped or planted, provided to visually separate or shield one use from another.

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

- a. Building, Accessory: A detached, subordinate building or structure located on the same lot as the principal building, serving a purpose customarily incidental and subordinate to the use of the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory use.
- b. Building, Principal: A building or structure in which the principal use of the site is conducted or is intended to be conducted.
- c. Building, Attached: A building which has one (1) or more party walls in common with adjacent buildings.
- d. Building, Detached: A building which has no party walls and is surrounded by open space on all sides of the lot.

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

BUILDING HEIGHT: A vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip or gambrel roofs, excluding chimneys, spires, towers, tanks and similar projections which may be attached to a building.

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

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

CARPORT: A roofed structure, used in conjunction with a dwelling, providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

CAR WASH: Any building or premises used for washing automobiles or other motor vehicles.

CARTWAY: The surface of a street or alley available for vehicular traffic or the area between curbs.

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

CERTIFICATE OF COMPLIANCE: The Certificate required by this Ordinance which indicates that all work authorized by the project's Zoning Permit has been satisfactorily completed, or in a case involving no construction, a proposed new use is in compliance with the terms of this Ordinance.

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

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

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

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

COMMUNICATIONS ANTENNA: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or other wireless communications signals, including without limitation, omni-directional or whip antennas and directional or panel antennas, owned and operated by any person or entity licensed by the FCC to operate such device. *This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation, ham or citizen band radio antennas.* (See also Section 531.)

COMMUNICATIONS EQUIPMENT BUILDING: An unmanned building or cabinet containing communications equipment required for the operation of communications antennas.

COMMUNICATIONS TOWER: A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas. (See also Section 531.)

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

COMPREHENSIVE PLAN: The complete plan for the development of Woodward Township, Lycoming County, PA, as adopted by the Township Supervisors.

CONDITIONAL USE: A use permitted in certain districts, as provided for in Article 4, which may only be authorized by the Township Supervisors as set forth in Article 11.

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

CONSTRUCTION: See NEW CONSTRUCTION.

CONVERSION APARTMENT: A dwelling or other building converted for residential occupancy by more than two (2) families.

COUNTY: Lycoming County, PA.

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

DAY CARE CENTER: A private facility enrolling more than 11 young children where tuition, fees, or other forms of compensation for the care of the children is charged and which is licensed, inspected and approved to operate as a child day care center by the PA Department of Public Welfare.

DCED: The PA Department of Community and Economic Development.

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

DEP: The PA Department of Environmental Protection.

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

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

DOCK: A temporary structure extending into a stream or other body of water for the purpose of securing a boat(s).

DRIVEWAY: A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

DWELLING: A building, structure, or shelter designed for or occupied exclusively

as the residence or sleeping place of one or more persons.

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

For the purposes of this Ordinance, a MULTI-FAMILY HOUSING DEVELOPMENT shall consist of more than one (1) multi-family dwelling structure or more than one (1) single-family attached dwelling structure, or a combination thereof.

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

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

ENTERTAINMENT FACILITY, PUBLIC: An indoor, facility operated as a business for profit, open to the public, for the purpose of providing entertainment, including but not limited to bowling alleys, roller skating rinks, motion picture theaters, health clubs, and similar types of establishments, but excluding adult entertainment facilities. (See also Section 518.)

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

ESSENTIAL UTILITY SERVICES: Services necessary for the preservation of the public health and safety, including but not limited to, the erection, construction, alteration or maintenance, by public utility companies or governmental agencies,

of underground or overhead transmission or utility systems, poles, wires, lines, mains, drains, sewers, pipes, conduits, cables, hydrants, traffic signals or other similar equipment, and including the structures in which utilities are housed. For the purposes of this Ordinance, essential utility services shall not include communications antennas, towers or equipment buildings. (See also Section 531.)

EXTRACTION OPERATION: Quarrying or commercial extraction of rock, sand, gravel, earth, clay or other similar materials, including facilities for the batching or mixing of extracted materials, not including the extraction of oil or gas reserves.

FAA: The Federal Aviation Administration.

FAMILY: One or more persons occupying a single dwelling unit and living as a single household unit, whether or not related by blood, marriage or adoption. (See also GROUP FAMILY HOUSEHOLD.)

FAMILY DAY CARE HOME: A family residence where care is provided for no more than six (6) children by an occupant of the home and which is registered by the PA Department of Public Welfare to provide such care.

FARM: For the purpose of this Ordinance, a farm shall be defined as a parcel of land which is used for agricultural purposes or activities.

FARM BUILDING: See AGRICULTURAL STRUCTURE.

FCC: The Federal Communications Commission.

FENCE: Any combination of materials creating an enclosure or barrier to prevent intrusion from outside or straying from within.

FLOOD: A temporary inundation of normally dry land areas.

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

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

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

FLOODPROOFING: Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures or their contents. (See Section 702 for floodproofing techniques.)

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

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

- a. **Floor Area, Gross:** The sum of the gross horizontal areas of all of the floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces for motor vehicles or basement or cellar floor areas where this area is not used for business or dwelling purposes, but including the area of roofed porches and terraces.
- b. **Floor Area, Habitable:** Any floor area within a dwelling unit which is useable for living purposes, including area for working, sleeping, eating, cooking and recreation, or a combination thereof. Stairways, hallways and floor area used only for storage purposes, such as closet, attic or unimproved basement space shall not be considered habitable floor area, nor shall any space where the floor-to-ceiling height is less than five (5) feet.

FLOOR AREA RATIO: The gross floor area of all buildings on a lot divided by the lot area.

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

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

- a. **Garage, Private:** An accessory building or an accessory portion of a principal building designed or used for the parking or storage of motor vehicles which is not a commercial enterprise available to the general public, provided however that no more than one space therein may be leased to a nonresident of the premises.
- b. **Garage, Public:** A building or group of buildings used primarily for the parking or storage of motor vehicles available to the general public for compensation. (See also AUTOMOTIVE REPAIR SHOP.)

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

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

- a. **Grade, Street:** The elevation of the centerline of an existing or proposed street; the percentage of slope.

b. Grade, Finished: The final elevation of the ground surface after development.

GROUP DAY CARE HOME: A residence or independent facility where day care is provided for between seven (7) and 11 children by at least two (2) care givers and which is licensed and inspected by the PA Department of Welfare to provide such care.

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

GROUP HOME; GROUP CARE FACILITY: A facility or dwelling unit housing persons unrelated by blood or marriage which operates as a group family household, including but not limited to sobriety houses, recovery homes, homes for orphans, foster children, the elderly, battered children and women, and specialized treatment facilities providing less than primary health care.

HAZARDOUS MATERIALS: Any substance or mixture of substances having properties capable of producing adverse effects on the health or safety of a human being.

HISTORIC STRUCTURE: Any structure which is:

- a. listed individually on the National Register of Historic Places (a listing maintained by the Department of the Interior) or permanently determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1) by an approved state program as determined by the Secretary of the Interior; or,
 - 2) directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION: An accessory use or occupation operated for gain or profit,

conducted entirely within a dwelling or in a structure accessory to the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. (See Section 527.)

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

HOTEL: A building, structure or facility offering transient lodging accommodations to the general public, and where additional services may be provided such as restaurants, meeting rooms and recreational facilities.

IDENTIFIED FLOODPLAIN AREA: Those floodplain areas specifically identified in this Ordinance as being inundated by the 100 year flood, including areas identified as Floodway (FW), Flood Fringe (FF), and General Floodplain (FP).

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

INDUSTRIAL USES: For the purposes of this Ordinance, industrial uses shall be defined as those manufacturing operations and/or processing activities itemized in Article 4, the District Regulations, and meeting the supplementary regulations set forth in Section 521. (See also LIGHT INDUSTRIAL OPERATION.)

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

JUNKED OR ABANDONED MOTOR VEHICLE: Any motor vehicle which does not bear a current and valid inspection sticker, license or registration or which is in inoperable condition and is stored outside of an enclosed building or is not covered by an opaque tarp. For the purposes of this Ordinance, the placement or storage of two or more junked or abandoned motor vehicles on a lot shall be deemed to make the lot a junk yard, unless such storage is associated with a permitted commercial enterprise. Farm machinery used in conjunction with a bona fide farming operation shall not be considered to be junked or abandoned motor vehicles. (See also Section 608.)

JUNK YARD: Any outdoor establishment, place of business, or use of land which is maintained, used or operated for storing, keeping, buying or selling junk or junked or abandoned motor vehicles. For the purposes of this Ordinance, such facility may also be referred to as an auto salvage operation or scrap processing facility.

KENNEL: An establishment that keeps, harbors, boards, shelters, sells, gives away, or in any way transfers a cumulative total of 26 or more dogs of any age in any one calendar year.

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

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

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

LIGHT INDUSTRIAL OPERATION: A manufacturing or processing activity which meets the performance standards, bulk controls, and other requirements of this Ordinance. (See also Section 521.)

LIVESTOCK: For the purposes of this Ordinance, livestock shall be defined as cows, pigs, horses, and similar farm animals.

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

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

- a. Lot Area: See "AREA".
- b. Lot Depth: The mean horizontal distance from the street line of a lot to its opposite rear lot line measured in the general direction of the side lot lines.
- c. Lot Width: The distance measured between the side lot lines at the required building setback line; in a case where there is only one side lot line, between such lot line and the opposite lot line.
- d. Lot, Corner: A lot with two adjacent sides abutting on streets. A lot abutting on a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than 135 degrees.

- e. Lot, Double Frontage: A lot which extends from one street to another, with frontage on both streets.
- f. Lot, Reverse Frontage: A lot extending between and having frontage on an arterial or collector street and a local street, with vehicular access solely from the latter.

LOT LINES: The property lines bounding the lot.

- a. Lot Line, Front: The line separating the lot from a street right-of-way.
- b. Lot Line, Rear: The lot line opposite and most distant from the front lot line.
- c. Lot Line, Side: Any lot line other than front or rear lot line.

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

LOWEST FLOOR: The lowest floor of the lowest enclosed area of a building or structure (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement or cellar area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance and the National Flood Insurance Program.

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

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

MOBILE HOME: A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and is constructed so that it may be used without a permanent foundation. For floodplain management purposes, the term shall also include manufactured housing, and park trailers, travel trailers, recreational vehicles, and other similar units which are placed on a site for a period

of time exceeding 180 consecutive days. (See also Section 503 and MOBILE HOME, PERMANENT.)

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

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

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. For floodplain management purposes, the term shall also include facilities for the placement of two (2) or more manufactured homes, or park trailers, travel trailers, recreational vehicles, or other similar units for a period of time exceeding 180 consecutive days. (See also Section 508.)

MOBILE HOME, PERMANENT: For the purposes of this Ordinance, a permanent mobile home shall be defined as an independent mobile home with its wheels, tow bar, or other means of propulsion removed, which is firmly affixed to a permanent foundation, and which is located on a lot in accordance with the controls, regulations, and standards set forth for the district in which the unit is to be located.

MOTEL: A building or structure arranged or used for sheltering, sleeping, and/or feeding of transient or overnight guests, where each unit has independent outside access.

MUNICIPALITY: Woodward Township, Lycoming County, PA.

MUNICIPAL WASTE: Waste material originating from residential, municipal, commercial or institutional establishments, including sludges from water supply treatment plants, waste water treatment plants, and air pollution control facilities not meeting the definition of residual or hazardous waste in the PA Solid Waste Management Act. The term does not include source-separated recyclable materials.

NEIGHBORHOOD COMMERCIAL ACTIVITIES: Retail stores, shops, or establishments designed to provide service to a limited neighborhood area, including mini-markets, general stores, automatic teller machines, antique or gift shops, equipment repair facilities, personal service or similar types of facilities.

NEW CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration, location or relocation of a building (including mobile and manufactured homes), structure, and/or improvements (such as streets, utilities, etc.). For floodplain management purposes, the term shall pertain to structures for which the start of construction commenced on or after August 15, 1979, and includes any subsequent improvements thereto.

NONCONFORMING LOT: A lot which does not conform to the minimum width, depth, or other dimensional requirements specified for the district in which it is located (Article 4), including those lots which existed prior to the enactment of this Ordinance. (See Section 1001 for applicable provisions.)

NONCONFORMING STRUCTURE: A structure or part of a structure not designed or built to comply with the use or extent of use provisions of this Ordinance, including those structures which lawfully existed prior to the enactment of this Ordinance or amendment. Such nonconforming structures include, but shall not be limited to, nonconforming signs. (See Section 1000 for applicable provisions.)

NONCONFORMING USE: A use of a building or land which does not comply with the applicable use regulations (Article 4) of this Ordinance or amendment, including those uses which lawfully existed prior to the enactment of this Ordinance or amendment. (See Section 1000 for applicable provisions.)

NUISANCE: An interference with the enjoyment and use of one's property; an annoyance.

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

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

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

- a. Open Space, Public: Any land area set aside, dedicated, designated or reserved for public enjoyment.
- b. Open Space, Common: A parcel or parcels of land or an area of water, or a combination of land and water within a development site, which is designed and intended for the use or enjoyment of the residents of the development, not including streets, off-street parking areas, and land dedicated for public or community facilities or use.

PADOT: The PA Department of Transportation.

PARKING SPACE: An off-street area on a lot available for the parking of one (1) motor vehicle and having direct, useable access to a street or road. A parking space may include covered garage space or uncovered lot space located off of the public right-of-way. (See also Article 9.)

PARK OR PLAYGROUND: A public, semi-public or private park or park-type facility which provides outdoor recreational enjoyment and activity, either for free or on a fee basis. Such facilities may include tennis or basketball courts, baseball or other athletic fields, swimming, hiking and picnic areas, and playgrounds and may also include buildings and accessory structures. Activities may be organized to include day camps, leagues or other groups or may be strictly independent. (See Section 513.) See also RECREATION FACILITY.

PARTY WALL: A wall on an interior lot line or a wall adapted for joint service between two (2) buildings.

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

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

PERSONAL CARE HOME: A licensed facility providing limited care services, including meals and less than full-time nursing care, for individuals.

PERSONAL SERVICE BUSINESSES: For the purposes of this Ordinance, personal service businesses shall include but need not be limited to barber shops, beauty parlors, self-service laundry and dry cleaning establishments, tailor and dressmaking shops, or other establishments of a related nature.

PLANNING COMMISSION: The Planning Commission of Woodward Township, Lycoming County, PA; appointed by the Township Supervisors to serve in an advisory capacity.

PROFESSIONAL OFFICE: The office of a member of a recognized profession. A professional office shall be considered a home occupation when conducted from a residence, by a member of the resident family and when the office is only secondary to the residential use of the building.

PROPAGATION TEST: The actual collection and analysis of radio signal broadcasts which provide an indication of a particular site's coverage or level of service to the surrounding area based on actual field measurements.

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

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

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks

in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

RECREATIONAL VEHICLE: A vehicle which is i) built on a single chassis; ii) not more than 400 square feet, measured at the largest horizontal projections; iii) designed to be self-propelled or permanently towable by a light-duty truck; iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Such vehicles are permitted to be located only in campground areas or recreational vehicles parks in the Township or on private independent parcels. Where such vehicles are to be placed on a lot located in an identified floodplain area, they may be situated on a site for no more than 179 consecutive days and must be fully licensed, inspected and be ready for highway use at all times.

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

RECREATION FACILITY: An outdoor commercial, public or semi-public, or private facility intended to provide recreational enjoyment to or for its users, i.e. a golf course, driving range, miniature golf course, sportsmen's club, public swimming pool, or similar facility. (See Section 513.) See also PARK OR PLAYGROUND.

RECREATION OR VACATION HOME: A permanent building intended for occupancy only occasionally during the year, including buildings intended as camps, cottages, hunting lodges, cabins, vacation homes and similar facilities. For purposes of this Ordinance, a recreational vehicle may not be considered to be a permanent recreation or vacation home. (See Section 511.)

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

REGULATORY FLOOD ELEVATION: The 100 year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

RESTAURANT: An establishment where food is prepared and served for either on or off-premises consumption.

RETAIL BUSINESS: For the purposes of this Ordinance, a retail business shall be defined as an establishment offering services or products to the general public, as set forth in Article 4, the District Regulations. (See also Section 516.)

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

ROADSIDE STAND: A temporary or permanent booth, stand or shelter located along a roadway (outside of the road right-of-way) from which farm, nursery or greenhouse products are offered for sale to the general public. (See also Section 515.)

ROOMING HOUSE: See BOARDING HOUSE.

SANITARY OR MUNICIPAL WASTE LANDFILL: A lot or part thereof used for the disposal of garbage, refuse, municipal waste or other discarded materials, which is licensed and operated in accordance with all applicable requirements of the PA Department of Environmental Protection, including the rules and regulations of the PA Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988, or as may hereafter be amended). The term does not include any facility that is used exclusively for disposal of construction/demolition waste, or sludge from sewage treatment plants or water supply treatment plants.

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

SCHOOL: Any establishment or facility or part thereof which is designed, constructed or used for public or private education or instruction in any branch of knowledge.

SCRAP PROCESSING FACILITY: See JUNK YARD.

SCREEN PLANTING: The provision of a barrier to visibility, glare and noise between adjacent properties made of plant or vegetative materials, such as trees or shrubs which will be of such species that will grow to sufficient height to produce the desired visual screen. Such plantings shall however adhere to the requirements of Section 606 and may be broken at points of vehicular or pedestrian access or utility easements.

SEASONAL PERMIT: A Zoning Permit issued annually by the Zoning Officer which authorizes the placement of a recreational vehicle or camping unit in an identified floodplain area of the Township between May 1 and October 31 of a given year. Such Permit also requires removal of the unit from the floodplain during the off-season and at any other time should there be imminent danger of flooding.

SEWAGE FACILITY: Any sewer, sewage system, sewage treatment plant or parts thereof, designed intended or constructed for the collection, treatment or disposal of liquid wastes, including industrial wastes.

- a. Sewage Facility, Off-Lot: Any approved system or part thereof in which sanitary sewage is collected from buildings and piped by means of a sewerage system to a sanitary sewage treatment plant. Such a system must be designed in accordance with PA Department of Environmental Protection standards and be permitted by the Bureau of Water Quality of the PA DEP.

These systems shall include municipal treatment facilities as well as package treatment plants installed by private developers.

- b. Sewage Facility, On-Lot: Any approved system or part thereof designed to serve a single dwelling or building in which sewage is collected in a septic tank, holding tank or similar container located on the same lot and is untreated except for bacterial action occurring within such tank and is disposed of either through a drain field connected to the tank or by hauling to a sewage treatment plant.

SHOPPING CENTER: A group of commercial establishments, planned, developed, owned and managed as a unit and related in location, size and type of shops to the trade area that the unit serves; it provides on-site parking in definite relationship to the types and sizes of stores. This definition shall also include the term "shopping mall" for the purposes of this Ordinance.

SIGN: Any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge, or insignia of any public, semi-public, civic, charitable, fraternal or religious group. (See Article 8 for definitions of various types of signs.)

SIGN AREA: The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

SIGN HEIGHT: The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

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

SPECIAL EXCEPTION: A use permitted in a certain zoning district as provided for in Article 4, which must be approved by the Zoning Hearing Board as set forth in Section 1201 D. of this Ordinance. Special exceptions may not be granted for uses other than those expressly listed in Article 4.

SPECIAL PERMIT: A special approval needed for specific types of development being proposed to be located in any portion of a designated floodplain. (See Section 707 for a listing of the activities requiring Special Permits and details of such situations.)

STABLE: A building, whether public or private, in which one (1) or more horses are boarded, whether or not for compensation, hire or sale.

STORAGE: A place or space for storing goods, articles of personal property, materials, etc. (Continued on next page.)

- a. Storage, On-Lot: For the purposes of this Ordinance, on-lot storage shall be defined as outdoor, unenclosed storage of materials (including pallets and wood piles, but excluding products used in the performance of agricultural activities, such as silage bags and similar items); recreational vehicles, campers, boats, antique cars or other similar types of vehicles or equipment bearing current registration; or merchandise on a lot occupied by the owner of the material or personal property. (See also Section 607.)
- b. Storage, Off-Lot: Storage of materials, vehicles or other personal property on a lot other than that occupied by the unit's owner, whether or not the item is stored in a completely or partially enclosed building or stored outside of a building.
- c. Storage, Outdoor/Unenclosed: Storage, as an accessory use, of materials, recreational vehicles, campers, boats, antique cars or other similar types of vehicles or equipment outside of a fully enclosed building or structure.

STORAGE TRAILER, ACCESSORY: That part of a tractor trailer truck which is pulled by the tractor, but which has been detached from the tractor, placed on a lot with a principal use, and is being used for storage, as an accessory use. (See Section 609.)

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

STORY, HALF: A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

STREET: Any thoroughfare, whether public or private, located in whole or in part within Woodward Township, which provides access to abutting properties. The word "road" may be used interchangeably with the word "street".

STREET LINE: The dividing line between the street right-of-way and the lot; the limit of a right-of-way.

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

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

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

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

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either a) before the improvement or repair or b) if the structure has been damaged and is being restored, before the damage occurred. The term does not include either 1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or 2) any alteration of a structure listed on the National Register of Historic Places or a state Inventory of Historic Places.

SUPERVISORS OR TOWNSHIP SUPERVISORS: The Board of Supervisors of Woodward Township, Lycoming County, PA; the elected governing body.

SWIMMING POOL: A body of water in an artificial container, whether located in or above ground, having a depth at any point of more than three (3) feet or a surface area of more than 250 square feet, used or intended to be used for swimming by children and/or adults, whether publicly or privately owned and maintained. (See also Section 526.)

TEMPORARY PERMIT: A permit authorized by the Zoning Officer for a non-permanent structure or use where such structure or use is deemed to be beneficial to the public health or general welfare or necessary to promote the proper development of the Township. (See also Sections 528 and 1302 J.)

TRANSPORTATION TERMINAL: Any building or premises upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is located or conducted, including the dispensing of motor fuel or other petroleum products; the sale of accessories or equipment for motor vehicles; or the storage of cargo. Such uses may also include overnight accommodations and restaurant facilities intended primarily to serve the needs of drivers or the motoring public.

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

- a. **Use, Accessory**: A use subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the

principal building. (See also Article 4.) If no principal use exists on a lot with a lawful accessory use, then such accessory use shall be considered a principal use.

- b. Use, Principal: The primary purpose for which a lot is occupied or utilized. (See Article 4.)

VARIANCE: A modification of the provisions of this Ordinance which the Zoning Hearing Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought. (See Section 1201 C. for additional details and criteria to be utilized when a variance is requested.)

VETERINARY HOSPITAL OR CLINIC: An establishment where animals are given medical or surgical treatment by a veterinarian and their boarding is limited to short-term care incidental to the treatment.

WAREHOUSE FACILITY: A building used primarily for the storage of goods and materials, including facilities handling freight for a specific commercial or industrial operation and those facilities available to the general public containing separate storage spaces of varying sizes leased or rented on an individual basis.

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

- a. Water Distribution Facility, Off-Lot: Any approved system in which potable water is supplied from a central water source to a dwelling or other building located off the lot on which such dwelling or building is located.
- b. Water Distribution Facility, On-Lot: Any approved system in which potable water is supplied from an individual well to a dwelling or other building located on the same lot as the well.

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

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

- d. Yard, Required: The minimum area or open space required by this Ordinance to be provided between any front, side or rear lot line and a principal or accessory building(s) on the lot. (See Article 4, District Regulations.)

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

ZONING MAP: The official Zoning Map of Woodward Township, Lycoming County, PA, together with all notations, references and amendments which may subsequently be adopted. Said map is made a part of this Ordinance in Section 302.

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

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

ARTICLE 3

DESIGNATION OF ZONING DISTRICTS

300 DESIGNATION OF DISTRICTS

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

A	Agricultural District
R	Residential District
C	Commercial District
I	Industrial District
FF & FP	Flood Fringe and General Floodplain District (<i>Overlying District</i>)
FW	Floodway District

301 DISTRICT PURPOSE STATEMENTS

A. A Agricultural District

The purpose of this district is to preserve and protect the semi-rural open space and farming characteristics of the Township and to promote land cultivation and agricultural production as viable economic activities. The value of conserving land as a natural resource is recognized, as well as the problems which can be created by over-utilization or development of such areas. The intent of such designation is to permit those lands best suited for agriculture to be utilized for that purpose and to discourage the development of environmentally sensitive areas, such as steep slopes, flood fringe and general floodplain areas, wetlands, woodland areas, etc. Agricultural activities, including agribusinesses, are provided for, as well as low density residential uses.

B. R Residential District

This district is designed to provide an area within the Township where low to moderate density, single-family residential development can be situated and a safe family home environment can be promoted. Areas set aside for this zone include sections of the municipality where this type of development already exists and areas where further development of this nature could be located without creating conflicts with other non-compatible land uses. Lot sizes are based upon the need to safeguard the health of the residents and therefore require sufficient space to be provided for the placement of subsurface sewage disposal systems and on-site water facilities. Higher densities are permitted where package sewage treatment or community sewage facilities are available. Residential uses and residential support

activities are provided for within the district, but commercial or industrial uses which could conflict with the zone's primary intent are discouraged.

C. C Commercial District

The purpose of this district is to accommodate retail and wholesale business activities and other compatible non-residential uses serving both Township residents and a broader regional market. Areas set aside for this zone include those portions of the Township where such uses already exist, including the commercial areas along U.S. Route 220 in the Linden and Harvest Moon areas, and areas where additional development of this nature is anticipated. The regulations governing this zone permit the development of a wide range of shopping, service and other commercial activities, but require adequate off-street parking and loading areas to be provided. Regulations also ensure sufficient arrangements are made to safely accommodate the anticipated volumes of traffic entering and exiting each site and assure the efficient movement of people and goods to and from the Township.

D. I Industrial District

It is the intent of this district to provide space within the Township to meet the anticipated future needs of the community for industrial activity and to promote industrial investment in the Township. Acreage for this use has been provided in close proximity to U.S. Route 220 in order to maximize accessibility for the distribution or receiving of goods or materials and to avoid creating problems by locating industrial areas in or near established residential neighborhoods. Reasonable standards are provided to minimize air pollution, noise, glare, heat, and fire and safety hazards. Additional precautions have been included to ensure that adequate buffer yards, plantings or screenings are provided between these areas and adjacent zoning districts.

E. FF & FP Flood Fringe and General Floodplain District (*Overlying District*)

The purpose of this district is to prevent the loss of property and life; the creation of health and safety hazards; the disruption of commercial and government services; and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. To achieve this end, permitted uses must be floodproofed against flood damage. (See Article 7.) In these floodplain areas, development and/or the use of land shall be permitted in accordance with the regulations of the underlying district, provided that all such uses, activities, and/or development shall be undertaken in strict compliance with the floodproofing and related requirements of this and all other codes and ordinances.

F. FW Floodway District

The purpose of this district is to prevent the loss of property and life; the

creation of health and safety hazards; the disruption of commercial and government services; and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. To achieve this end, only those uses which will not cause an increase in flood heights, velocities, or frequencies will be permitted. (See Article 7.) In addition, in the Floodway District, no development shall be permitted except where the effects of such development on flood heights is fully offset by accompanying stream improvements which have been approved by all appropriate local and/or state authorities and notification of such has been given to Federal Flood Insurance authorities and the PA Department of Community and Economic Development.

302 ZONING MAP

The locations and boundaries of the zoning districts are hereby established as shown on the Official Zoning Map, which is made a part of this Ordinance together with all future notations, references and amendments.

No change of any nature shall be made to the Official Zoning Map, except in conformance with the procedures set forth in Section 1100 of this Ordinance. The final authority as to the current status of zoning districts shall be the Official Zoning Map. Any changes made to the zoning districts shall be made on the Official Zoning Map promptly after the amendment has been approved by the Township Board of Supervisors, and shall bear the date of the amendment and the signature of the Chairman of the Board of Supervisors.

303 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

A. Designation of District Boundaries

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

B. Determination of District Boundary Locations

Where uncertainty exists with respect to the actual location of a district boundary line in a particular instance, the Zoning Officer or property owner shall request the Zoning Hearing Board to render its interpretation with respect thereto. Provided however, no boundary shall be changed by the Zoning Hearing Board. If the true location of the boundary cannot be determined by interpretation of the Zoning Hearing Board, a request for corrective action shall be filed with the Township Supervisors.

C. Severed Lots

Where a district boundary line divides a lot which was in single ownership at

the time of passage of this Ordinance or amendment thereto, the Zoning Hearing Board may permit the extension of the regulations for either zone into the remaining portion of the lot for a distance not to exceed 100 feet beyond the district line, where they find that such extension is consistent with the purposes of this Ordinance. Such extension may not however be permitted in any designated Floodway District.

304 FLOODPLAIN DISTRICT BOUNDARY CHANGES

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

ARTICLE 4

DISTRICT REGULATIONS

400 APPLICATION OF DISTRICT REGULATIONS

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

- A. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - 1. to exceed the height or bulk;
 - 2. to accommodate or house a greater number of persons or families;
 - 3. to occupy a greater percentage of lot area;
 - 4. to have narrower or smaller rear yards, front yards, side yards or other open space;than herein required, or in any other manner be contrary to this Ordinance.
- C. The commencement of any of the uses or activities listed in the District Regulations shall require the issuance of a Zoning Permit from the Township Zoning Officer, except as may be provided in Section 1302 of this Ordinance.

401 USE REGULATIONS AND DIMENSIONAL REQUIREMENTS

The specific use regulations and dimensional requirements pertaining to each district are contained on the charts that follow.

Permissible USES AND STRUCTURES are presented in the first four columns of the chart for each district. Applicants for activities listed in the columns titled Permitted Principal and Permitted Accessory Uses and Structures may be approved by the Zoning Officer upon finding that the proposed use meets the Ordinance requirements. Activities listed in the Special Exception Uses and Structures column must be reviewed and approved by the Township Zoning Hearing Board, and uses listed in the Conditional Uses and Structures column must be reviewed and approved by the Township Supervisors. (See Appendix D and Appendix B of this Ordinance for an illustration of the Special Exception and Conditional Use

procedures and Sections 1201 D. and 1101, respectively, for specific details of the process.)

Specific LOT, YARD, AND OPEN SPACE REQUIREMENTS are presented in the final three columns of each district chart. Applications for uses which do not meet the dimensional requirements for the district in which they are to be located, may be submitted to the Township Zoning Hearing Board for variance consideration. (See Appendix C of this Ordinance for an illustration of the variance procedure, and Section 1201 C. for specific details of the process.

Section 402

A AGRICULTURAL DISTRICT

Uses and Structures

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Special Exception Uses & Structures (Zoning Hearing Board)	Conditional Uses & Structures (Township Supervisors)
<ol style="list-style-type: none"> 1. Agricultural uses, including land cultivation, tree farming, or raising of poultry or livestock. (See 514) 2. Animal husbandry. (See 514) 3. Horticultural activities, including nurseries, greenhouses or orchards. 4. Kennels, stables, or riding academies. (See 520) 5. Single-family detached dwellings. (See 502) 6. Mobile homes on individual lots. (See 503) 7. Conversion apartments. (See 504) 8. Churches or places of worship. 9. Public, semi-public, or private parks or playgrounds. (See 513) 10. Essential utility services. (See 525) 	<ol style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Roadside stands. (See 515) 3. Private swimming pools. (See 526) 4. Home occupations. (See 527) 5. Family day care homes. 6. On-lot storage. (See 607) 7. Accessory storage trailers. (See 609) 8. Signs. (See Article 8) 	<ol style="list-style-type: none"> 1. Veterinary hospitals or clinics and/or kennels. (See 520) 2. Temporary sawmills. 3. Contractor's shops and yards. (See 522) 4. Recreation or vacation homes. (See 511) 5. Public, semi-public, or private recreation facilities. (See 513) 6. Clubs, lodges, or social organization facilities. 7. Fire stations. 8. Bed & breakfast establishments. 9. Day care centers. (See 510) 10. Utility storage yards or buildings. (See 525) 11. Cemeteries. 	<ol style="list-style-type: none"> 1. Agri-businesses, including sale & service of agricultural equipment or vehicles. 2. Lumber yards or sawmills. 3. Campgrounds or RV parks. (See 512) 4. Mobile home parks. (See 508) 5. Extraction operations or borrow areas. (See 524) 6. Wireless communications towers, facilities, equipment and antennas. (See 531)

(Continued on Next Page)

Section 402

A AGRICULTURAL DISTRICT

Lot, Yard & Open Space Requirements

Minimum Lot Requirements
(See Section 601)

1. Minimum Lot Area Per Principal Structure or Use:
 - a. Single-Family Detached Dwellings, Mobile Homes, & Other Principal Uses - 2 acres (87,120 sq. ft.).
 - b. Animal Husbandry - 5 acres.
 - c. Mobile Home Parks - 5 acres.
 - d. Extraction Operations - 5 acres.
 - e. All lots shall meet the requirements of the PA Sewage Facilities Act and all other applicable state & local sewage regulations.
2. Minimum Lot Width: 200 feet.
3. Maximum Building Coverage: 10%.

Minimum Yard Requirements
(See Section 602)

1. Front Yard: 75 feet from road centerline or 50 feet from edge of road right-of-way, whichever is greater.
2. Side Yards:
 - a. Principal Structures - 50 feet each side.
 - b. Accessory Structures - 25 feet each side. (See also 602 C.)
3. Rear Yard:
 - a. Principal Structures - 25 feet.
 - b. Accessory Structures - 15 feet. (See also 602 D.)
4. Agricultural Uses:
 - a. Cultivation Activities - 5 feet from the edge of any adjoining public street right-of-way.
 - b. Storage and/or Structures - See 514.

Maximum Height Requirements
(See Section 603)

1. Principal Structures: 35 feet or 3 stories.
2. Accessory Structures: 20 feet or 2 stories.
3. Agricultural Structures: No maximum. (See Section 603 B.)

Section 403

R RESIDENTIAL DISTRICT

Uses and Structures

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Special Exception Uses & Structures (Zoning Hearing Board)	Conditional Uses & Structures (Township Supervisors)
<ol style="list-style-type: none"> 1. Single-family detached dwellings. (See 502) 2. Mobile homes on individual lots. (See 503) 3. Two-family dwellings. (See 502) 4. Conversion apartments. (See 504) 5. Boarding or rooming houses. (See 509) 6. Churches or places of worship. 7. Public or semi-public parks or playgrounds. (See 513) 8. Fire stations. 9. Essential utility services. (See 525) 10. Land cultivation activities. (See 514) 	<ol style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 2. Private swimming pools. (See 526) 3. Home occupations. (See 527) 4. Family day care homes. 5. On-lot storage. (See 607) 6. Signs. (See Article 8) 	<ol style="list-style-type: none"> 1. Single-family attached dwellings; i.e. townhouses. (See 505) 2. Municipal buildings. 3. Cultural facilities. 4. Day care centers or group day care homes. (See 510) 	<ol style="list-style-type: none"> 1. Multi-family dwellings; i.e. apartment buildings. (See 506) 2. Multi-family housing developments. (See 507) 3. Mobile home parks. (See 508) 4. Group homes. 5. Public or private schools. 6. Neighborhood commercial activities. (See 516)

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Section 403

R RESIDENTIAL DISTRICT

Lot, Yard & Open Space Requirements

**Minimum Lot Requirements
(See Section 601)**

1. Minimum Lot Area Per Principal Structure or Use:
 - a. On-Lot Sewer and Water -
 - 1) Single-family detached dwellings, mobile homes, & other principal uses - 1 acre (43,560 sq.ft.)
 - 2) Two-family dwellings - 2 acres.
 - 3) Boarding or rooming houses, & group homes - 1 acre + 1,500 sq. ft. per boarder or resident.
 - b. Off-Lot Sewer & On or Off-Lot Water -
 - 1) Single-family detached dwellings, mobile homes, & other principal uses - 1/2 acre (21,780 sq.ft.)
 - 2) Single-family attached dwellings - 1 acre + 2,500 sq.ft. per D.U.
 - 3) Multi-family dwellings - 1 acre + 1,500 sq.ft. per D.U.
 - 4) Multi-family housing developments - 3 acres.
 - 5) Mobile home parks - 5 acres.

c. All lots shall meet the requirements of the PA Sewage Facilities Act and all other applicable state and local sewage regulations.

2. Minimum Lot Width:

- a. On-Lot Sewer and Water - 150 feet.
- b. Off-Lot Sewer & On or Off-Lot Water - 100 feet.

3. Maximum Building Coverage: 20%.

**Minimum Yard Requirements
(See Section 602)**

1. Front Yard: 75 feet from road centerline or 50 feet from edge of road right-of-way, whichever is greater.
2. Side Yards:
 - a. Principal Structures - 15 feet each side.
 - b. Accessory Structures - 10 feet each side. (See also 602 C.)
3. Rear Yard:
 - a. Principal Structures - 25 feet.
 - b. Accessory Structures - 10 feet. (See also 602 D.)

**Maximum Height Requirements
(See Section 603)**

1. Principal Structures: 35 feet or 3 stories.
2. Accessory Structures: 20 feet or 2 stories.

Section 404

C COMMERCIAL DISTRICT

Uses and Structures

Permitted Principal
Uses & Structures
(Zoning Officer)

Permitted Accessory
Uses & Structures
(Zoning Officer)

Special Exception
Uses & Structures
(Zoning Hearing Board)

Conditional Uses
& Structures
(Township Supervisors)

1. Retail & personal service businesses. (See 516)
2. Business, professional, or financial offices.
3. Grocery stores or convenience markets. (See 516)
4. Medical or dental clinics.
5. Veterinary hospitals or clinics &/or kennels. (See 520)
6. Restaurants &/or taverns. (See 516)
7. Public entertainment facilities. (See 518)
8. Motels or hotels. (See 516)
9. Automotive service stations and repair shops. (See 517)
10. Automotive or mobile home sales and service facilities.
11. Car wash facilities.
12. Fire stations.
13. Single-family detached dwellings. (See 502)
14. Essential utility services. (See 525)
15. Land cultivation activities. (See 514)

1. Uses & structures customarily incidental to an approved principal use.
2. Residential uses associated with a commercial activity.
3. Warehouse or storage facilities associated with a commercial use.
4. On-lot storage. (See 607)
5. Signs. (See Article 8)
6. Off-street parking & loading facilities. (See Article 9)
7. Roadside stands. (See 515)
8. Public or private swimming pools. (See 526)
9. Home occupations. (See 527)

1. Public recreation facilities. (See 513)
2. Personal storage warehouse facilities.
3. Personal care or nursing homes.
4. Day care centers. (See 510)
5. Public parks or playgrounds. (See 513)
6. Clubs, lodges or social organization facilities.
7. Multiple uses (permitted under this Ordinance) of a single lot.

1. Transportation terminals and/or truck stops.
2. Shopping centers. (See 516)
3. Adult entertainment establishments. (See 519)
4. Mobile home parks. (See 508)
5. Billboards or advertising sign boards exceeding 300 square feet in area. (See 803 C.)

Section 404

C COMMERCIAL DISTRICT

Lot, Yard & Open Space Requirements

Minimum Lot Requirements
(See Section 601)

Minimum Yard Requirements
(See Section 602)

Maximum Height Requirements
(See Section 603)

1. Minimum Lot Area Per Principal Structure or Use:
 - a. Commercial Structures or Uses - 1 acre. (43,560 sq.ft.)
 - b. Single-Family Detached Dwellings - 1 acre.
 - c. Transportation Terminals and/or Truck Stops - 5 acres.
 - d. Shopping Centers - 5 acres.
 - e. Mobile Home Parks - 5 acres.
 - f. All lots shall meet the requirements of the PA Sewage Facilities Act and all other applicable state or local sewage regulations.

1. Front Yard:
 - a. Structures - 75 feet from road centerline or 50 feet from edge of road right-of-way, whichever is greater.
 - b. Commercial Parking Areas - 10 feet from edge of road right-of-way.
2. Side Yards:
 - a. Principal Structures - 25 feet each side.
 - b. Accessory Structures - 10 feet each side. (See also 602 C.)
3. Rear Yard:
 - a. Principal Structures - 25 feet.
 - b. Accessory Structures - 10 feet. (See also 602 D.)

1. Principal Structures: 35 feet or 3 stories.
2. Accessory Structures:
 - a. Commercial Structures - 35 feet or 3 stories.
 - b. Residential Structures - 20 feet or 2 stories.

2. Minimum Lot Width:
 - a. Commercial Uses - 150 feet; however, all lots shall be of sufficient size to provide for all required service, access, parking, loading & open space areas.
 - b. Residential Uses - 150 feet.
3. Maximum Building Coverage:
 - a. Commercial Uses - 30%.
 - b. Residential Uses - 20%.

Section 405

I INDUSTRIAL DISTRICT

Uses and Structures

Permitted Principal
Uses & Structures
(Zoning Officer)

Permitted Accessory
Uses & Structures
(Zoning Officer)

Special Exception
Uses & Structures
(Zoning Hearing Board)

Conditional Uses
& Structures
(Township Supervisors)

1. Enclosed manufacturing, assembly, or light industrial operations. (See 521)
2. Research & development facilities. (See 521)
3. Enclosed warehousing or storage facilities.
4. Machinery repair and service operations.
5. Contractor's shops and yards. (See 522)
6. Essential utility services, buildings, &/or storage yards. (See 525)
7. Agricultural uses, including land cultivation activities and/or raising livestock. (See 514)

1. Uses & structures customarily incidental to an approved principal use.
2. Administrative offices associated with an industrial use.
3. Warehousing or storage facilities associated with an industrial use.
4. Commercial activities associated with an industrial use.
5. On-lot storage. (See 607)
6. Accessory storage trailers. (See 609)
7. Signs. (See Article 8)
8. Off-street parking & loading facilities. (See Article 9)

1. Fire stations.
2. Recycling centers.

1. Transportation terminals and/or truck stops.
2. Industrial parks. (See 521)
3. Unenclosed manufacturing or industrial operations. (See 521)
4. Junk yards. (See 523)
5. Extraction operations or borrow area. (See 524)
6. Billboards or advertising sign boards exceeding 300 square feet in area. (See 803 C.)

Section 405

I INDUSTRIAL DISTRICT

Lot, Yard & Open Space Requirements

Minimum Lot Requirements
(See Section 601)

Minimum Yard Requirements
(See Section 602)

Maximum Height Requirements
(See Section 603)

1. Minimum Lot Area Per Principal Structure or Use:
 - a. Industrial Structures or Uses - 1 acre. (43,560 sq.ft.)
 - b. Transportation Terminal &/or Truck Stops - 5 acres.
 - c. Industrial Parks - 5 acres.
 - d. Extraction Operations - 5 acres.
 - e. Junk Yards - 5 acres.
 - f. All Lots shall meet the requirements of the PA Sewage Facilities Act and all other applicable state and local sewage regulations.
2. Minimum Lot Width: 200 feet.
3. Maximum Building Coverage: 40%; however, all portions of the site not used for buildings, parking, loading, storage areas, or walkways, etc. shall be landscaped. (See also 605 and 606.)

1. Front Yard:
 - a. Structures - 75 feet from road centerline or 50 feet from edge of road right-of-way, whichever is
 - b. Parking Areas - 10 feet from edge of road right-of-way.
2. Side Yards:
 - a. Principal Structures - 25 feet each side.
 - b. Accessory Structures - 10 feet each side. (See also 602 c.)
3. Rear Yard:
 - a. Principal Structures - 25 feet.
 - b. Accessory Structures - 10 feet. (See also 602 D.)

1. Principal and Accessory Structures: 45 feet. (See also 603 B.)

Section 406

**FF & FP FLOOD FRINGE & GENERAL FLOODPLAIN DISTRICT
(Overlying District)**

Uses and Structures *

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Special Exception Uses & Structures (Zoning Hearing Board)	Conditional Uses & Structures (Township Supervisors)
<p>Same as the underlying district, and in addition:</p> <ol style="list-style-type: none"> 1. Agricultural uses, including land cultivation, tree farming, or raising of poultry or livestock. (See 514) 2. Horticultural activities, including nurseries and orchards. 3. Public, semi-public or private recreation facilities, including parks, playgrounds, picnic areas, hunting & fishing areas, etc. (See 513) 4. Temporary uses, such as carnivals or circuses. (See 529) 	<p>Same as the underlying district, and in addition:</p> <ol style="list-style-type: none"> 1. Uses & structures customarily incidental to an approved principal use. 	<p>Same as the underlying district.</p>	<p>Same as the underlying district, and in addition:</p> <ol style="list-style-type: none"> 1. Campgrounds or RV parks. (See 512) 2. Water & sewage treatment plants. (See 525)

----- SAME AS THE UNDERLYING DISTRICT -----

* **NOTE:** All uses, activities, and/or development in this district shall be undertaken in strict compliance with the floodproofing requirements contained in Article 7 of this Ordinance.

(Continued on Next Page)

Section 406

**FF & FP FLOOD FRINGE & GENERAL FLOODPLAIN DISTRICT
(Overlying District)**

Lot, Yard & Open Space Requirements

Minimum Lot Requirements (See Section 601)	Minimum Yard Requirements (See Section 602)	Maximum Height Requirements (See Section 603)
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----- SAME AS THE UNDERLYING DISTRICT -----

Section 407

FW FLOODWAY DISTRICT

Uses and Structures *

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Special Exception Uses & Structures (Zoning Hearing Board)	Conditional Uses & Structures (Township Supervisors)
<ol style="list-style-type: none"> 1. Agricultural uses, including land cultivation, tree farming, or raising of poultry or livestock. (See 514) 2. Horticultural activities, including outdoor nurseries & orchards. 3. Public, semi-public, or private recreation facilities, including parks, playgrounds, picnic areas, hunting & fishing areas, trails, boat launching & swimming areas, wildlife & nature preserves, etc. (See 513) 	<ol style="list-style-type: none"> 1. Non-structural uses customarily incidental to an approved principal use. 2. Residential yard areas, gardens, play areas, and pervious parking areas. 	<ol style="list-style-type: none"> 1. Structures accessory to an approved principal use. 2. Temporary uses, such as carnivals or circuses. (See 529) 	<ol style="list-style-type: none"> 1. Campgrounds or RV parks. (See 512) 2. Utility services or public facilities & improvements, such as railroads, streets, bridges, transmission lines, water & sewer treatment plants, and similar uses. (See 525) 3. Water-related uses, such as docks, piers, marinas, wharves, etc. (See 530)

* **NOTE:** NO construction, development, use or activity shall be permitted which will increase the 100 year flood elevation. (See also Article 7 of this Ordinance for detailed floodplain management regulations.)

(Continued on Next Page)

Section 407

FW FLOODWAY DISTRICT

Lot, Yard & Open Space Requirements

**Minimum Lot Requirements
(See Section 601)**

1. Minimum Lot Area Per Principal Use:
2 acres (87,120 sq.ft.); however, all lots shall meet the requirements of the PA Sewage Facilities Act and all other applicable state & local sewage regulations.
2. Minimum Lot Width: 200 feet.

**Minimum Yard Requirements
(See Section 602)**

1. Front Yard: 75 feet from road center-line or 50 feet from edge of road right-of-way, whichever is greater, where applicable.
2. Side Yards: 25 feet each side, where applicable.
3. Rear Yard: 25 feet, where applicable.
4. Agricultural Uses:
 - a. Cultivation Activities - 5 feet from the edge of any adjoining street right-of-way.
 - b. Storage - See 514, 702 C.14, and 706.

**Maximum Height Requirements
(See Section 603)**

1. Principal & Accessory Structures:
Not applicable.

ARTICLE 5

SUPPLEMENTARY USE REGULATIONS

500 PURPOSE AND APPLICABILITY

The purpose of this Article is to supplement the District Regulations contained in Article 4 with additional requirements applicable to certain specific uses. Therefore, in addition to those standards outlined in Article 4, the following regulations shall apply to the identified uses.

501 PROHIBITED USES

Any use not otherwise expressly permitted in any district shall be prohibited. If an individual desires to undertake an activity not expressly permitted, he may request the Township Board of Supervisors to consider amending the Ordinance to permit such a use. (See Section 1100 for amendment process.)

502 DWELLING UNITS

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

- A. Every dwelling unit shall conform to all applicable Building Codes in effect in the Township, or as may hereafter be enacted.
- B. Every dwelling unit shall be placed upon and firmly anchored to a permanent foundation. A permanent foundation shall consist of masonry construction placed upon footers set below the frost line or other technique or methodology of demonstrated capability.
- C. Every dwelling unit which is to be located in the Flood Fringe or General Floodplain District shall comply with all applicable District Regulations in Article 4 and the floodplain management provisions contained in Article 7 of this Ordinance.
- D. Every single-family dwelling unit (whether attached or detached) must contain a minimum of 600 square feet of habitable floor area. In the case of multi-family dwellings, each unit must contain a minimum of 400 square feet of habitable floor area, except for efficiency apartments, where 250 square feet of habitable floor area must be provided for each unit.

503 MOBILE HOMES ON INDIVIDUAL LOTS

A mobile home may be permitted to be placed on an individual lot as a permanent independent dwelling unit only as outlined in Article 4. (See Section 528 B. for

mobile homes to be used as temporary quarters.) When reviewing applications for such proposals, the Zoning Officer shall utilize the following criteria and may require additional information to be submitted where it is necessary to adequately protect the health, safety, and welfare of the Township residents.

- A. Every lot to be used for the placement of a permanent mobile home shall have a gross area at least equal to the minimum lot size for the district in which it is located. In addition, the unit must be situated on the lot to meet the applicable minimum setback line requirements.
- B. Every permanent mobile home shall meet the minimum standards of all local Building Codes in effect in the Township, or as may hereafter be enacted.
- C. Each mobile home shall be placed upon a foundation. One of the following types of foundations must be utilized. (See also Section 503 D. & E. below.)
 1. Permanent Foundation. A permanent foundation shall consist of no less than footers or masonry construction set well below the frost line. Such foundation shall be constructed to leave no unnecessary open space between the mobile home and the foundation, except for windows or other openings as might be necessary for purposes such as floodproofing.
 2. Pad or Stand. A pad or stand, properly graded, placed and compacted so as to be durable and adequate to support maximum anticipated loads during all seasons may be utilized, particularly in situations where a permanent foundation is not practical or a temporary foundation is desirable.
- D. Every mobile home shall be firmly anchored to its foundation prior to the unit being occupied or used in order to prevent overturning or uplift. The mobile home foundation shall be provided with anchors and tie-downs, such as cast-in-place concrete "deadman" eyelets embedded in concrete or runways, screw augers or arrow head anchors. The anchoring system shall be designed to resist a minimum wind velocity of at least 90 miles per hour.
- E. Each mobile home shall have a continuous wall around its entire perimeter. The wall shall be constructed in accordance with one of the following methods:
 1. Permanent Wall. A permanent wall may be constructed of concrete or masonry and shall extend from the unit floor system to concrete footing below the subgrade frost line; i.e. the extension of a permanent foundation.
 2. Skirting. If a permanent wall is not used, each mobile home shall be encircled with skirting designed to compliment its appearance. Skirting shall include materials which have been prefabricated for this purpose or

other impervious, moisture-resistant materials, and shall not include bales of hay, straw, interior plywood, or other like materials.

- F. Access to crawl space created by the installation of a wall shall be provided by means of a lockable access panel or door.
- G. Every unit to be used as a dwelling unit must contain a minimum of 600 square feet of habitable floor area.
- H. Every unit which is to be placed in the Flood Fringe or General Floodplain District must comply with all applicable provisions contained in Article 7 of this Ordinance.

504 CONVERSION APARTMENTS

- A. The lot upon which a conversion apartment is located shall have a gross area at least equal to the minimum lot size for the district in which it is located.
- B. All conversions shall be subject to the habitable floor area requirements set forth in Section 502 D.
- C. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the conversion. Certification, from the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing subsurface system or a sewage permit for the installation of a new system shall be submitted as part of an application for such a use.
- D. No structural alterations shall be made to the exterior of the building, except as may be necessary for safety purposes.
- E. The yard, off-street parking, and other applicable requirements of this Ordinance shall be met.

505 SINGLE-FAMILY ATTACHED DWELLINGS

Single-family attached dwellings (i.e. townhouses or garden apartments) shall be permitted only where specified in Article 4. Every application for such a use shall meet the requirements outlined below as well as the requirements set forth in the Woodward Township Subdivision and Land Development Ordinance. (Applications proposing to locate more than one single-family attached dwelling structure on a single tract of land shall meet the requirements of Section 507 of this Ordinance governing multi-family housing developments.)

- A. Minimum Area and Density Requirements
 - 1. Each proposed single-family attached dwelling structure shall have a gross area of at least one (1) acre plus an additional 2,500 square feet for each dwelling unit in the structure. Single-family attached dwelling

structures may contain up to ten (10) dwelling units, so long as all other applicable requirements of this Ordinance can be met. Appropriate acreage must be retained to support the approved number of dwelling units.

2. Where individual dwelling units of a single-family attached dwelling structure are proposed to be subdivided and conveyed as separate lots, and arrangements can be made for adequate sewage and water supply (in accordance with the requirements of sub-part E. of this Section), the following dimensional requirements shall apply:

- a. Minimum Lot Area.

- 1) Interior Lots. 6,000 square feet.
- 2) Exterior Lots. 9,000 square feet.

- b. Minimum Lot Width. 30 feet.

- B. Minimum Lot Width

No specific minimum lot width shall be required for single-family attached dwelling structures, but will vary depending upon the number of units proposed. In no case however, shall the width for a single-family attached dwelling structure be less than the minimum required for a single-family detached dwelling.

- C. Minimum Yard Requirements

1. Front Yard. 50 feet from edge of road right-of-way or 75 feet from road centerline, whichever is greater.
2. Side Yards.
 - a. Interior Lots. None; interior walls.
 - b. Exterior Lots. 15 feet on each end of structure. (See also Section 602 C.)
3. Rear Yard. 25 feet. (See also Section 602 D.)

- D. Traffic Access and Parking Facilities

Each single-family attached dwelling structure must access onto a public or private internal street. All new streets or access drives shall be designed and constructed in accordance with the road standards outlined in the Woodward Township Subdivision and Land Development Ordinance. The number of parking spaces available on the site shall equal no less than 2.0 stabilized spaces per dwelling unit.

E. Sewage and Water Facilities

Adequate sewage and water facilities must be provided by the developer in accordance with the standards of the PA Department of Environmental Protection.

1. Sewage Facilities. The preferred method of sewage disposal shall be by package or community facilities. However, if the developer can produce sufficient permits and/or proof that an on-site disposal system(s) can adequately handle all of the anticipated effluent from the single-family attached dwelling structure, then this means of sewage disposal may be considered by the Township.
2. Water Supply. The preferred method of water supply shall be by public or community facilities. However, if the developer can produce sufficient permits and/or proof that an individual on-site well(s) will be adequate, then this means of water supply may be considered by the Township.

F. Solid Waste Collection and Disposal

The developer shall present information explaining his proposed method of solid waste collection and disposal. If such method is not deemed sufficient, then an alternate means must be presented by the applicant.

G. Drainage Control Requirements

All plans for single-family attached dwelling structures shall include information indicating what types of drainage control facilities will be installed to handle runoff produced by the new structure and the grade of the site. The plans should also indicate where the drainage is to be ultimately channeled. As per the requirements of Act 167 of 1978, the post-development runoff rate of the site shall not exceed the pre-development runoff rate.

H. Grading and Landscaping (Soil Erosion and Sedimentation Control)

Where excavation or grading is proposed or where existing trees, shrubs or other vegetative cover is to be removed, plans shall be submitted showing what steps are to be taken to avoid soil erosion. Exposed ground surfaces shall be stabilized or otherwise protected with a vegetative cover. And where adjacent land use dictates, screen plantings or buffer yards of 25 feet may be required. (See also Sections 605 and 606.)

I. Common Open Space Ownership & Maintenance

Where the conveyance of title to individual dwelling units of a single-family attached dwelling structure does not include the conveyance of any land area or does not include conveyance of the entire site, the developer shall submit a plan of the arrangements to be made for ultimate ownership of and

maintenance responsibilities for the common open space/land area associated with the building (including access drives and driveways) as a part of his application for such a use.

506 MULTI-FAMILY DWELLINGS

Multi-family dwellings (i.e. apartments or condominiums, but excluding single-family attached dwellings) shall be permitted only as specified in Article 4. Every such application shall meet the requirements outlined below as well as the requirements of the Woodward Township Subdivision and Land Development Ordinance. (Applications proposing to locate more than one multi-family dwelling structure on a single tract of ground shall meet the requirements of Section 507 below governing multi-family housing developments.)

A. Minimum Area and Density Requirements

Each multi-family dwelling structure proposed shall have a gross area of at least one (1) acre plus an additional 1,500 square feet for each dwelling unit in the structure. The maximum allowable density shall be 15 dwelling units per acre, so long as all other applicable requirements of this Ordinance can be met. Sufficient acreage must be retained to support the approved number of dwelling units.

B. Minimum Lot Width

The minimum width for each multi-family dwelling structure shall be 150 feet.

C. Minimum Yard Requirements

1. Front Yard. 50 feet from edge of road right-of-way or 75 feet from road centerline, whichever is greater.
2. Side Yards. 15 feet each side. (See also Section 602 C.)
3. Rear Yard. 25 feet. (See also Section 602 D.)

D. Other Requirements

All design requirements set forth in Sections 505 D., E., F., G., H., and I. of this Ordinance shall also be met.

507 MULTI-FAMILY HOUSING DEVELOPMENTS

Multi-family housing developments (the placement of more than one multi-family dwelling structure or more than one single-family attached dwelling structure on a single tract on ground) shall be permitted only as specified in Article 4. Every such application shall meet the requirements of the Woodward Township Subdivision and Land Development Ordinance as well as the standards outlined below.

A. Minimum Area and Density Requirements

The minimum area and density requirements set forth in Sub-Sections 505 A. and 506 A. for single-family attached dwellings and multi-family dwellings, respectively, shall apply to the type of development proposed.

B. Minimum Lot Width

The minimum required lot width shall vary with each individual application and shall be dependent upon the number of units proposed in each structure and the proposed arrangement of buildings in the development.

C. Design Standards

1. Traffic Access. All proposed site accessways must be adequate, but not excessive in number; adequate in grade, width, alignment and visibility, and not located too near street corners, entrances to schools or places of public assembly and other similar considerations.
2. Circulation and Parking. The interior traffic circulation system must be adequate, and all required parking spaces must be provided and be easily accessible. No less than 2.0 stabilized spaces per dwelling unit shall be available on the site.
3. Streets and Drainage System Requirements. All structures within a multi-family housing development must access directly onto a public street or onto a street in the internal road system of the development. All new streets and drainage control systems shall be designed and constructed in accordance with the road and drainage control standards outlined in the Woodward Township Subdivision and Land Development Ordinance. As per the requirements of Act 167 of 1978, the post-development stormwater runoff rate from the site shall not exceed the pre-development runoff rate.
4. Sewage Treatment and Water Supply. Adequate public or community sewer and water facilities must be available or be provided by the developer. No on-site, subsurface sewage disposal systems or private wells will be permitted. Approval from the PA Department of Environmental Protection for the proposed system(s) must be provided by the applicant prior to approval of the development.
5. Solid Waste Collection and Disposal. The developer shall present information explaining his proposed method of solid waste collection and disposal. If such method is not deemed sufficient, an alternate method shall be proposed by the applicant.
6. Grading and Ground Cover (Soil Erosion and Sedimentation Control). Where excavation or grading is proposed or where existing trees, shrubs

or other vegetative cover is to be removed, plans shall be presented showing what steps are to be taken to avoid soil erosion. Exposed ground surfaces shall be stabilized or otherwise protected with a vegetative cover.

7. Landscaping. The proposed site shall be properly landscaped in order to further enhance the natural qualities of the land. Where adjacent land use dictates, screen plantings or buffer yards of 25 feet may be required. (See also Sections 605 & 606.)
8. Common Open Space Requirements. For proposals involving 25 or more dwelling units, a minimum of ten (10) percent of the gross area of the development shall be reserved by the developer as common open space for the use of all residents of the complex. Such open space may include areas of land and water, but shall exclude all roads, parking areas, structures, or service lanes and shall be easily accessible to all units. Applications for multi-family housing developments shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common open space areas.

D. Building Relationships

1. Arrangement of Buildings. Adequate provision must be made for light, air, access and privacy in the arrangement of the buildings to each other. Each dwelling unit shall have a minimum of two (2) exterior exposures.
2. Maximum Length of Rows. The maximum length of any group of attached structures shall not exceed 150 feet. A building group must be arranged in order to be accessible by emergency vehicles.
3. Distance Between Buildings.
 - a. The front or rear of any building shall be no closer to the front or rear of any other building than 40 feet.
 - b. The side of any building shall be no closer to the side, front, or rear of any other building than 30 feet.
4. Distance Between Buildings and Driveways.
 - a. No driveway or parking lot shall be closer than 15 feet to the front of any building, nor ten (10) feet to the side or rear of any building.
 - b. In the case of an enclosed garage or carport provided as a portion of the main structure, distance requirements for driveways providing access to these accommodations shall not apply.
5. Setback Requirements. All dwelling structures situated within a multi-

family housing development shall be setback a minimum of 50 feet from all tract boundary lines and from the edge of any adjoining street right-of-way.

508 MOBILE HOME PARKS

Mobile home parks are permitted only in those zoning districts as specified in Article 4. All proposed mobile home parks and extensions to existing parks must meet the following requirements as well as the standards of the Woodward Township Subdivision and Land Development Ordinance. (Each and every mobile home placed in an approved mobile home park shall secure an Certificate of Compliance as required by this Ordinance, prior to its use as living quarters.)

For the purposes of this Ordinance, the regulations outlined below shall not apply to the placement of up to two (2) independent mobile homes on a property which is associated with an existing or proposed agricultural activity.

A. Design Standards

1. Minimum Park Area. Each mobile home park shall have a gross area of at least five (5) contiguous acres of land suitable for development.
2. Mobile Home Park Lot Requirements.
 - a. Gross Density. The maximum number of mobile home lots within a mobile home park shall be no more than six (6) lots per acre of gross area of the mobile home park, so long as all other applicable requirements of this Ordinance can be met.
 - b. Minimum Lot Sizes. The minimum mobile home lot shall contain no less than 6,000 square feet. The minimum width of any mobile home lot shall be not less than 60 feet. The minimum length of every mobile home lot measured from the edge of the right-of-way line of the mobile home park internal street shall be not less than 100 feet or shall be equal to the overall length of mobile home located on the lot plus 30 feet, whichever length is greater.
 - c. Mobile Home Lot Access. All mobile home lots shall abut on and have frontage on a street of the mobile home park internal street system. (See also Section 508 A.7 below.) In addition, at the entrance intersection of the mobile home park, a cartway with a width of 50 feet shall be provided for a distance of 100 feet to accommodate the safe movement of vehicles or units into and out of the facility.
3. Setbacks, Buffer Yards and Screening Requirements.
 - a. Setbacks from Public Roads. All mobile homes and auxiliary park buildings shall be located at least 50 feet from the centerline of any

abutting public road or street or 25 feet from the edge of the road right-of-way, whichever is greater.

- b. Park Perimeter Buffer Yards. All mobile homes, auxiliary park buildings and other park structures shall be located at least 50 feet from the mobile home park boundary lines. If a suitable, attractive screening, either man-made or of natural plantings, is provided along the perimeter, this minimum buffer yard may be reduced to 25 feet. (See also Sections 605 and 606.)
 - c. Screening Requirements Within the Mobile Home Park. Repair, maintenance, and storage areas or buildings shall be effectively and attractively screened from the mobile home lots, park streets and public roads or streets by man-made screenings or natural plant materials. (See also Section 606.)
 - d. Minimum Distances Between Structures Within the Mobile Home Park. All mobile homes shall be located at least 50 feet from any auxiliary park buildings and repair, maintenance, or storage areas or buildings.
 - e. Minimum Distance Between Mobile Homes. Each mobile home shall be located at least 30 feet from any other mobile home in the mobile home park and no less than 15 feet from any side lot line.
4. Grading and Ground Cover Requirements (Soil Erosion and Sedimentation Control Plans). The ground surface in the park shall be graded and equipped to drain all surface water in a safe, efficient manner. Exposed ground surfaces in the park shall be covered with stone screenings, or other solid material, or be stabilized or otherwise protected with a vegetative cover capable of preventing soil erosion.
 5. Common Open Space Requirements. A minimum of five (5) percent of the gross park area or 1,000 square feet per unit, whichever is greater, shall be reserved by the developer as common open space for the use of all residents of the park. At least a portion of this area shall be set aside for recreation use. Such recreation area shall be suitable for outdoor recreational activities and shall be easily accessible to all units. Applications for mobile home parks shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common open space and recreation areas.
 6. Parking Space Requirements. A minimum of two (2) stabilized vehicle parking spaces shall be provided for each mobile home lot within the mobile home park. These parking spaces shall be located on the mobile home lot which they are intended to serve.
 7. Mobile Home Park Internal Street and Drainage System Requirements.

Streets and drainage control systems shall be constructed in accordance with the street standards outlined in the Subdivision and Land Development Ordinance in effect in Woodward Township except that street widths shall be as follows:

- a. Where parking is permitted on both sides, a minimum road cartway width of 36 feet shall be required.
 - b. Where parking is limited to one side, a minimum road cartway width of 28 feet shall be required.
 - c. Where no parking is permitted on either side of the street, a minimum road cartway width of 20 feet shall be required.
8. Mobile Home Lot Improvements. All mobile home lots within the mobile home park shall be improved for use by independent mobile homes. This shall include the provision of a durable pad or stand (not less than 12' x 60' in size), properly graded, placed, compacted and surfaced to provide support for maximum anticipated loads during all seasons; all necessary utility hook-ups; a concrete patio with a minimum area of 200 square feet for each mobile home; and a storage shed containing a minimum of 36 square feet of storage space. All such improvements shall be maintained in satisfactory condition by the park owner or developer.

B. Utilities and Park Facilities

1. Water Supply System. An adequate supply of water shall be provided by the developer for mobile homes, service buildings and other accessory facilities. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made to it and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the developer shall design, install, and maintain a private water supply system according to the standards of and with the approval of the PA Department of Environmental Protection.
2. Sewage Disposal System. An adequate and safe sewage system shall be provided by the developer in all mobile home parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Mobile home parks shall be connected to public sewer systems, where possible. Where a satisfactory public sewage disposal system is not available, the developer shall design, install and maintain an approved private sewage system according to the standards of the PA Department of Environmental Protection.
3. Other Utility Systems. Telephone, electric, television cable, natural or bottled gas, fuel oil or other utilities shall be provided in accordance with plans approved by the Township and the appropriate utility company. Underground installation of the utility distribution and service lines is

required for approval of the mobile home park proposal.

4. Service and Other Auxiliary Park Buildings. Service, maintenance and management buildings, recreation or community buildings and commercial sales buildings required for the management, servicing and maintenance of the park and for the well-being of park residents shall be allowed within the mobile home park boundaries. The entire area of these buildings however, shall be used for the management, servicing and maintenance requirements of the park and park residents.
5. Park Management. Each mobile home park shall have a resident manager who shall be responsible for maintaining the park in accordance with the requirements of this Ordinance and the terms and conditions of the park's approval.
6. Solid Waste Collection and Disposal. The developer shall present information explaining the proposed method of solid waste collection and disposal. If such method is not deemed sufficient, the developer shall propose an alternate method.

C. Rules and Regulations of the Park

The developer shall submit a copy of the proposed rules and regulations to be followed by tenants of the mobile home park as a part of his application for such a use. Included shall be regulations requiring that:

1. Each mobile home shall be skirted. (Skirting shall include materials which have been prefabricated for this specific purpose or similar materials, but shall not include bales of hay, straw, interior plywood, or like materials.)
2. Garbage and trash shall be placed in appropriate receptacles.
3. Each mobile home shall be anchored to prevent the structure from being overturned or blown from its foundation or supports. This anchoring shall comply with the specifications outlined in Section 503 D.

509 BOARDING OR ROOMING HOUSES

Boarding or rooming houses may be permitted only in those zoning districts as outlined in the District Regulations, Article 4. All applications for such uses shall indicate that the following standards can be met.

- A. Boarding or rooming facilities shall be accessory to a single-family dwelling unit and such uses may or may not include arrangements for meals.
- B. Accommodations shall be for at least three (3) but no more than ten (10) additional persons and shall be for periods of one (1) week or more.

- C. The lot upon which the boarding or rooming house is situated shall have a gross area of at least one (1) acre plus an additional 1,500 square feet for each boarder.
- D. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the use. Certification, by the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing subsurface system or a sewage permit for the installation of a new system shall be submitted as part of the application for such a use.
- E. The off-street parking requirements set forth in Article 9 and all other applicable standards of this Ordinance shall be met.
- F. Where adjacent land use dictates, adequate buffer yards and/or screen planting shall be provided in accordance with Sections 605 and 606 of this Ordinance.

510 DAY CARE CENTERS OR DAY NURSERIES

Day care centers, nursery schools, kindergartens, or similar operations which are licensed to provide care for more than 11 children outside of a family residence may be permitted as set forth in the District Regulations, Article 4, and shall be subject to the following requirements.

- A. Outdoor play areas of at least 100 square feet per child shall be provided. Such play areas shall be completely enclosed with a four (4) foot high chain-link fence located no less than 25 feet from the edge of any adjoining street right-of-way.
- B. Outdoor play areas shall be sufficiently screened and sound insulated to protect the neighborhood from noise and other disturbances.
- C. Sewage and water facilities shall be sufficient to handle the anticipated loading created by the facility and shall be approved by the PA Department of Environmental Protection.
- D. All other applicable codes, ordinances or laws (including regulations of the PA Department of Public Welfare, PA Department of Labor and Industry, and PA Department of Education) shall be met.

511 RECREATION OR VACATION HOMES

Recreation or vacation homes may be permitted only in those zoning districts as specified in Article 4, the District Regulations. Every such structure shall meet the requirements outlined below.

- A. For the purposes of this Ordinance, recreation or vacation homes shall be construed to mean permanent structures used only periodically during the

year. Such use may include shelter during hunting and fishing seasons, private vacation and/or weekend or holiday uses, or other similar periodic visits at any time of the year.

- B. Every lot to be utilized for such use shall contain a gross area at least equal to the minimum lot size for the district in which it is located and shall provide a width equal to the minimum required in the applicable district.
- C. Every recreation or vacation home shall be provided with adequate sewage disposal and water supply systems subject to the applicable rules and regulations of the PA Department of Environmental Protection. Satisfactory evidence that all necessary permits of this type have been obtained shall be submitted as a part of an application for such a use.
- D. A recreation or vacation home shall not be converted to a permanent, full-time dwelling unit unless the same shall conform to all applicable Township codes and ordinances. Where seasonal structures are proposed for conversion to full-time occupancy, all habitable floor area requirements contained in Section 502 must be met and adequate sewage and water supply systems must be provided.
- E. Where recreation or vacation homes are proposed to be located in a Flood Fringe or General Floodplain District, all requirements regarding floodproofing contained in Section 702 shall be met.
- F. No more than one permanent recreation or vacation home shall be erected on an individual lot.
- G. No buses, trucks, or recreational vehicles are permitted as permanent recreation or vacation homes. They may be used and permitted however on individual parcels for temporary purposes, for a period of time not exceeding 179 days in any calendar year. An annual, seasonal Zoning Permit shall be required for each such unit. Where such a unit is to be situated in any designated floodplain district, the standards outlined in Section 512 D. shall also apply.

512 CAMPGROUNDS OR RECREATIONAL VEHICLE PARKS

Campgrounds or recreational vehicle parks may be permitted only in those zoning districts as specified in Article 4, the District Regulations. Every proposed campground or recreational vehicle park must meet the requirements of the Woodward Township Subdivision and Land Development Ordinance as well as the standards set forth below.

A. General Requirements

Zoning Permits for campgrounds or recreational vehicle parks must be renewed annually by the park owner. Where such facilities are located in a

designated floodplain district, each unit within the campground shall also be required to obtain an annual, Seasonal Zoning Permit. (See Sub-Section D. below regarding Campgrounds in Floodprone Areas.)

B. Design Standards

1. Minimum Campground Area. A campground shall have a gross area of at least two (2) acres.
2. Camping Space Requirements.
 - a. Gross Density. The maximum number of camping spaces within each campground shall be no more than 10 per acre of gross area of the campground.
 - b. Minimum Camping Space Sizes. Each camping space shall contain a minimum of 3,000 square feet. The minimum width shall be not less than 50 feet and the minimum depth not less than 60 feet.
 - c. Camping Space Access. All camping spaces shall abut and have frontage on a street of the campground internal street system.
 - d. Camping Units. No more than one (1) camping unit (recreational vehicle, tent or other similar unit) shall be located on each camping space.
 - e. Accessory Structures. No permanent accessory structures, including sheds, storage buildings, porches, privies, etc. shall be placed on camping spaces located in floodplain areas.
3. Setbacks, Buffer Yards, and Screening Requirements.
 - a. Park Perimeter Buffer Yard. All camping spaces and auxiliary park structures shall be located at least 50 feet from the campground boundary lines, including public road rights-of-way. If a suitable, attractive screening of natural plantings is provided along the perimeter, this minimum buffer may be reduced to 25 feet.
 - b. Minimum Distance Between Structures and Camping Spaces. All camping spaces shall be located at least 30 feet from any auxiliary building.
 - c. Minimum Distance Between Camping Units. Individual camping units shall be separated by a minimum of 20 feet.
4. Grading and Ground Cover Requirements (Soil Erosion & Sedimentation Control Plans). Where any excavating or grading is proposed or where any existing trees, shrubs, or other vegetative cover will be removed,

plans shall be presented showing what steps will be taken to avoid soil erosion. Exposed ground surfaces shall be stabilized or otherwise protected with a vegetative cover.

5. Parking Space Requirements. A minimum of one (1) vehicle parking space shall be provided on each camping space and one (1) additional parking space for every five (5) camping spaces shall be provided within the campground.
6. Campground Internal Street System Requirements. The internal street and drainage system shall consist of private streets designed and constructed according to the right-of-way and construction standards outlined in the Subdivision and Land Development Ordinance for Woodward Township. In addition, at the entrance intersection of the campground, a cartway with a width of 50 feet shall be provided for a distance of 100 feet to accommodate the safe movement of vehicles or units into and out of the facility.

C. Utilities and Park Facilities

1. Water Supply and Sewage Disposal Systems. The standards of the Department of Environmental Protection for the provision of water supply and sewage disposal shall be met. Documents and approvals indicating that these standards have been met along with notations on the campground plan showing the location of water sources and restrooms shall be presented to the Township by the developer. Separate restroom facilities shall be provided for men and women.
2. Other Utility Systems. Where electric or other utilities are to be provided, plans shall be provided by the developer and approved by the Township and the utility company.
3. Solid Waste Collection and Disposal. The developer shall present information to the Township explaining the proposed method of solid waste collection and disposal. If such a method is not deemed sufficient, the developer shall propose an alternate method.
4. Service and Other Campground Buildings. Service, maintenance and management buildings and commercial sales buildings required for the management, servicing and maintenance of the campground may be allowed provided that such buildings are used exclusively for said purposes. No structures may be located within a Floodway District, but may be located within any other Floodplain District as long as they are adequately floodproofed. (See Article 7.)
5. Campground Management. During times of operation, each campground shall have a resident manager who shall be responsible for maintaining the facility in accordance with the requirements of this Ordinance and the

terms and conditions of the campground's approval.

D. Campgrounds in Floodprone Areas

1. Permit Requirements and Conditions.

- a. Each existing or proposed campground which is located within any designated Floodplain District shall be required to obtain an annual, Seasonal Zoning Permit. The owner of the campground or the owner of the lot upon which the campground is located, as applicable, shall be responsible for obtaining the Seasonal Permit and shall be considered the Permittee. (Where the Permittee is other than the owner of the campground property, the applicant's application shall bear the signature of the land owner in addition to the applicant's signature as a verification of the information provided.) Such Permits will be valid from May 1 through October 31 of each year.
- b. All units within such campground shall be removed from the floodplain between November 1 and April 30 by the owner of the unit or the Permittee. As part of the Permit application, the Permittee shall provide written assurance to the Township that all of the units in the campground will be removed from the floodplain prior to the expiration of the Seasonal Permit. The Permittee shall be ultimately responsible for the removal of all units from the campground at the conclusion of the season.
- c. The Permittee shall also submit a workable evacuation plan for the campground as a part of the application for the Seasonal Permit. Said plan shall insure that all units will be removed from the floodplain should there be imminent danger of flooding, by whom they will be removed, and the temporary storage site that will be utilized for such evacuation purposes. The Permittee shall be ultimately responsible for evacuation of all units within the campground if there is a flood emergency.
- d. Nothing in this Section shall prohibit a Permittee from moving a unit(s) on or off the site during a single season for any reason.
- e. The Seasonal Permit shall be valid for only the individual whose name appears on the application and for only the number of units identified in the application. No Permittee may assign his rights under the Permit, or any portion thereof, to any other person or other entity at any time.
- f. In obtaining a Seasonal Permit, applicants acknowledge that it shall be their primary responsibility to be aware of all declared flood emergencies, and any other situation in which it appears reasonable that flooding could occur and to take whatever steps are necessary

to implement the emergency evacuation plan submitted to the Township. The Township, in issuing such Permits, assumes no liability or responsibility for providing such information to Permittees.

- g. The failure of any Permittee to remove a permitted unit(s) from the campground during a flood emergency shall result in an immediate revocation of the current Permit for the remainder of the season, and the unit(s) must be removed from the site as soon as conditions allow. In addition, this failure shall result in an automatic forfeiture of the Permittee's right to lease or use the subject lot for the following season.
 - h. Where a Permittee fails to remove a unit(s) at the end of any season, but does so before the Township must take legal steps to enforce removal, the Permittee shall forfeit the right to lease or use the subject lot(s) for the next season. In the event that the Township must take legal steps to enforce removal of a unit(s), this shall result in an automatic forfeiture of the Permittee's right to lease or use the lot for the next two seasons.
 - i. There shall be no storage of camping units, picnic tables, pallets, wood piles, or other materials on the campground lot during the off-season. The Permittee shall be responsible for compliance with this requirement. Failure to do so will result in the forfeiture of the Permittee's right to lease or use the subject lot for the following season.
2. Design Standards. In addition to meeting the design standards set forth in Sub-Section B. of this Section, units being placed in a campground in a designated floodplain area shall also meet the following requirements.
- a. Units being placed in campgrounds located within any designated floodplain area must remain on wheels and be capable of being towed or transported from the site at all times. Such units may not be placed on blocks or similar supports and no activity may take place on the site which would interfere with the prompt and safe evacuation of the unit in time of flood danger. Units shall also be fully licensed and shall be ready for highway use at all times.
 - b. Where on-lot sewage disposal facilities were permitted and were in use in campgrounds located in a designated floodplain area prior to the enactment of these regulations, such facilities may continue to be used. In all other circumstances, the applicable requirements of the PA Department of Environmental Protection shall be met with respect to the provision of sewage facilities. Conventional subsurface sewage disposal systems, cesspools and outhouses shall be prohibited in the Floodway District.

513 RECREATION FACILITIES; PARKS OR PLAYGROUNDS

If specific recreational facilities are not specified or regulated elsewhere herein, the following standards shall apply.

- A. The minimum area required for such activities shall be in accordance with the District Regulations.
- B. A plan showing the proposed facilities and/or design of the recreational facility shall be provided by the applicant with the Zoning Permit application.
- C. A statement shall be submitted by the applicant indicating the reasons why the proposed facility is appropriate for the district in which it is to be located.
- D. Off-street parking facilities shall be provided in accordance with the requirements of Section 900, TABLE 1, of this Ordinance.
- E. Sewage disposal facilities shall be provided by the applicant in accordance with the standards of the PA Department of Environmental Protection. A Sewage Permit or completed Sewage Planning Module shall be submitted with the Zoning Permit application.
- F. Information on the proposed method of solid waste collection and disposal shall be presented with the Permit application.
- G. Outdoor security lighting shall be provided for the facility. Such lighting shall be installed and shielded however to eliminate direct glare on adjacent properties or upon public streets.
- H. All buildings, structures or active recreation activities shall be appropriately screened in accordance with the requirements of Section 606 of this Ordinance and shall be setback at least 100 feet from all property lines. Where the proposed activity could create a potentially hazardous situation, such as a shooting range, additional precautions shall be taken by the applicant to ensure the safety of the public. In all such circumstances, the appropriate approving authority shall review the precautions being proposed and shall determine their adequacy.
- I. The proposed hours, rules, and security arrangements for the facility shall be included with the Permit application. Consideration shall be given not only to the convenience of the users, but the convenience, safety and welfare of the neighborhood in which the facility is to be located.

514 AGRICULTURAL USES

Irrespective of the specific uses listed or permitted in any of the Township's zoning districts, agricultural programs shall be permitted and encouraged as an interim use until such time as the property owner sells or transfers his property interests to

persons, agents or others interested in developing a use in conformance with the District Regulations set forth in Article 4. All agricultural uses initiated after the effective date of this Ordinance shall be subject to the following safeguards and regulations.

- A. No outdoor feedlot, compost, manure or other storage shall be located closer than 150 feet to any abutting residential use, and not closer than 100 feet to any property line or water body.
- B. Coal-fired greenhouse heating plants shall not be operated within 100 feet of any Residential District or dwelling. When natural gas or fuel oil are used, the distance may be reduced to 50 feet.
- C. Buildings in which animals and/or poultry are to be housed (temporarily or permanently) shall not hereafter be erected within 100 feet of a property line. And, where adjacent land use dictates, buffer strips or screen plantings shall be provided in accordance with Sections 605 & 606 of this Ordinance.
- D. Commercial animal husbandry activities shall only be permitted in the Agricultural District. A minimum gross area of 5 acres shall be required where such activities are proposed.
- E. Boarding or raising of livestock (including cattle, horses, pigs, etc.) and poultry shall be prohibited in the Residential District. Household animals or pets shall be exempt from these regulations.
- F. Nothing contained in this Ordinance shall prohibit a farmer from carrying out normal farming activities, including the spreading of manure.

515 ROADSIDE STANDS

Temporary or permanent roadside stands or shelters may be permitted as accessory uses in the Agricultural District for the sale of farm, nursery or greenhouse products, provided that the following criteria can be met.

- A. Temporary stands shall not exceed 400 square feet in size and shall be removed during the time when not in use for the sale or display of products;
- B. Two (2) additional off-street parking spaces shall be provided where a roadside stand is established;
- C. Temporary stands shall be located at least ten (10) feet from the edge of the adjoining street right-of-way and at least 50 feet from any intersection, and permanent stands shall meet the setback requirements set forth in the District Regulations for structures in the Agricultural Zone; and,
- D. Zoning Permits for temporary roadside stands shall be renewed annually.

516 RETAIL ESTABLISHMENTS

Retail establishments shall include those facilities and personal service uses permitted in the District Regulations, Article 4. All such proposed uses shall meet the requirements of the Woodward Township Subdivision and Land Development Ordinance and applications for such activities shall include the following information.

- A. A sketch plan showing the tract of ground on which the use is to be located;
- B. An indication that the use will not have a detrimental effect on the character of the area or neighborhood where it is proposed to be located;
- C. An indication that adequate sewage disposal facilities will be provided;
- D. An indication that access to the proposed establishment will be adequate and as required by this Ordinance (Section 902) and that the number of off-street parking spaces required by this Ordinance (Section 900, TABLE 1) will be provided;
- E. An indication that a buffer yard or screen planting will be provided as required by this Ordinance (Sections 605 & 606); and,
- F. An indication of the establishment's proposed hours of operation.

517 AUTOMOTIVE SERVICE STATIONS AND/OR REPAIR SHOPS

Automotive service stations and/or repair shops may be permitted as provided in the District Regulations, Article 4, and shall be subject to the following requirements.

- A. No gasoline service station or automotive repair shop shall have an entrance or exit for vehicles within 300 feet of any school, playground, church or public place of assembly, nor within 30 feet of any intersection.
- B. Gasoline pumps or other fuel dispensing devices shall be no closer than 30 feet to any street right-of-way line.
- C. All fuel, oil, propane gas, or other similar substance shall be stored at least 30 feet from any street right-of-way or property line. (Additional permits may be necessary to meet State and Federal requirements regarding the location of storage tanks for such purposes.)
- D. All associated repair work (excluding preventive maintenance and minor adjustments) shall be carried out within a structure. All repair materials, including new, used, discarded or unusable parts of any vehicle, shall be stored within a building.
- E. Body work or painting of vehicles may be permitted only where the operation is to be conducted within an enclosed structure and where such structure

meets the PA Department of Labor and Industry regulations and is designed to contain all noise, vibrations, dust, and odor generated by the activity.

- F. Automatic car wash facilities may be permitted in conjunction with such uses provided that the applicant can show that his sewage treatment facilities can accommodate the additional loading.
- G. Where adjacent land use dictates (i.e. residential home sites, churches or similar uses), proper screen plantings or buffer yards of 25 feet shall be provided.

518 PUBLIC ENTERTAINMENT FACILITIES

For the purposes of this Ordinance, public entertainment facilities shall include, but not be limited to, bowling alleys, roller skating rinks, motion picture theaters, health clubs and similar types of establishments, but shall exclude adult entertainment facilities. Such uses shall be permitted only as provided in Article 4, the District Regulations, and shall be subject to the following standards, in addition to all other applicable State or local requirements.

- A. All such uses shall be conducted entirely within an enclosed structure.
- B. Off-street parking spaces shall be provided in accordance with the Section 900, TABLE 1, of this Ordinance.
- C. Illuminated signs or other outdoor lighting shall be installed and shielded to avoid causing glare on adjacent properties or creating a hazard for passing motorists. (See also Article 8 of this Ordinance.)
- D. Adequate measures shall be taken to prevent noise or other noxious influences from disturbing nearby residential properties.

519 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments or facilities may only be permitted as specified in Article 4, the District Regulations, and shall be subject to the following standards, in addition to all other applicable State or local requirements.

- A. Adult entertainment establishments shall not be located within:
 - 1. 250 feet of the boundary of any R District or other residential property line;
 - 2. 500 feet of the property line of any church, school, theater, park, playground, or other areas where minors congregate;
 - 3. 250 feet of the property line of any establishment licensed by the PA Liquor Control Board to dispense alcoholic beverages;

4. 250 feet of the property line of any restaurant, eating establishment, or grocery store; nor within
 5. 500 feet of the property line of any other adult entertainment establishment.
- B. Advertisements, displays, or other promotional materials for adult entertainment establishments shall not be shown or exhibited so as to be visible to the public from any street, sidewalk or other public place.
 - C. All building openings, entries, exits or windows for adult entertainment establishments shall be located, covered or screened in such a manner so as to prevent a view into the interior from any street, sidewalk or other public place. In the case of any adult drive-in or motion picture theater, viewing screens shall be situated so as to prevent observation from any street, sidewalk or other public area.

520 KENNELS

Kennels may be permitted as provided in the District Regulations, Article 4, subject to the requirements of the Act 1982-225, the PA Dog Law, and regulations promulgated thereunder. In addition, the following requirements shall be met.

- A. The applicant shall provide proof of issuance of a kennel license from the PA Department of Agriculture prior to the issuance of a Zoning Permit by the Township. Such licenses shall be renewed annually, a copy of which shall be supplied to the Township by the operator.
- B. All kennels shall be effectively screened from adjacent residential properties and shall not be detrimental to any abutting use.
- C. Any and all outdoor lighting shall be mounted and shielded in such a way so as to avoid causing glare on adjacent lots or properties.
- D. All outdoor kennel area shall be completely enclosed with a chain link fence or other suitable fence or wall.
- E. Outdoor kennel areas shall be located at least 100 feet from the property line of any residential structure, other than the owner's dwelling.
- F. Adequate arrangements shall be made for the disposal of excrement, waste, or animal parts and other refuse to the satisfaction of the Township and the PA Department of Environmental Protection. Such arrangements shall be made in advance of the issuance of a Zoning Permit and shall assure that the wastes will not create odor, dust or other noxious effects that could be considered public nuisances.

521 LIGHT INDUSTRIAL USES

Industrial uses shall include those manufacturing operations and processing activities provided for in the District Regulations, Article 4. Applications for such activities shall meet the following standards and additional documentation may be required where it is deemed necessary by the Township to protect the health, safety and welfare of its residents.

- A. Industrial operations shall abut and/or provide direct access to a street or highway which is capable of accommodating the anticipated levels and types of industrial and employee traffic.
- B. Every industrial or manufacturing operation must be contained within a building, except as may be provided in Article 4, the District Regulations.
- C. Where, in the opinion of the approving authority it would be appropriate, buffer yards of 50 feet and screen planting shall be provided along the entire perimeter of the site in accordance with the standards set forth in Sections 605 and 606.
- D. All provisions of Section 607 regarding on-lot storage shall be adhered to.
- E. Compliance with the following minimum performance standards, in addition to all applicable local, State or Federal codes or regulations (including DEP's air, water and noise pollution control standards) shall be required.
 - 1. Sound. The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses.
 - 2. Vibration. No vibrations shall be discernible beyond the property lines of the industry.
 - 3. Odor. No emission of odorous gas or other odorous matter shall be permitted in such quantity as would be readily detectable along or beyond the lot lines of the industrial operation without the use of instruments.
 - 4. Toxic or Noxious Matter. No discharge beyond lot lines of any toxic or noxious matter in such quantity as would be detrimental or dangerous to public health, safety, comfort or welfare, or would cause injury or damage to property or businesses shall be permitted.
 - 5. Glare. No direct or reflected glare shall be detectable at any point along or beyond the property lines of the industry.
 - 6. Heat. No direct or reflected heat shall be detectable at any point along or beyond the property lines of the industry.
 - 7. Dust and Fly Ash. No solid or liquid particles shall be emitted in such

quantities as would be readily detectable at any point along or beyond the industry's property lines or as would produce a public nuisance or hazard.

8. Smoke. No smoke shall be emitted in such quantity as would be become a nuisance.
9. Fire and Explosion Hazards. In all activities involving, and in all storage of, flammable and explosive materials, the owner or operator of such use shall provide adequate safety devices against the hazard of fire and explosion, and adequate fire fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires shall be prohibited.
10. Radioactivity or Electrical Disturbances. No activities shall be permitted which emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

522 CONTRACTOR'S SHOPS AND YARDS

Contractor's shops and yards may be permitted as provided in the District Regulations, Article 4, and shall be subject to the following requirements.

- A. Construction, fabricating and fitting activities shall be conducted within an enclosed building or structure, unless approved otherwise by the Township Zoning Hearing Board.
- B. Storage yards shall be buffered and screened from adjacent areas in accordance with the requirements of Sections 605 and 606 of this Ordinance.
- C. All precautions deemed necessary shall be taken to minimize potentially noxious, hazardous or nuisance occurrences within the I District or to any adjacent district.

523 JUNK YARDS OR AUTO SALVAGE OPERATIONS

All junk yards, auto salvage or scrap processing operations which are created after the effective date of this Ordinance shall comply with the following provisions.

- A. Such uses shall be conducted within a building or entirely enclosed within a fence or wall not less than eight (8) feet in height constructed of a permanent, non-transparent material. Fences shall be setback a minimum of 50 feet from all adjoining property lines.
- B. No junk material or related unenclosed processing activities shall be stored, placed, located or conducted within 50 feet of any adjoining property line or public street right-of-way. No weeds or scrub-growth over eight (8) inches in height shall be permitted to grow within this setback area.

- C. All junk shall be stored or arranged so as to permit access by fire fighting equipment and to prevent the accumulation of water. No junk shall be piled to a height exceeding eight (8) feet.
- D. No oil, grease, tires, gasoline or other similar material shall be burned at any time, and all other burning shall be attended and controlled at all times.
- E. All junk yards shall be maintained in such a manner to avoid causing public or private nuisances; causing any offensive or noxious odors; or causing the breeding or harboring of rats, flies, or other vectors that could be hazardous to public health.

524 EXTRACTION OPERATIONS

Extraction operations, such a quarries or other commercial excavation of sand, gravel, clay, shale, rock or other natural mineral deposit as may be defined by State or Federal regulations, may be permitted only as outlined in Article 4. Such operations shall comply with PA Department of Environmental Protection and/or applicable Federal permit requirements and evidence of such compliance must be submitted with any application for an extractive operation. In addition, the following standards shall be met.

- A. Extractive operations shall abut on or provide direct access to an arterial highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation shall be arranged to minimize danger to traffic and nuisance to surrounding properties.

The Township Supervisors may require the applicant to post a highway performance bond in order to assure the maintenance of local municipal roads used for access and transportation of resources, materials and products of the operation. The amount of the bond shall be set by the Township Supervisors and shall be valid for one (1) year. An annual renewal and update of the Zoning Permit for the activity, including the amount of the bond, shall be required. The bond shall be administered in accordance with the provisions of Article 5 of the PA Municipalities Planning Code, as amended, relating to improvement agreements.

- B. The applicant shall submit plans which indicate what precautions will be taken to avoid soil erosion and sedimentation problems wherever any excavation is proposed. The applicant shall consult the County Conservation District concerning these plans and shall obtain a report on the soil characteristics of the site and the acceptability of his erosion control plans. Exposed ground surfaces shall be stabilized or protected with a vegetative cover to prevent soil erosion, unless other erosion control techniques are approved.
- C. Screen plantings, buffering, and fencing shall be provided along the perimeter of the excavation site as may be required by State or Federal regulations.

- D. The minimum performance standards contained in Section 521 E. of this Ordinance shall be met by such operations.
- E. Where permitted, rock crushers, batching or mixing plants, or other grinding, polishing or cutting machinery shall be setback a minimum of 150 feet from all property lines and public rights-of-way and shall be subject to such additional conditions and safeguards deemed necessary by the Township Supervisors to protect the public health, safety and welfare.
- F. Following the extractive operation, the applicant shall restore the area to a contour satisfactory to the Township Supervisors. The applicant shall provide plans and proposals indicating the process to be followed to bring about this restoration prior to the issuance of a Zoning Permit. If it is determined appropriate by the Supervisors, they may require a performance bond from the applicant to ensure that such restoration will take place. Such bond shall be administered in the same fashion as the highway performance bond discussed in Sub-Section A. above.

525 ESSENTIAL UTILITY SERVICES

For the purposes of this Ordinance, essential utility services shall include the erection, construction, alteration, use and maintenance by municipal or governmental agencies and public utilities, of such facilities as are necessary for the furnishing of adequate service by such agencies or utilities for public health, safety or general welfare, including underground or overhead electrical, telephone, television, gas, steam, water or sewage disposal systems, including poles, wires, lines, mains, drains, sewers, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, gas regulator and measuring devices, including the structures in which they are housed, and other similar equipment. (For the purposes of this Ordinance, essential utility services shall not include communications antennas, towers, or equipment buildings. See Section 531 for wireless communications facilities regulations.) Such facilities shall meet the following additional standards.

- A. Public utility structures, including substations, water pumping stations, and/or sewage treatment facilities shall be designed and constructed to be compatible with the general character (appearance and structural material) of the other structures within the district in which they are located.
- B. Structures may be permitted for the housing of transformers, pumps and similar equipment subject to the standards set forth in the District Regulations. Such structures shall house only those vehicles or equipment necessary to provide normal maintenance and repair for the systems, except in the C and I Districts, where office space may also be provided.
- C. Outdoor storage areas associated with utility services may only be permitted as set forth in the District Regulations. Where permitted, such storage areas shall be enclosed with a fence and shall be shielded from view by adequate

screen planting. In addition, where adjacent land use dictates, buffer yards of 25 feet may also be required to provide sufficient separation of uses.

- D. There shall be no specific minimum lot size, width, or other dimensional requirements applied to lots upon which water or sewer pumping or metering stations are housed and other necessary equipment is placed. Each application shall however be evaluated on a case-by-case basis by the Township Supervisors. Appropriate setback and building coverage requirements, designed to protect the public health, safety and welfare, will be determined at the time of plan review. Where, in the opinion of the Township Supervisors, potential safety hazards exist with such facilities, additional precautions (such as buffering, screening, or fencing) may be required.

526 SWIMMING POOLS

A. Private Swimming Pools

Private swimming or bathing pools (pools used by the owner and his guests) may be permitted as accessory uses in all zoning districts, with the exception of the I District, but must comply with the following requirements.

1. Every outdoor private swimming pool of permanent construction, whether above or below ground, shall be completely surrounded by a fence or wall not less than four (4) feet in height and shall be constructed to prevent uncontrolled access. All gates or doors in the fence or wall shall have self-latching or locking devices.
2. A dwelling or accessory structure may be used as part of such enclosure.
3. The pool shall not be located within any required front yard nor closer to any side or rear property line than is established for accessory structures for the district in which the pool is located.

B. Public Swimming Pools

Public swimming or bathing pools shall be defined as those facilities available for use by the public, including pools owned and operated by municipal governments, private organizations, or pools provided in conjunction with motels, transient lodging facilities, or mobile home parks. Such pools shall be subject to all requirements established by the PA Department of Environmental Protection. And, for the purposes of this Ordinance, such uses shall be considered to be Recreational Facilities and shall be governed by the provisions of Section 513.

527 HOME OCCUPATIONS

Home occupations may be permitted as accessory uses in all zoning districts, except the I District, subject to the following requirements.

- A. The area devoted to the permitted home occupation shall be located wholly within either the operator's dwelling or a building accessory thereto and shall be equivalent to not more than 25% of the gross floor area of the dwelling, except for family day care homes.
- B. Persons engaged in a permitted home occupation shall be limited to the members of the household of the operator residing on the premises and not more than one (1) additional non-resident employee.
- C. A home occupation shall not in any way alter the residential character of a neighborhood nor in any way adversely affect the safe and comfortable enjoyment of individual property rights of the neighborhood in which the use is located.
- D. There shall be no exterior display or sign, except as may be permitted in Article 8, and no outdoor, unenclosed storage of materials associated with the business on the premises.
- E. No offensive or objectionable noise, vibration, smoke, dust, odor, heat or glare shall be produced or detected at or beyond the property line.
- F. A minimum of two (2) additional off-street parking spaces shall be provided.
- G. The use shall not create any adverse impact on existing traffic or circulation patterns in the neighborhood.
- H. Home occupations may include, but need not be limited to, any of the following activities provided that such use is clearly incidental and secondary to the principal residential use of the structure:
 - 1. Medical, dental, insurance, real estate and other professional offices.
 - 2. Custom dressmaking and milliner facilities.
 - 3. Artist or musician shops or studios.
 - 4. Family day care homes.
 - 5. Tutoring facilities.
 - 6. Barber and beauty shops.
 - 7. Arts and crafts or antique shops; or sports trading-card shops.

Other home occupations not specified above may be permitted upon finding of the Zoning Hearing Board that such use complies with the criteria of this Section, other applicable codes and ordinances, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of

the neighborhood.

528 TEMPORARY USES AND STRUCTURES (SEE ALSO SECTION 529)

A. Circuses, Carnivals or Open-Air Cultural, Religious, or Sporting Events

A Temporary Zoning Permit may be issued by the Zoning Officer for a temporary use such as a carnival, circus or open-air cultural, religious, or sporting event in the A District. Such Temporary Permit shall be valid for no more than 14 days and shall be issued only after the applicant has met the following requirements.

1. If the temporary use is to take place on land not owned by the applicant, the applicant shall present a written statement from the owner of the property in which he agrees to the temporary use of his property.
2. The applicant shall provide sufficient insurance coverage to adequately protect the Township against any damage, accident or other claim resulting from the event. Evidence of such insurance shall be submitted as a part of the Permit application.
3. The site of such temporary use shall not be left unattended by the applicant or agents of the applicant at any time during which the use is located on the site.
4. Information concerning water supply and sewage disposal facilities to be used shall be presented by the applicant with assurance from the PA Department of Environmental Protection that these arrangements are adequate.
5. Any solid waste generated by the temporary use shall be collected and disposed of in an acceptable fashion by the applicant.
6. The applicant shall assure the Township that all vendors intending to dispense food or beverages to the public will be properly licensed or approved by the PA Department of Health to do so.
7. Assurance shall be given by the applicant to guarantee that there is adequate space to satisfy the parking demands that will be generated by the use and that adequate traffic control precautions will be taken.
8. All wagons, tents, temporary structures, animals and any other materials brought to the site, as well as all debris or refuse generated by the event, shall be removed by the applicant within the time limit stated on the Temporary Permit and prior to vacating the site.

The Zoning Officer shall note on the Temporary Permit or attach to the Permit application, information that demonstrates that the applicant has agreed to

or complies with the requirements of this Section. The Zoning Officer shall inspect the site as necessary to ensure that the provisions of the Permit are adhered to.

B. Mobile Homes

Mobile homes providing temporary quarters, either for residential, commercial or construction use, may be permitted only by the Township Supervisors and only for a limited period of time. When so authorized, such units shall be subject to the following standards.

1. A Temporary Zoning Permit shall be required, and when issued, shall indicate the specific period of time for which the authorization is granted. No Temporary Permit for such uses shall be issued for a period of time exceeding six (6) months.
2. The Township Supervisors may grant an extension to or renew the Temporary Permit for as many as two (2) additional 90 day periods, if in their opinion the applicant encountered unforeseen circumstances in carrying out the operation for which the original Temporary Permit was issued; or if the Permit covered residential use, the refusal of an extension would cause an undue hardship to the applicant.
3. Information concerning water supply and sewage disposal facilities to be used shall be presented by the applicant as part of his Zoning Permit application, along with assurance from the PA Department of Environmental Protection that these arrangements are adequate.
4. Mobile homes shall not be placed in a designated Floodway area.
5. All such mobile homes shall be removed from the site by the applicant upon expiration of the Permit at no cost to the Township.

C. Garage, Porch or Yard Sales

Owners or occupants of homes in residential areas may sell household personal property belonging to themselves at garage, porch or yard sales or similar occasional sales held at their residences subject to the following regulations.

1. All such sales shall be limited to three (3) per year per residence.
2. Each sale shall not exceed four (4) consecutive days OR two (2) successive weekends.
3. Individuals conducting such events shall comply with all sign regulations contained in Article 8 of this Ordinance.

529 TEMPORARY USES IN FLOODPLAIN AREAS

A Temporary Zoning Permit may be issued for a temporary use such as a carnival, circus or open-air cultural or sporting event in any floodplain district. An applicant for such a Temporary Permit shall be subject to the standards of Section 528 A. above. In addition, if there is a threat of flooding or a flood warning is issued by the County Flood Warning System or National Weather Service, all wagons, tents, temporary structures, animals and other materials shall be removed completely from of the 100 year floodplain. This shall be done promptly before the threat of flood becomes a reality.

530 DOCKS, PIERS AND OTHER WATER-RELATED USES

Docks, piers, and other water-related uses may be permitted in or along the Susquehanna River in Woodward Township, as provided in the District Regulations, but shall be subject to all applicable rules and regulations of the Federal Emergency Management Agency and the PA State Fish and Boat Commission. In addition such uses must adhere to the following standards.

- A. Docks and all other water-related uses shall be installed so that they create no rise in the 100 year flood level. When there is a threat of a flood, docks shall be removed from the floodplain.
- B. Docks must be removed from the watercourse by their owner during the off-season.
 - 1. Where off-season or temporary storage of docks is proposed in a Floodway District, such docks must be kept fully transportable at all times and a workable evacuation plan must be prepared and submitted to the Township insuring that the dock(s) will be removed from the floodplain if there is a threat of flooding. Dock owners must submit documentation to the Township sufficient to indicate the scope and specific details of their proposal. Such plans may only be approved by the Township after review and acceptance by the Federal Emergency Management Agency (FEMA).
 - 2. Where off-season or temporary storage of docks is proposed in a Flood Fringe or General Floodplain District, such docks must be secured or anchored in such a fashion as will meet the Township Engineer's requirements.
- C. Docks shall extend no more than 40 feet into the river and shall be located no closer than 50 feet to any other dock.
- D. No variance shall be granted to any of the requirements of this Section which would cause a rise in elevation of the 100 year flood or be contrary to the requirements of the National Flood Insurance Program. Questionable applications or requests shall be referred to FEMA by the Township for review prior to being considered.

531 **WIRELESS COMMUNICATIONS TOWERS, FACILITIES, EQUIPMENT AND ANTENNAS**

A. General Provisions

1. Purpose. The purposes of this Section is to establish requirements for the siting of wireless communications towers, facilities, equipment and antennas, so as to comply with federal and state laws and so far as allowed by law. Specifically, the provisions are intended to:
 - a. protect and preserve the visual and aesthetic character of the Township by minimizing the visual and aesthetic impact of all communications towers, facilities, equipment and antennas;
 - b. ensure that all communications towers, facilities, equipment and antennas are designed and configured in such a manner as to be safe as initially placed and to blend in with the characteristics of the area where they will be situated. Such characteristics shall include man-made and natural characteristics and other environmental features;
 - c. encourage the location of communications towers, facilities, equipment and antennas in areas where the adverse impact on residential and commercial areas is minimal, through careful design, siting, landscape screening and innovative camouflaging techniques;
 - d. encourage and maximize the shared use of existing towers, buildings and other appropriate structures for co-location of communications antennas;
 - e. avoid potential damage to the public and adjacent property owners and consider the public health and safety as it relates to communications towers, facilities, equipment and antennas through engineering and careful siting; and
 - f. enhance the ability of the providers of communication services to provide such services to the Township and surrounding areas, quickly, effectively and efficiently.
2. Applicability.
 - a. All new towers and antennas shall be subject to these regulations.
 - b. The provisions of this Section shall not govern towers, or the installation of any antennas less than 75 feet in height which are owned and operated by federally licensed amateur radio station operators or are used exclusively for receive-only antennas.

- c. The provisions of this Section shall not apply to pre-existing wireless communications towers, facilities, equipment or antennas for which a building permit and zoning approval have been properly issued prior to October 10, 2002. This Section shall, however, apply to all modifications, alterations, changes or additions to pre-existing wireless communications towers, facilities, equipment and antennas.
3. General Requirements. The following general requirements shall apply to all wireless communications towers, facilities, equipment, and antennas and to any alterations, additions, or modifications to pre-existing wireless communications towers, facilities, equipment, and antennas.
 - a. Antenna Height. Any antenna that is attached to an existing structure shall not exceed the height of the existing structure by more than 20 feet.
 - b. Antenna Offset. Any antenna that is attached to an existing structure shall not be mounted beyond the vertical face or plane of the existing structure by more than three (3) feet.
 - c. Tower Height. No tower, including the antenna, shall exceed 150 feet in height above the ground; provided however, that such height may be increased to no more than 180 feet, provided that the required setbacks from any dwelling or residential boundary are increased by one (1) foot for each one (1) foot of height in excess of 150 feet.
 - d. Preservation of Existing Trees. A management plan shall be submitted for approval describing how the existing trees located on the site shall be protected during the construction of the site.
 - e. Engineer's Certification. A professional engineer licensed by the Commonwealth of PA shall certify any information of an engineering nature that the applicant submits, whether civil, mechanical or electrical.
 - f. State or Federal Requirements. All towers, facilities, equipment and antennas must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate towers, facilities, equipment or antennas. If such standards and regulations are changed, then the owners of the towers, facilities, equipment and antennas governed by this Section shall bring such towers, facilities, equipment and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring such towers, facilities, equipment and antennas into compliance with such revised standards and regulations shall constitute a violation and the Town-

ship may require the removal of the towers, facilities, equipment and antennas at the owner's expense.

- g. Building Codes: Safety Standards. To ensure the structural integrity of towers as well as the safety of any attachment to an existing structure, the owners of towers, facilities, equipment and antennas shall ensure that they are maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published. If, upon inspection, the Township concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with said standards. Failure to bring such tower into compliance within said 30 days shall constitute a violation and the Township may require the removal of the towers, facilities, equipment and antennas at the owner's expense.
- h. Not Utilities. Towers, facilities, equipment and antennas shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as public utilities or private utilities.
- i. Co-Location. In order to reduce the number of towers in the Township in the future, the proposed tower shall be designed to accommodate at least four (4) separate commercial wireless communications antennas. In addition its design shall allow for the accommodation of Municipal Emergency Service use.
- j. Tower Inspections and Removal of Abandoned Towers. An annual inspection report, which format and content will be prescribed by the Township, shall be submitted on the date of each approval anniversary of the Certificate of Compliance.

At the time a tower becomes empty or vacant, the owner shall supply notice to the Zoning Officer the that abandonment occurs. This notice shall begin the time period for calculating abandonment. Any antenna or tower that is not operated for a period of 12 months shall also be considered abandoned.

The owner of an abandoned antenna or tower shall remove the same within 90 days of receipt of notice from the Township. Failure to remove an abandoned antenna or tower within said 90 days shall be grounds for the Township to cause the removal of the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

- k. Security. Unless the communications tower or antenna is located on a building or alternative tower structure, the tower structure or the

entire property on which the structure is located shall be completely enclosed by an eight (8) foot chain link or similar fence with a self-latching gate to limit accessibility to the general public. All tower structures shall be fitted with anti-climbing devices as approved by the manufacturer for the type of installation proposed. The tower shall have at least one (1) sign at the base warning of possible electric shock or high voltage. At least one (1) sign shall be placed at the access entrance with a street identifying the driveway is private and including emergency contact information. Signs shall not exceed three (3) square feet.

- i. Lighting. No antenna or tower structure shall be illuminated, except as may be required by the FAA or the FCC, in which case the Township may review the available lighting options and approve the design that would cause the least disturbance to the surrounding users and view.
- m. Signs or Advertising. Except as set forth hereinabove, no sign or other structure shall be mounted on the tower structure on antennas, except as may be required and approved by the FAA, FCC or other governmental agency and the Township. No advertising is permitted on an antenna or tower, buildings or related accessory structures.
- n. Principal, Accessory and Joint Use. Accessory structures used in direct support of a tower shall be allowed but may not be used for offices, vehicle storage or other outdoor storage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the tower, unless repairs to the tower are being made.

Joint use of a site is prohibited when a proposed or existing principal use includes the storage, distribution or sale of volatile, flammable, explosive or hazardous materials such as propane, gasoline, natural gas and dangerous chemicals.

- o. Flood Damage Prevention. Electrical equipment associated with towers in areas prone to flooding shall be placed above the elevation for 100 year flooding for the site on which the tower is located.

B. Contents of Applications

All applications for construction, alteration, addition or change of any wireless communications tower, facilities, equipment or antennas shall, if applicable, include the following content.

- 1. The applicant proposing a new communications towers shall demonstrate that said applicant has secured at least one (1) antenna contract agreement to locate on such tower.

2. All state and federal permits shall have been secured prior to application with the Township and shall be attached to the application.
3. A tower removal performance bond shall be provided to the Township in an amount approved by the Township Supervisors. Said bond shall remain with the Township and may be invoked upon failure by the tower owner to remove an abandoned tower.
4. An alternatives analysis shall be performed and shall include the following information:
 - a. A topographic map of the proposed local service area, which identifies the local network facilities with which the proposed facility will connect. Such network information shall include sites of all carriers situated within five (5) miles of the proposed site. The specific location of existing or future proposed sites shall be identified and the heights of the structures on the other sites shall be identified on the map.
 - b. A small scale map of the applicable franchise area, which identifies the regional network facilities with which the local network will connect.
 - c. Identification of all other existing telecommunications facilities, including those owned and operated by the applicant for the same type of service, and those which provide other wireless service, which could potentially support the proposed facility, and all other existing structures which might provide an opportunity for attached facilities.
 - d. Identification of any existing service gaps in the proposed local service area as well as any service gaps, which may remain in the event that the proposed facility is approved and constructed. Such service gaps shall be determined by actual coverage measurements developed by Propagation Testing and not by predicted coverage. The coverage information, maps and supporting data must be prepared by an individual qualified by the Township as an expert in radio frequency engineering. Such service gaps shall be displayed for the carrier itself and gaps unserved by any carrier.
 - e. Identification of at least two (2) alternative service plans which could provide comparable service to the intended service area. If there are not at least two (2) alternative service plans submitted a detailed explanation must be included describing why the applicant is unable to provide alternative plans. The applicant must demonstrate, using accepted technological evidence, why the towers, facilities, equipment and antennas are to be located where proposed. The applicant must show, with engineering certification, why lower tower height technology is not feasible.

5. Any applicant proposing construction of a new communication tower shall demonstrate the a good faith effort has been made to obtain permission to mount the communication antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures in the Township or within a one (1) mile radius of the proposed communications tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply.
 - a. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 - b. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
 - c. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - d. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the FCC governing human exposure to electromagnetic radiation.
 - e. A commercially reasonable agreement could not be reached with the owners of such structures.
6. A visual analysis, which shall include a photo montage, field, mock-up, or other techniques, shall be prepared by or on behalf of the applicant which identifies the potential visual impacts, at design capacity, of the proposed facility. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable telecommunications facilities in the area, and shall identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunications service.
7. Identification of all private, commercial, and public airports located within a five (5) mile radius of the proposed site on a plan. The glide path of each airpost located within the five (5) mile radius shall be graphically represented on the plan to show the location of the glide path in both its horizontal and vertical elements.
8. Documentation to substantiate that a balloon test was or will be performed for a period of one (1) week after a written notice is provided to all

property owners within a one-quarter (1/4) mile radius from the site and legal notices in newspapers of general circulation and that the site was posted in advance of and during the balloon test in a manner prescribed by the Township.

9. A Management Plan shall be provided which details the methods that shall be used to preserve and protect the natural features, such as existing vegetation, that help screen the facility from view or mitigate the facility's impact.
10. The applicant shall provide assurance that there is room for maintenance vehicles to maneuver on the property. The applicant shall demonstrate that parked vehicles at the facility will not impede traffic on adjoining roadways. The cartway shall be surfaced with a mud-free durable gravel surface. The grade of the access drive shall not be more than 15% slope, and stormwater runoff facilities shall be designed to in compliance with all applicable Township stormwater management regulations.

C. Wireless Communications Towers, Facilities, Equipment and Antennas

Wireless communications towers, facilities, equipment and antennas may be permitted only in those districts and as specified in Article 4, the District Regulations. Wireless facilities, equipment and antennas that can be located on an existing structure or tower may be permitted as accessory uses in those districts which provide for communications towers.

The following are the minimum requirements applicable to wireless communications towers, facilities, equipment and antennas, in addition to the generally applicable criteria for conditional uses. All such facilities shall comply with the following to the extent a Township is allowed to require such information.

1. A copy of all applicable easements or similar restrictions, including open space easements, on the subject property shall be provided.
2. A copy of any applicable general plan, specific plan, area plan, local area development guidelines, and the permit requirements of any agencies which have jurisdiction over the project shall be provided.
3. The height of any freestanding facility shall include the height of any structure upon which it is placed.
4. All setbacks shall be measured from the base of the tower closest to the applicable property line or structure.
5. The facility shall be operated so that it shall not result in human exposure to non-ionizing electromagnetic radiation (NIER) in excess of the levels specified in the most current standard governing human exposure to NIER

utilized by the FCC in its licensing decision for the applicable facility. The applicant shall be responsible for demonstrating that the proposed facility will comply with this standard and may do so in any of the following ways:

- a. provide evidence in the form of an FCC license or construction permit that the FCC has accepted the applicant's certification that the facility meets the FCC standard;
 - b. provide evidence that the FCC has categorically excluded the applicant from demonstrating compliance with the FCC standard; or
 - c. provide an independent analysis by or on behalf of the applicant which demonstrates that the facility will comply with the FCC standard by such calculations and measurements as may be necessary. The calculations, measurements, and all related methods utilized to determine compliance shall be consistent with FCC policies and procedures. The analysis shall be performed and certified by a professional engineer.
6. All antennas shall be located, designed, and screened to blend in with the existing natural or built surroundings so as to minimize visual impacts and to achieve compatibility with neighboring residences and the character of the community to the extent feasible considering the technological requirements of the proposed telecommunications service. Towers are encouraged to be designed to appear as trees, farm silos, and natural features if feasible.
7. Approval of all towers, facilities, equipment and antennas is subject to the finding that the proposed site results in fewer or less severe environmental impacts than any feasible alternative site.

ARTICLE 6

SUPPLEMENTARY LOT REGULATIONS

600 PURPOSE

The provisions of this Article represent standards and regulations that shall be applied to all uses in addition to those established for the applicable zoning district. These regulations are to be used either in common within all zoning districts or are to be applied to specific situations as stated herein.

601 LOT REQUIREMENTS

- A. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by the Ordinance.
- B. No part of a yard, or other open space, or off-street parking area or loading space required in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building. (See also Section 604 A.)
- C. Every principal building hereinafter erected shall be located on a lot as defined. There shall not be more than one principal building and its accessory structures on one lot, except in the case of multi-family housing developments, mobile home parks, or other approved land developments.
- D. The minimum lot width of any lot shall be measured along the minimum building setback line as required for that district. Lots located on cul-de-sac turn-arounds or curves in the road or lots of unusual shape may have lot widths of less than those required provided that the average of the front and back lot line is equal to or greater than the required lot width. In no case however, shall the front lot line have a width of less than 50 feet.
- E. No dwelling shall hereafter be erected or altered unless there is direct access to it through an open space on the same lot. Such open space shall be at least 50 feet in width and shall extend to a public or private street with an all-weather surface.
- F. No portion of a lot included in a street right-of-way shall be included in calculating the lot's area.

602 YARD REQUIREMENTS

A. Projections

1. Chimneys, flues, cornices, eaves, gutters, steps, or bay windows may project into any required yard, but not more than 24 inches.
2. Covered porches, covered patios, decks and attached garages or carports, whether enclosed or unenclosed, shall be considered part of the main building and shall not project into any required yard.
3. Uncovered porches or patios may project into required yard areas not more than one-half (1/2) of the required dimension, but in no case shall they extend more than ten (10) feet in any required side yard.

B. Front Yards

1. Front yard setbacks shall be in accordance with the requirements of the District Regulations and shall be measured from the edge of the adjoining street right-of-way line or from the front property line where the lot does not have road frontage.
2. Accessory buildings or structures may not be erected in any required front yard.
3. When an unimproved lot is situated between two (2) improved lots, each having a principal building which extends into the required front yard, the front yard of such unimproved lot may be the same depth as the average of the two (2) adjacent improved lots.
4. When the setback of existing principal buildings is greater than the minimum provided in the District Regulations, the required setback of a principal building hereafter erected shall be the same as or greater than the average setback of existing buildings in the same block, on the same side of the street.
5. Where an addition is proposed for an existing, principal building which extends into the required front yard, the addition may be authorized by the Zoning Officer so long as the addition is located no closer to the right-of-way than the existing structure.
6. Signs may be erected within a required front yard in accordance with the requirements set forth in Article 8.

C. Side Yards

1. On a corner lot, the side yard abutting the street shall have a width equal to the required front yard depth for the district in which the lot lies. The

remaining two (2) yards shall constitute a side yard and a rear yard.

2. Accessory buildings or structures may not be constructed within a required side yard, except as may be provided in the District Regulations.
3. Garages, carports, or other vehicle storage facilities shall be setback a minimum of 20 feet from the edge of the right-of-way of any adjoining street or alley.
4. Signs may be erected within a required side yard in accordance with the requirements set forth in Article 8.

D. Rear Yards

1. Accessory buildings or structures may not be constructed within a required rear yard, except as may be provided in the District Regulations.
2. Garages, carports, or other vehicle storage facilities shall be setback a minimum of 20 feet from the edge of the right-of-way of any adjoining street or alley.
3. Signs may be erected within a required rear yard in accordance with the requirements set forth in Article 8.

603 HEIGHT REGULATIONS

- A. Height regulations shall not apply to spires, belfries, cupolas, penthouses (not used for human occupancy), nor to chimneys, ventilators, skylights, water tanks, utility poles or towers, television antennas, solar collectors and related equipment, and ornamental or necessary mechanical appurtenances normally associated with homes, churches and similar establishments. Such appurtenances shall however be erected only to such height as is necessary to accomplish their intended purpose.
- B. Agricultural or industrial structures such as barns, silos, grain elevators, storage tanks or similar types of structures, may be erected above the height limits specified in the District Regulations.
- C. Radio or television transmission and receiving towers may also exceed the specified height limitations contained in the District Regulations.

604 GENERAL LOT REGULATIONS

A. Two or More Principal Uses in Same Building

Unless otherwise provided herein, when two (2) or more principal uses occupy the same building (not including home occupations as defined in Section 527), sufficient parking spaces, lot area, open space, etc., shall be

provided so that the standards pertaining to each use will be met in full, unless approved otherwise as part of an authorized land development.

B. Walls and Fences

1. No solid fence or wall shall exceed six (6) feet in height. Chain link or other open fencing (fencing more than 50 percent open) shall not exceed eight (8) feet in height in A and R Districts and ten (10) feet in C and I Zones.
2. Walls or fences may be situated within any of the required yards but shall be located no less than two (2) feet from a property line, unless there is written mutual consent between adjoining property owners, in which case a fence or wall may be placed on a property line. A copy of such mutual consent agreement shall be submitted to the Township along with the application for placement of such a fence.
3. No fence or wall, except split-rail or similar types of open fencing, located in any front yard shall be over 36 inches in height or cause danger to traffic on a street or public road by obscuring a driver's view. (See also Section 604 C.below.)
4. Fences having only one finished side shall be installed so that the finished side faces out or away from the subject property.
5. All fences shall be maintained in good condition and shall not be allowed to become dilapidated.

C. Obstructions to Vision at Street or Driveway Intersections

1. No fence, sign, or other structure shall be erected or altered and no hedge, trees, shrubs or other growth shall be maintained which may cause danger to traffic on a street or public road by obscuring a driver's view at a street or driveway intersection.
2. At all street and/or driveway intersections, no obstruction or planting, between a plane 36 inches above road grade and ten (10) feet above road grade, shall be maintained within the clear sight triangle of the intersection. A clear sight triangle shall be defined as that area of unobstructed vision at street intersections formed by lines of sight between points which are a specified distance from the intersection of the street centerlines. These distances shall be as provided below.
 - a. For the intersection of two streets, the distance from the intersection of the street centerlines shall be 75 feet.
 - b. For the intersection of a street and a driveway, the distance shall be 25 feet.

D. Maximum Building Coverage

The percentage of land covered by principal and accessory buildings or structures on each lot shall not be greater than is permitted in the District Regulations, Article 4, for the district in which the lot is located.

E. Erosion and Sedimentation Control

All erosion and sedimentation control requirements set forth in the Woodward Township Subdivision and Land Development Ordinance as well as those erosion control standards established in Title 25, Chapter 102 "Erosion Control", of the Department of Environmental Protection's regulations (or as may hereafter be amended), shall be met to the satisfaction of the Township Zoning Officer before the issuance of a Zoning Permit.

F. Drainage and Stormwater Control

All drainage and/or stormwater management standards set forth in the Woodward Township Subdivision and Land Development Ordinance as well as those stormwater management provisions contained in the PA Stormwater Management Act (Act 1978-167, or as may hereafter be amended), shall be met to the satisfaction of the Township Zoning Officer before the issuance of a Zoning Permit.

605 BUFFER YARDS

- A. Where a commercial or industrial use abuts a district boundary line or an existing residential use, a buffer yard of at least 50 feet shall be required. The buffer yard shall be a part of the commercial or industrial installation and shall be maintained by that property owner.
- B. Where a commercial or industrial use abuts a stream, drainage channel, or delineated wetland area, a buffer yard of at least 50 feet shall be required. The yard shall be measured from the nearest edge of the stream, channel or wetland.
- C. Buffer yards required for residential uses shall be not less than 25 feet in width, unless provided otherwise in Article 5, the Supplementary Use Regulations, of this Ordinance.
- D. All buffer yards shall be planted and maintained with vegetative material, such as grass, sod, shrubs, or other evergreens. Within the exterior 25 feet of the buffer yard, screening shall be provided in accordance with Section 606 below, where determined necessary by the Township Supervisors or Zoning Hearing Board, as may be appropriate, or as may be recommended by the Planning Commission.
- E. A buffer yard may be considered as part of the required yard space.

- F. No commercial or industrial structure, manufacturing or processing activity, or storage of materials shall be permitted in a buffer yard; however, parking of passenger cars may be permitted in that portion of the buffer yard not including the exterior 25 feet, in which case, that portion of the buffer yard need not be planted with vegetative material.
- G. Access drives, as well as utilities, may cross buffer yards.

606 SCREEN PLANTING

- A. Screen planting may be required as provided in Article 5 or where determined necessary by the Township Supervisors or Zoning Hearing Board, as appropriate, to serve as a barrier to visibility, glare, and noise between adjacent properties.
- B. Plant or vegetative materials, including shrubs or evergreens, used in screen planting shall be of such species as will produce, within two (2) years, a complete visual screen six (6) feet in height and of such density as is necessary to achieve the intended purpose.
- C. Screen planting shall be maintained permanently by the lot owner, and any plant material which does not live shall be replaced within one (1) year.
- D. Screen planting shall be placed so that, at maturity, it will be no closer than three (3) feet to any street or property line.
- E. In accordance with the provisions of Section 604 C., a clear sight triangle shall be maintained at all street intersections and where private accessways intersect public streets.
- F. Screen planting shall be broken only at points of vehicular or pedestrian access or utility easements.

607 ON-LOT STORAGE

For the purposes of this Ordinance, on-lot storage of materials, vehicles or merchandise may only be authorized as accessory or incidental to a permitted, principal use subject to the following standards.

- A. Such storage shall not constitute a nuisance.
- B. Where permitted, on-lot storage areas shall not exceed a total of 400 square feet on any one parcel of land in any zoning district.
- C. No part of a street right-of-way, sidewalk or other area intended or designated for pedestrian use, and no required parking area shall be occupied by on-lot storage.

- D. No storage shall be permitted in any front yard area and shall be situated so as to meet the applicable side or rear yard setback requirements of the district in which it is located.
- E. No on-lot storage shall be permitted in a Floodway District.
- F. In the R, C and I Districts, all outdoor, unenclosed storage areas shall be screened or shielded from view by a fence, wall or screen plantings, except for necessary vehicle entrances and exits, or the material, unit or merchandise shall be covered with a non-transparent or opaque tarp.
- G. In no case shall the storage cause the lot to become a junk yard nor shall such accumulation become a commercial operation.
- H. One (1) unoccupied recreational vehicle may be stored on a lot occupied by the owner of the vehicle, provided that the placement of the vehicle meets all dimensional requirements of the district in which it is located. On-street parking of such vehicles shall be prohibited.

608 JUNKED OR ABANDONED MOTOR VEHICLES

In all districts, on any one parcel of land, no more than one (1) junked or abandoned motor vehicle (a motor vehicle which does not bear a current and valid inspection sticker, license or registration or which is in inoperable condition) may be stored outside of an enclosed structure for a period of time exceeding 180 days, unless such vehicles are associated with an existing or proposed legitimate business operation. All such vehicles shall however be screened from view from residential structures and public rights-of-way by use of a fence or screen planting as provided in Section 606 of this Ordinance or shall be covered by an opaque tarp.

The accumulation of two (2) or more junked or abandoned motor vehicles, or the major parts thereof, on a property shall be considered a junk yard or auto salvage operation and shall therefore be subject to the requirements of Section 523 of this Ordinance.

Disabled or unusable farm-related vehicles and equipment shall be exempt from these regulations, provided that they are setback a minimum of 50 feet from all residential structures and public rights-of-way and are screened from view by the use of a fence or screen planting as set forth in Section 606 of this Ordinance.

609 ACCESSORY STORAGE TRAILERS

For the purposes of this Ordinance, an accessory storage trailer shall be defined as that part of a tractor trailer truck which is pulled by the tractor, but which has been detached from the tractor, placed on a lot with a principal use, and is being used for storage purposes. The following standards shall be applied to such uses.

- A. Such units may only be permitted as accessory uses in the Agricultural and Industrial Districts.
- B. When possible, the suspension system under the trailer shall be removed and the unit shall be placed on a foundation. In the Agricultural District however, wheels may be left on the trailer unit when this would facilitate the unit being used for agricultural purposes.
- C. When located in any designated Flood Fringe or General Floodplain area, all accessory storage trailers shall be floodproofed in accordance with the standards set forth in Section 702 of this Ordinance.
- D. No more than two (2) such units may be permitted to be located on a single tract of ground.
- E. Permitted storage trailers must meet all applicable setback requirements for the district in which they are located and shall be situated on the site so as to be as inconspicuous as possible.

ARTICLE 7

SUPPLEMENTARY FLOODPLAIN MANAGEMENT REGULATIONS

700 GENERAL PROVISIONS

A. Purpose

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

B. Compliance

It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development within the Township except in full compliance with the terms and provisions of this Ordinance, including Section 1302 pertaining to Zoning Permits, and any other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

C. Interpretation of District Boundaries

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

D. Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside the floodplain districts, or that land uses permitted within such districts, will be free from flooding or flood damages.

701 BASIS FOR FLOODPLAIN DISTRICTS

A. Identification

The identified floodplain area shall be those areas of Woodward Township which are subject to the 100 year flood, as identified in the Flood Insurance Study (FIS) dated March 16, 2004 and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof.

The Flood Fringe and General Floodplain Districts shall be overlays to the existing underlying districts as shown on the Township's Official Zoning Map. As such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions. Where there happens to be any conflict between the provisions or requirements of the floodplain districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.

B. Description of Floodplain Areas

The identified floodplain area shall consist of the following specific districts:

1. The Floodway District (FW) is delineated for purposes of this Ordinance using the criteria that a certain area within the floodplain must be capable of carrying the waters of the 100 year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are specifically defined in the Floodway Data Table contained in the above-referenced Flood Insurance Study and are shown on the accompanying Flood Boundary and Floodway Map. Where no floodway has been delineated in the Flood Insurance Study, such information contained in any other available Federal, State or other acceptable source shall be used.

The term floodway shall also include those floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study prepared by FEMA.

2. The Flood Fringe District (FF) shall be that area of the 100 year floodplain not included in the Floodway District. The basis for the outermost boundary of this District shall be the 100 year flood elevations contained in the flood profiles of the above-referenced Flood Insurance Study.
3. The General Flood Plain District (FP) shall be that floodplain area for which no detailed flood elevations or floodway information has been provided. These flood areas are shown as Zone A on the maps accompanying the Flood Insurance Study. For these areas, elevation and floodway information available from Federal, State or other acceptable

sources shall be used. When such other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

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

702 FLOOD DAMAGE CONTROL PROVISIONS

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

A. General Technical Requirements

1. Within any identified floodplain area, the development and/or use of land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in effect in Woodward Township.
2. Within any Floodway District, the following provisions shall apply:
 - a. No new construction, development, use, activity or encroachment shall be permitted that would cause any increase in flood heights.
 - b. No new construction or development shall be allowed, unless a Permit is obtained from the Department of Environmental Protection's Regional Office.
3. Within any General Floodplain District, the following provisions apply:
 - a. No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless a Permit is obtained from the Department of Environmental Protection's Regional Office.
 - b. Any new construction or development, which would cause any increase in flood heights shall be prohibited within any identified floodway area.

B. Elevation and Floodproofing Requirements

1. Residential Structures. Within any identified floodplain area, the lowest floor (including basement or cellar) of any new or substantially improved residential structure shall be at least one and one-half (1 1/2) feet above the 100 year flood elevation.
2. Non-residential Structures.
 - a. Within any identified floodplain area, the elevation of the lowest floor (including basement or cellar) in any new or substantially improved non-residential structure shall be at least one and one-half (1 1/2) feet above the 100 year flood elevation, or if constructed below the 100 year flood, shall be designed and constructed so that the space enclosed shall remain either completely or essentially dry during any flood up to that height.
 - b. Any non-residential structure, or part thereof, having a lowest floor (including basement or cellar) which is not elevated to at least one and one-half (1 1/2) feet above the 100 year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Floodproofing Regulations" published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
3. Space Below the Lowest Floor.
 - a. Fully enclosed space below the lowest floor (including basement or cellar) is prohibited.
 - b. Partially enclosed space below the lowest floor which will be used solely for the parking of vehicles, building access, or incidental storage in an area other than a basement or cellar, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. (The term partially enclosed space shall also include crawl space.)

Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The

bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

C. Design and Construction Standards

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

1. Fill. If fill is used, it shall:
 - a. extend laterally 15 feet beyond the building line from all points;
 - b. consist of soil or small rock materials only. Sanitary landfills shall not be permitted;
 - c. be compacted to provide the necessary permeability and resistance to erosion, scouring or settling;
 - d. be no steeper than one (1) vertical on two (2) horizontal, unless substantiating data, justifying steeper slopes are submitted to and approved by the Zoning Officer;
 - e. be appropriately stabilized upon completion of compaction to avoid erosion and scouring of the fill material; and
 - f. be used only to the extent to which it does not adversely affect adjacent properties.
2. Special Requirements for Mobile and/or Manufactured Homes. For the purposes of this Ordinance, the term mobile home shall also include manufactured homes, and park trailers, travel trailers, recreational vehicles and other similar types of units which are placed on a site for more than 180 consecutive days.
 - a. Within any identified Floodway District, all mobile homes and any additions thereto shall be prohibited.
 - b. Where permitted within any floodplain area, all mobile homes and any improvements thereto, including those units substantially damaged as a result of a flood, shall be:
 - 1) placed on a permanent foundation;
 - 2) elevated so that the lowest floor of the mobile home is one and one half (1 1/2) feet or more above the elevation of the 100 year flood; and

- 3) anchored to resist flotation, collapse, or lateral movement.
3. Placement of Buildings and Structures. All buildings and structures shall be designed, located and constructed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of the flood water.
4. Anchoring.
- a. All buildings and structures, including mobile homes, shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, and lateral movement.
 - b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be firmly anchored or affixed to prevent flotation.
5. Floor, Walls and Ceilings. Where a structure is located at or below the 100 year flood elevation, the following standards shall apply.
- a. Wood flooring shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.
 - b. Plywood shall be of a "marine" or water-resistant variety.
 - c. Walls and ceilings shall be designed and constructed of materials that are water-resistant and will withstand inundation.
 - d. Windows, doors, and other such components shall be made of metal or other water-resistant material.
6. Electrical Components.
- a. Electric distribution panels shall be at least three (3) feet above the 100 year flood elevation.
 - b. Separate electrical circuits shall serve lower levels and shall be dropped from above.
7. Paints and Adhesives. Where a structure is located at or below the 100 year elevation, the following standards shall apply.
- a. Paints or other finishes shall be of "marine" or water-resistant quality.
 - b. Adhesives shall be of a "marine" or water-resistant variety.
 - c. All wooden components (doors, trim, cabinets, etc.) shall be finished

with a "marine" or water-resistant paint or other finishing material.

8. Equipment. Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall be permitted only at elevations of one and one-half (1 1/2) feet or more above the 100 year flood elevation.
9. Fuel Supply Systems. All gas and oil supply systems shall be designed to preclude the infiltration of flood waters into the systems and discharges from the systems into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood infiltration occurs.
10. Water and Sanitary Sewer Facilities and Systems.
 - a. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
 - b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
 - c. No part of any on-site system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
11. Other Utilities. All other utilities, such as gas lines, electric and telephone systems, shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
12. Streets. The finished elevation of all new streets shall be no more than one (1) foot below the 100 year flood elevation.
13. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
14. Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life (including but not limited to those identified in Section 706 A.) shall be stored at an elevation of at least one and one-half (1 1/2) feet above the 100 year flood.

703 WATER MANAGEMENT USES

Uses normally associated with water management projects (such as dams,

impoundment basins, culverts, sewers or bridges) may be permitted in any of the floodplain districts regardless of the underlying district, but shall meet the "no-rise rule" requirements set forth in Sections 407 and 702 A.2. of this Ordinance. Such uses shall also be subject to approval by the Township Supervisors (following review by the Township Planning Commission) and the PA Department of Environmental Protection (DEP). In addition, no alteration or relocation of a stream or watercourse may take place without the applicant having first obtained the necessary permit from the DEP. Prior to any such alteration or relocation, adjacent communities, the PA Department of Community and Economic Development (DCED) and FEMA must be notified. Under no circumstances shall any alteration or relocation take place which will lower the flood-carrying capacity of any stream or watercourse.

704 EXISTING STRUCTURES IN FLOODPLAIN AREAS

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

- A. Existing structures and/or uses located in the Floodway District shall not be expanded, but may be modified, altered, or repaired to incorporate floodproofing measures, provided that such measures do not increase the elevation of the 100 year flood.
- B. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure in any floodplain district, to an extent or amount of less than 50 percent of its market value, shall be floodproofed and/or elevated to the greatest extent possible.
- C. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure in any floodplain district, to an extent or amount of 50 percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.

705 SPECIAL PROVISIONS FOR ACCESSORY STRUCTURES

- A. Accessory structures which are proposed to be located in a Flood Fringe or General Floodplain area need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - 1. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, materials, and equipment related to the principal use or activity.
 - 2. The total floor area of all accessory structures located on a lot in the floodplain shall not exceed 600 square feet.

3. The structure shall have a low damage potential.
4. The structure shall be located on the site so as to cause the least obstruction to the flow of flood waters.
5. Power lines, wiring and outlets shall be at least one and one-half feet above the 100 year flood elevation.
6. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. shall be prohibited.
7. Sanitary facilities shall be prohibited.
8. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit flood waters for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. a minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space;
 - b. the bottom of all openings shall be no higher than one foot above grade; and
 - c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit for flood waters.

706 DEVELOPMENT WHICH MAY ENDANGER HUMAN LIFE

A. Hazardous Materials and Substances

In accordance with the Pennsylvania Floodplain Management Act (Act 1978-166), and regulations adopted by the PA Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

- will be used for the production or storage of any of the following dangerous materials or substances; or,
- will be used for any activity requiring the maintenance or a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
- will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this Section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life.

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

B. Floodproofing Requirements

1. Activities and development of the kind described in Sub-Section A. above shall be prohibited in any identified floodway area.
2. Where permitted within an identified Flood Fringe or General Floodplain area, any new or substantially improved structure of the kind described in Sub-Section A. above shall be:
 - a. elevated or designed and constructed to remain completely dry up to at least one and one-half (1 1/2) feet above the 100 year flood; and
 - b. designed to prevent pollution from the structure or activity during the course of a 100 year flood. Any such structure, or part thereof, that will be built below the 100 year flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Floodproofing Regulations" (U.S. Army Corps of Engineers, June 1972), or with some other equivalent watertight standard.
3. In addition, the Township may attach whatever additional conditions and safeguards it may deem necessary and reasonable in order to implement the purposes of this Ordinance and to protect the general health, safety, and welfare of the public.

4. Except for a modification of the freeboard requirements involved, no variance shall be granted for any other requirements of this Section.

707 PROHIBITED ACTIVITIES IN FLOODPLAIN AREAS

The following obstructions and activities are prohibited if located partially or entirely within any identified floodplain area of Woodward Township.

- A. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 1. hospitals
 2. nursing homes
 3. jails or prisons
- B. The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to such existing mobile home parks or mobile home subdivisions.

708 ADMINISTRATION

A. Zoning Permit Requirements

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

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

B. Application Requirements

The Zoning Officer shall require the following specific information plus other

pertinent information as may be required to be included as part of an application for a Zoning Permit in order to make the above determination.

1. A completed Zoning Permit application form.
2. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to 100 feet or less, showing the following:
 - a. north arrow, scale and date;
 - b. topographic contour lines, if available;
 - c. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - d. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision or land development;
 - e. the location of all existing streets, drives, and other accessways;
 - f. the location of any existing bodies of water or water courses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities; and
 - g. the location of all existing or proposed utilities, including sewer, water, electrical, and natural gas lines.
3. Plans for all proposed buildings, structures, and other improvements, drawn at suitable scale showing the following:
 - a. the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - b. the elevation of the 100 year flood;
 - c. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100 year flood; and,
 - d. detailed information concerning any proposed floodproofing measures.
4. The following data and documentation:
 - a. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities,

impact and uplift forces associated with the 100 year flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or development.

All plans and specifications for floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the standards contained in Section 702 of this Ordinance.

- b. detailed information needed to determine compliance with Section 702 C. 14, Storage, and Section 706, Development Which May Endanger Human Life, including:
 - 1) the amount, location and purpose of any materials or substances referred to in Sections 702 C. 14 and 706 A. which are intended to be used, produced, stored or otherwise maintained on site.
 - 2) a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 706 A. during a 100 year flood.
- c. the appropriate component of the Department of Environmental Protection's Planning Module for Land Development.
- d. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

C. Review by the County Conservation District

A copy of all plans for proposed development in any floodplain district shall be submitted by the Zoning Officer to the County Conservation District for review and comment prior to the issuance of a Zoning Permit. The recommendations of the County Conservation District may be incorporated into the plan to provide for protection against predictable hazards. If no comments are received within 14 days, the Zoning Officer may take action on the Permit.

D. Review of Application by Others

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

E. Issuance of Zoning Permits

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

709 VARIANCES IN FLOODPLAIN DISTRICTS

In passing upon applications for variance within any identified floodplain district, the Zoning Hearing Board shall consider all factors specified in other Sections of this Ordinance (including Section 1201 C.), state law relative to variances, and the following:

- A. Variances may be granted for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places provided that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
- B. No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100 year flood elevation.
- C. Except for a possible modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements pertaining specifically to Section 706, Development Which May Endanger Human Life. No variance shall be granted for any of the provisions of Section 707, Prohibited Activities in Floodplain Areas.
- D. If granted, a variance shall involve only the least modification necessary to provide relief.
- E. In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary to protect the public health, safety and welfare, and to achieve the objectives of this Ordinance.
- F. Whenever a variance is granted, the Township shall notify the applicant in writing that:
 - 1. the granting of the variance may result in increased premiums for flood insurance; and,
 - 2. such variances may increase risks to life and property.

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

710 SPECIAL EXCEPTIONS IN FLOODPLAIN DISTRICTS

In passing upon applications for Special Exceptions in any of the floodplain districts, the Zoning Hearing Board shall consider all relevant factors specified in other sections of this Ordinance (including Section 1201 D.), and:

- A. the danger to life and property due to increased flood heights or velocities caused by encroachments. In the Floodway, no Special Exception shall be granted which will cause any rise in the elevation of the 100 year flood;
- B. the danger that materials may be swept onto other lands or downstream causing injury to others;
- C. the proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions;
- D. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
- E. the importance of the services provided by the proposed facility to the community;
- F. the requirements of the facility for a waterfront location;

- G. the availability of alternative locations not subject to flooding for the proposed use;
- H. the compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- I. the safety of access to the property in times of flooding by ordinary and emergency vehicles;
- J. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and,
- K. such other factors which are relevant to the purposes of this Ordinance.

ARTICLE 8

SIGN REGULATIONS

800 TYPES OF SIGNS

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

A. Billboards or Advertising Sign Boards

Signs or boards which direct motorists or pedestrians to a business establishment or call the attention of a motorist or pedestrian to a product, place, or activity that exists or occurs at a location other than the location upon which the board is erected; i.e. an off-premises sign.

B. Business Identification Signs

Signs or boards that are directly oriented to activities that occur on the same premises as the sign or board; i.e. an on-premises sign. Such signs may be free-standing or may be attached to a wall.

C. Free-Standing Signs

A self-supporting sign resting on the ground or supported by means of poles or standards placed in or on the ground or on the roof of a building. Such signs may be designed to be movable and may advertise products or items offered for sale or that are directly related to the premises upon which they are located, i.e. business identification signs, or may advertise products or events located elsewhere, i.e. billboards.

D. Temporary Signs

Flags, pennants, portable ground signs, political signs or special promotional devices intended to be erected for a limited period of time to call attention to a legally permissible special event.

E. Traffic or Roadway Signs

Signs erected by or with the approval of the Township Supervisors which are intended to direct or inform the general public about traffic or roadway conditions.

F. Wall Signs (Parallel or Projecting)

Signs attached or mounted to a wall or part of a wall of a building or structure

which advertise products sold or directly related to the premises upon which they are located, i.e. business identification signs.

801 GENERAL SIGN REGULATIONS

The following regulations shall apply to all permitted sign uses.

A. Location

The main supporting structure of all signs shall be set back in accordance with the minimum requirements established in this Article for the specific type of sign and the District in which it is to be located. In no case however, shall any free-standing sign be located closer than five (5) feet to any side property line or be situated within any public right-of-way, except traffic signs or signs that are required in connection with the provision of municipal services.

B. Sign Area

Sign area shall include the entire face of a single side of a sign, including all framing, trim and border area, but excluding any supporting framework or bracing. (A double-faced sign shall be considered a single sign.) Where a sign consists of individual letters or symbols attached to a building, wall or window, the area shall be considered to be the smallest rectangle or other regular geometric shape which encompasses all of the letters and/or symbols.

C. Illumination

Illuminated signs shall not cause excessive glare or other disturbance which would be incompatible with the nature of the surrounding neighborhood or which would in any way impair the vision of passing motorists. Illumination shall be steady in nature, not flashing, animated, moving or changing in brilliance, color or intensity. The following types of illumination may be permitted as provided in Sections 802 and 803.

1. Direct Illumination. Illumination provided either directly or through transparent or translucent material from a source of light within a sign, including but not limited to, neon and exposed lamps.
2. Indirect Illumination. Illumination provided by a light which is shielded so that no direct rays are visible from elsewhere on the lot where the sign is located. Where such shielding is incomplete or defective, the illumination shall be deemed to be direct illumination.

D. Traffic or Visual Obstruction

No sign shall be erected at the intersection of a street which could obstruct a motorist's clear vision. If located within the direct line of vision of any traffic

control signal, no sign shall have red, green or amber illumination. In addition, no sign shall cause a visual obstruction for property owners in the Township.

E. Attachment

All signs shall be constructed and securely fastened in a manner which will prevent their displacement by the elements and prevent collapse. Wall signs may not project more than 18 inches from the surface to which they are mounted or attached nor in any way interfere with normal pedestrian or vehicular traffic. No such sign shall extend above the top nor beyond the edge of the wall or surface to which it is mounted.

F. Anchoring

All ground signs shall be anchored, weighted, spring-loaded or otherwise designed to minimize wind action. The application for such signs shall indicate the method of anchoring to be employed.

G. Access

No sign shall be erected or maintained which prevents free ingress and egress from any door, window or fire escape, or which prevents free access from one part of a roof to any other part. No sign shall be attached to a standpipe or fire escape.

H. Construction and Maintenance

All signs permitted under this Ordinance must be constructed of durable material and shall be adequately maintained to present a legible appearance and to avoid deterioration, decay or other conditions which could endanger the public health, welfare or safety. Each sign and all appurtenances shall be removed by the permittee when the circumstances leading to its erection or display no longer apply.

I. Landowner's Permission

No sign shall be displayed upon private or public property, other than on that of the applicant, without first being permitted by the owner or agent thereof, with the exception of political or other temporary signs. Written consent or a copy of the lease shall be presented with an application for a Zoning Permit.

J. Nonconforming Signs

Signs existing at the time of passage of this Ordinance which do not conform to the requirements of this Ordinance shall be considered nonconforming signs, and once removed, shall be replaced with only conforming signs. Nonconforming signs may be painted, repaired or maintained, provided such

maintenance or repair does not extend the dimensions of the existing sign.

K. Temporary Signs (See also Section L. below.)

Temporary signs which are to be erected for a legally permissible special event or purpose may be permitted in any zoning district, subject to the following restrictions.

1. The size or area of each sign shall not exceed eight (8) square feet.
2. Such signs shall not be located within any public right-of-way, without prior approval of the Township Supervisors.
3. Temporary signs shall not be displayed for more than 14 days prior to the event.
4. The signs shall be removed by the property owner or applicant within seven (7) days after the event has occurred.

L. Political Signs

Temporary political signs may be permitted in any zoning district, but shall be subject to the following regulations.

1. A Zoning Permit shall be required for the erection of political signs in the Township. Fees for such Permits shall be refundable upon satisfactory and timely removal of the signs.
2. All applications for political signs shall include a list of locations of said signs.
3. Signs shall not exceed 20 square feet in area per sign face and shall not have more than two (2) faces.
4. Signs shall not endanger the public nor be located within the right-of-way of any public street.
5. Signs may be erected 60 days prior to the election date and must be removed by the applicant within seven (7) days after the election.
6. Failure to remove all such signs within the established time limits shall result in the forfeiture of the required fee.
7. The Township shall have the right to enter upon any premises and remove signs that are not in compliance with these regulations without notice.

M. Zoning Permit Requirements

A zoning permit shall be required for the erection or alteration of all signs, with the exception of temporary signs meeting the requirements of Section 801 K. above, and those signs permitted in Section 802 A., General Signs in the Agricultural and Residential Districts.

N. Fees

Fees for the issuance of zoning permits for signs shall be paid to the Township upon filing of an application for such use and shall be in accordance with the schedule of fees established by Resolution of the Township Supervisors. No fee shall be charged for any permit connected with the erection of a sign necessary for the public welfare.

802 SIGNS IN THE AGRICULTURAL AND RESIDENTIAL DISTRICTS

The following regulations shall apply to all signs placed or located in the any of the Residential Zoning Districts.

A. General Signs (Free-standing or Wall Signs)

No more than one (1) of each of the following non-illuminated or indirectly illuminated signs may be permitted on a property at any one time (except trespassing signs), unless such property is situated on a corner and fronts on two (2) streets, in which case one (1) of each sign may be erected on each frontage. (A double-faced sign shall count as a single sign.)

Such signs may be located in any portion of a required front yard, but shall be no closer to the adjoining street right-of-way line than ten (10) feet. (See also Section 801A.) No sign shall be erected however which will effectively limit proper sight distance for safety purposes and no such sign shall exceed eight (8) feet above the average grade of the site.

1. Name plates, identification signs, or similar signs. (Maximum size - 200 square inches)
2. Trespassing signs. (Maximum size - 2 square feet)
3. Sale and rental signs. (Maximum size - 6 square feet)
4. Home occupation signs bearing the name and occupation of the practitioner. (Maximum size - 6 square feet)
5. Signs advertising the sale of farm or nursery products raised on the premises. (Maximum size - 20 square feet)
6. Signs of schools, churches, governments and similar institutions.

(Maximum size - 20 square feet)

7. Signs of mechanics, painters, or other artisans while performing work on same premises. (Maximum size - 12 square feet)
8. Signs directing individuals to the location of service clubs, churches, or other non-profit organizations. (Maximum size - 8 square feet)
9. Development signs, erected by the developer, builder or realtor, advertising the sale or development of the premises upon which they are located. (Maximum size - 20 square feet)
10. Development signs indicating direction and location of a development, not situated upon such premises. (Maximum size - 6 square feet)

B. Business Identification Signs (Free-standing or Wall Signs)

No more than one (1) non-illuminated or indirectly illuminated business identification sign may be erected and maintained on a property in the Agricultural or Residential District in conjunction with a permissible use and shall be subject to the standards listed below.

1. Business identification signs, either free-standing or wall signs, shall not exceed 32 square feet in area.
2. Free-standing business identification signs shall not exceed 15 feet in height above the average grade of the site nor be located closer to the ground than ten (10) feet (measured from the lowest part of the sign) when in a parking, vehicular or pedestrian circulation area, unless they are resting on the ground.
3. Free-standing business identification signs may be placed within any required front yard, but shall be setback a minimum of 15 feet from the edge of the adjoining street right-of-way. (See also Section 801A.) No sign shall be erected however which would effectively limit proper sight distance for safety purposes.

803 SIGNS IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS

The following signs may be placed or located in the Commercial or Industrial Zoning Districts, subject to the specified requirements.

- A. Signs as permitted in the Section 802A., General Signs in the Agricultural and Residential Districts.
- B. Business Identification Signs (Free-standing or Wall Signs)

No more than two (2) non-illuminated, indirectly illuminated or directly

illuminated business identification signs, either free-standing or wall signs, may be erected and maintained on a property in the commercial or industrial district in accordance with the standards listed below. (A double-faced sign shall count as a single sign.)

1. Free-standing business identification signs shall not exceed 50 square feet in area. Wall signs shall not exceed 150 square feet in area. Total sign area per lot shall not exceed 200 square feet.
2. Business identification signs advertising commercial or industrial complexes or shopping centers accommodating three (3) or more businesses shall not exceed 300 square feet in area. Signs identifying individual businesses within the complex shall be affixed to the individual units and shall not exceed 50 square feet in area.
3. Free-standing business identification signs shall not exceed 20 feet in height above the average grade of the site nor be located closer to the ground than ten (10) feet (measured from the lowest part of the sign) when in a parking, vehicular or pedestrian circulation area, unless they are resting on the ground.
4. Free-standing business identification signs may be placed within any required front yard, but shall be setback a minimum of 15 feet from the edge of the adjoining street right-of-way. (See also Section 801A.) No sign shall be erected however which will effectively limit proper sight distance for safety purposes.
5. Business identification wall signs shall not be affixed to or painted on the inside or outside of windows.
6. All applicable provisions of the State's Outdoor Advertising Act of 1971, as amended, shall be adhered to where signs are to be erected in areas adjacent to highways in PADOT's Primary and Interstate Highway System. Any individual desiring to establish a sign in these areas shall contact PADOT's Division of Outdoor Advertising to determine if the State's regulations will effect his proposal. A copy of PADOT's determination shall accompany all applications for signs in such areas, and a copy of the State Permit, where required, shall be submitted to the Township prior to initiation of construction or erection of the sign.

C. Billboards or Advertising Sign Boards

Billboards or advertising sign boards may be erected and maintained on a property in the commercial or industrial district in accordance with the standards listed below.

1. Billboards or advertising sign boards shall be situated at least 25 feet from the right-of-way line of any public street. No such sign shall be erected

however which would effectively limit proper sight distance or obstruct a driver's vision within the required clear sight triangle of an intersection. (See Section 604 C.)

2. Billboards or advertising sign boards containing an area of 300 square feet or less may be considered as Permitted Accessory Structures. Billboards or advertising sign boards exceeding 300 square feet in area, up to a maximum of 672 square feet, may only be considered as a Conditional Use. (See also Sub-Section 803 C.5 below.)
3. Billboards or advertising sign boards shall not exceed 45 feet in height above the average grade of the proposed site nor be located closer to the ground than ten (10) feet (measured from the lowest part of the sign) when located in a parking, vehicular or pedestrian circulation area, unless such signs are resting on the ground.
4. Billboards or advertising sign boards may be either non-illuminated, indirectly illuminated or directly illuminated. (See also Section 801 C.)
5. Billboards or advertising sign boards containing 300 square feet or less in area shall be located no closer than 500 feet (measured on the same side of the street) to any other such sign, except for vertically double signs. Billboards or advertising sign boards exceeding 300 square feet in area shall be located no closer together (measured on the same side of the street) than one (1) mile. (See also Section 801 D.)
6. All applicable provisions of the State's Outdoor Advertising Act of 1971, as amended, shall be adhered to where signs are to be erected in areas adjacent to highways in PADOT's Primary and Interstate Highway System. Any individual desiring to establish a sign in these areas shall contact PADOT's Division of Outdoor Advertising to determine if the State's regulations will effect his proposal. A copy of PADOT's determination shall accompany all applications for signs in such areas, and a copy of the State Permit, where required, shall be submitted to the Township prior to initiation of construction or erection of the sign.

804 SIGNS IN THE FF AND FP DISTRICTS

Same as the underlying district, except that no sign may impede natural drainage or the flow of water.

Where approval is needed from PADOT, the requirements of that agency shall be met prior to the issuance of a Zoning Permit.

805 SIGNS IN THE FW DISTRICT

No signs, except "No Trespassing" signs with a maximum size of 2 square feet, shall be permitted in the FW District except as might be necessary by Federal,

State or local governments to protect the health, safety and welfare of the people. If such signs are necessary, they shall be designed and placed so as not to impede the natural drainage or flow of water.

Where approval is needed from PADOT, the requirements of that agency shall be met prior to the issuance of a Zoning Permit.

ARTICLE 9

OFF-STREET PARKING, LOADING & ACCESS DRIVES

900 OFF-STREET PARKING REQUIREMENTS

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

- A. All parking spaces and areas shall be designed in accordance with the standards contained in Section 601 E. of the Woodward Township Subdivision and Land Development Ordinance. In no case however shall the net parking area per vehicle be less than ten (10) feet by 20 feet, except that spaces designed to be used for parallel parking may be eight (8) feet in width and spaces with a design angle of 30 degrees may have a depth of 18 feet.
- B. All parking spaces and areas shall be graded for proper drainage and shall be surfaced so as to provide a durable, dustless wearing surface, and shall be so designed to provide for the orderly and safe parking or storage of vehicles. All such areas shall be maintained in good condition.
- C. Parking spaces shall be located on the same lot or premises with the use served, either inside or outside of a building.
- D. The required parking spaces for separate uses may be combined in one lot, so long as the total space provided is not less than the sum of the spaces required for each use individually. The number of spaces required for uses in a common parking facility may only be reduced below the total required as a special exception where it can be demonstrated to the Zoning Hearing Board that the hours or peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility.
- E. Adequate provisions shall be made for ingress and egress to all parking spaces. Access to off-street parking areas shall be limited to a minimal number of well-defined locations. In no case shall unrestricted access along the length of a street upon which the parking abuts be permitted, except where the parking area is less than 35 feet in depth. Parking areas shall be designed so there will be no need for motorists to back over public walkways or rights-of-way.
- F. Parking areas for public, semi-public or non-residential purposes shall be effectively screened on each side which adjoins or faces a Residential District.

Such screening shall consist of a fence or wall, a building, or shall meet the requirements for screen plantings set forth in Section 606 of this Ordinance.

- G. Any lighting which is used to illuminate off-street parking areas shall be mounted and shielded in such a manner that will effectively eliminate direct glare on adjacent properties or upon public streets.
- H. Off-street parking shall be provided as set forth in TABLE 1 below. In the case of any building or premises, the use of which is not specifically mentioned herein, the provisions for a use so mentioned and to which said use is similar shall apply.

TABLE 1

OFF-STREET PARKING SCHEDULE

<u>Use Classification</u>	<u>Spaces Required</u>
1. Single- and two-family dwelling units.	- 2 for each dwelling unit.
2. Multi-family dwelling units, including conversion apartments.	- 2 for each dwelling unit.
3. Churches, theaters & places of public or private assembly.	- 1 for each 3 seats + 1 for each employee.
4. Schools.	- 1 for each 10 students + 1 for each employee.
5. Retail stores or business establishments.	- 1 for each 200 sq.ft. of retail floor area + 1 for each 2 employees.
6. Food markets or grocery stores.	- 1 for each 100 sq.ft. of retail floor area.
7. Self-service food markets.	- 1 for each 200 sq.ft. of gross floor area.
8. Restaurants and/or taverns.	- 1 for each 3 customer seats + 1 for each employee.
9. Professional offices, including medical buildings & financial institutions.	- 1 for each 200 sq.ft. of floor area + 1 for each 2 employees.

(Continued on Next Page)

TABLE 1 (Continued)

<u>Use Classification</u>	<u>Spaces Required</u>
10. Motels or transient lodging facilities & boarding houses.	- 1 for each guest room + 1 for each 2 employees.
11. Automotive repair garages or service stations.	- 1 for each 200 sq.ft. of retail and/or service floor area + 1 for each employee.
12. Automotive sales lots.	- 1 for each 150 sq.ft. of retail floor area.
13. Nursing or personal care homes or similar institutional uses, inc. group homes.	- 1 for each 3 beds + 1 for each employee, inc. medical personnel.
14. Industrial operations, including warehouses.	- 1 for each 2 employees in the maximum work shift.
15. Clubs, lodges & similar facilities.	- 1 for each 100 sq.ft. of gross floor area.
16. Public, semi-public or private parks, playgrounds, or recreational uses.	- 1 for each 5 persons of total facility capacity.

901 OFF-STREET LOADING REQUIREMENTS

Off-street loading berths or spaces shall be provided in connection with every commercial, industrial or institutional building exceeding 6,000 square feet in gross floor area. Such accommodations shall meet the following requirements.

- A. Each off-street loading space or berth shall not be less than 12 feet in width, 50 feet in length, and shall have an overhead clearance of no less than 14 feet, exclusive of drives or maneuvering area. The loading area shall be entirely located on the lot being served, either inside or outside of a building, and shall be designed so that there will be no need for drivers to use or back over public walkways or rights-of-way.
- B. Loading areas and spaces shall be constructed at grade level whenever possible. When necessary, ramps may be permitted, with a grade not exceeding 5 percent and protection against water impoundment or drifting snow.
- C. The number of loading spaces required shall be as set forth in TABLE 2 below.

TABLE 2

OFF-STREET LOADING SCHEDULE

<u>Gross Floor Area</u>	<u>Berths Required</u>
6,000-20,000 sq.ft.	One (1)
20,001-80,000 sq.ft.	Two (2)
over 80,000 sq.ft.	Two (2) + one (1) for each additional 60,000 sq.ft.

902 DRIVEWAYS AND ACCESS DRIVES

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

- A. Every building or lot shall have access to a public street or an approved private street. Where possible, all residential lots shall access onto a local street rather than a collector road. Access shall require a Driveway or Highway Occupancy Permit in accordance with PADOT standards or Township Driveway requirements.

Any individual, applicant or property owner seeking access onto a Township or private road or intending to create an access drive onto a Township or private street shall first obtain a Driveway Permit from the Township Road Master as provided in Section 1304 of this Ordinance. Fees for Driveway Permits shall be established by Resolution of the Township Supervisors.

- B. Driveways and access drives should be located where street alignment and profiles are favorable, where there are no sharp curves or steep grades, and where sight distance in conjunction with the driveway would be deemed enough not to jeopardize safe traffic operation. (See Table 3, Driveway Design Guidelines, in the Woodward Township Subdivision and Land Development Ordinance for minimum sight distance requirements.)

Except in the case of single- and two-family dwellings, all driveways shall be designed so that there will be no need for motorists to back over public rights-of-way.

- C. The number of driveways or access drives provided shall be the fewest required to adequately serve the needs of the abutting property. The total number of driveways or access drives shall not exceed two (2) per lot, except

where frontages of exceptional length occur. In cases where frontages are 50 feet or less, each lot shall be limited to one (1) driveway or access drive.

- D. A common driveway serving two (2) adjoining lots may be permitted, provided that the lot owners involved submit a mutually acknowledged agreement subjecting said lots to such use to the Township Supervisors.
- E. Driveways or access drives shall not cross a street right-of-way line within 40 feet of the street right-of-way line of an intersecting street nor within ten (10) feet of a fire hydrant, catch basin, or drain inlet.
- F. Where a driveway or access drive is to be installed in conjunction with a proposed use, the Zoning Permit application for such use shall include a scaled drawing showing the location, construction material(s), and the sight distance proposed for the driveway or access drive.
- G. Driveways and access drives shall be designed and constructed in such a manner to avoid impairing drainage within a street right-of-way or any adjacent area. Where necessary, as determined by the Township Road Master, a drainage pipe shall be installed under the drive by the property owner. The length and diameter of such pipe shall be determined by the Road Master or other Township designee.
- H. In addition to the requirements set forth above, the Driveway Design Guidelines contained in Table 3 of the Woodward Township Subdivision and Land Development Ordinance shall be utilized to the greatest extent possible in the design and construction of such facilities.

ARTICLE 10

NONCONFORMITIES

1000 NONCONFORMING USES AND STRUCTURES

Any nonconforming use or structure legally existing at the time of the adoption of this Ordinance or which is created whenever a district is changed by amendment hereafter, may be continued, altered, reconstructed, changed, sold, or maintained even though it does not conform to the regulations of the district in which it is located, except as provided below. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed. (For nonconforming lots, see Section 1001.)

A. General Application of Provisions

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

B. Abandonment

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

C. Alteration and Reconstruction

1. Repairs and non-structural alterations may be made to a nonconforming building or a building occupied by a nonconforming use.
2. A nonconforming building or building occupied by a nonconforming use which is damaged by fire, flood or other natural causes may be reconstructed, restored and used as before provided that:
 - a. said reconstruction commences within one (1) year of the damage;
 - b. said reconstruction shall not exceed the size, bulk, height and area that existed prior to the damage, unless approved by the Zoning Hearing Board;

- c. the location of said reconstruction does not create a safety hazard; and,
 - d. where the nonconformity is located in a Flood Fringe or General Floodplain District, the new construction shall comply, to the greatest extent possible, with all of the floodproofing requirements contained in Section 702 of this Ordinance.
3. However, where a nonconforming building or building occupied by a nonconforming use is destroyed by fire, flood or other natural causes in a Floodway District, such nonconformity may only be reconstructed, replaced and used as before provided that:
- a. the property owner does not own adjoining land located outside of the Floodway District where the nonconformity could be relocated;
 - b. the reconstruction will not cause any rise in the 100 year flood elevation;
 - c. the reconstruction will be floodproofed in accordance with the requirements contained in Section 702 of this Ordinance;
 - d. said reconstruction commences within one (1) year of the damage; and,
 - e. said reconstruction does not exceed the size, bulk, height and area that existed prior to the damage, unless approved by the Zoning Hearing Board.

D. Extensions and Enlargements

- 1. A nonconforming use of a building or structure may be extended throughout the interior of the building provided that no structural alterations are made therein. Interior structural alterations proposed to extend a nonconforming use shall be authorized by the Zoning Hearing Board.
- 2. Exterior extensions or enlargements may be made to nonconforming structures or uses provided that:
 - a. the extensions or enlargements do not extend the structure or use by an aggregate of more than 100% of the area occupied by such use at the time the use became nonconforming;
 - b. the extension or enlargement conforms to the yard, height, off-street parking and other requirements of the district in which the structure or use is located, except as may be provided in other sections of this Ordinance; and

- c. in the case of a nonconforming use, the extension is immediately adjacent to the existing nonconforming use and located on the same lot or contiguous lots held in the same ownership as that existing at the time the use became nonconforming.
3. For nonconforming uses where normal operations involve natural expansion (quarries, junk yards, cemeteries, etc.), expansion shall be permitted by right up to 50% of the volume or area of the nonconformity which existed at the effective date of this Ordinance. For expansion beyond 50%, approval must be obtained from the Zoning Hearing Board.
4. A nonconforming use shall not be extended to displace a conforming use, unless authorized by the Zoning Hearing Board.

E. Change of Use

A nonconforming use may be changed to a nonconforming use of the same or a more restrictive classification subject to the following conditions. (Whenever a nonconforming use of a building has been changed to a conforming use, such use shall not thereafter be changed back to a nonconforming use.)

1. The Zoning Hearing Board shall approve all such changes;
2. The applicant shall show that the proposed change will be less objectionable in external effect than the existing nonconforming use with respect to:
 - a. traffic generation and congestion, including truck, passenger car and pedestrian traffic;
 - b. noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration;
 - c. storage and waste disposal; and
 - d. appearance.

F. Certification

Upon receipt of evidence from a property owner or occupant which documents the existence of a nonconforming use or structure on or before July 1, 1993, the Zoning Officer shall issue of Certificate of Nonconformance for such nonconformity. Any applicant aggrieved of the process for obtaining said Certificate or of any decision rendered therefrom, may file an appeal with the Township Zoning Hearing Board.

1001 NONCONFORMING LOTS

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

A. Discontinuance/Lot Changes

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

B. Existing Lots of Record

In the case of a lot of record which existed at the effective date of this Ordinance which does not meet the minimum area requirements for the district in which it is located, a permitted structure may be placed on the parcel provided that:

1. the owner does not own adjoining land which could be combined to form a conforming lot;
2. each side yard is not less than ten (10) feet; when adjoining another lot and 15 feet when adjacent to any street right-of-way line;
3. the rear yard is not less than 15 feet;
4. the front yard conforms to the minimum distance required;
5. where needed, the site has an approved sewage disposal system or an appropriate sewage permit; and
6. provided that the site and its intended use complies with all other applicable provisions of this Ordinance.

C. Certification

Upon receipt of evidence from a property owner or occupant which documents the existence of a nonconforming lot on or before July 1, 1993, the Zoning Officer shall issue of Certificate of Nonconformance for such nonconformity. Any applicant aggrieved of the process for obtaining said Certificate or of any decision rendered therefrom, may file an appeal with the Township Zoning Hearing Board.

ARTICLE 11

AMENDMENTS AND CONDITIONAL USES

1100 AMENDMENTS TO ZONING ORDINANCE OR MAP

The municipality may on its own motion or by petition amend, supplement, change, modify or repeal this Ordinance, including the Zoning Map, by proceeding in the following manner. (See Appendix A of this Ordinance for an illustration of the amendment procedure.) For Curative Amendments see Section 609.1, Procedure For Landowner Curative Amendments, under Article VI of the PA Municipalities Planning Code, Act 247 of 1968, as amended.

A. Public Hearing and Notice Requirements

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

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

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

B. Review by Planning Commissions

Every such proposed amendment or change, whether initiated by the Township Supervisors or by petition, shall be referred to the Township Planning Commission and the County Planning Commission at least 30 days before the public hearing for report thereon. If the Planning Commission(s)

shall fail to file such a report before the public hearing it shall be presumed that the Planning Commission(s) have no comments or concerns regarding the proposed amendment, supplement or change.

C. Opportunity to be Heard

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

D. Notice of Enactment

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

E. Enactment of Amendment

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

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

1101 CONDITIONAL USES

The Township Supervisors may grant Conditional Use approval for only those uses set forth in Article 4 of this Ordinance, the District Regulations, pursuant to the express standards and criteria outlined in Article 5, the Supplementary Use Regulations. In addition, in making Conditional Use determinations, the Supervisors may attach such reasonable conditions and safeguards as they deem appropriate to protect the public welfare and implement the purposes of this Ordinance. (See Appendix B of this Ordinance for a chart illustrating the Conditional Use procedure.)

A. Application Procedure

Applications for any Conditional Use permitted by this Ordinance shall be

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

B. Written Statement

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

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

C. Site Plan Requirement

All applications for Conditional Uses shall include a site plan of the proposed development as set forth below.

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

1. title block containing the name of the developer and/or landowner, date, scale, north arrow and the name and profession of the plan preparer;
2. tract boundaries showing bearings and distances;
3. existing significant natural or man-made features of the site;

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

In cases where little site improvement or development is required or proposed for a Conditional Use, the Township Supervisors may waive the requirement for submittal of certain information that they deem unnecessary for their review of the application. The Zoning Officer shall however visit the site of each proposed Conditional Use and shall report his findings to the Supervisors before such a determination is made. In all cases, the information submitted shall be adequate for review of the Conditional Use request.

D. Hearing Requirements

Within 60 days of the date of receipt of the applicant's application for a Conditional Use, the Supervisors shall select a date, advertise (pursuant to the definition of Public Notice), and hold the first public hearing on the proposal. Hearings shall be conducted in accordance with the procedures set forth in Sections 1202 F. of this Ordinance for Zoning Hearing Board hearings. *The burden of presentation of the Conditional Use request at the hearing shall rest entirely with the applicant.*

E. Criteria for Conditional Uses

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

1. the purpose of the zone in which the requested conditional use is to be located and the compatibility of the requested conditional use with existing and potential land uses on adjacent tracts of ground;

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

F. Decisions

The Supervisors shall render a decision or, when no decision is called for, make written findings on the Conditional Use application within 45 days after their last hearing on the proposal. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of the PA Municipalities Planning Code, this Ordinance, or other ordinance, rule or regulation shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

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

G. Failure to Hold Required Hearing or Render Decision

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

H. Expiration of Decision

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

I. Change in Conditional Use

Any conditional use which existed on or before September 30, 2003 shall be deemed to have been granted a Conditional Use subject to maintaining the character and extent of operations and the structure(s) which existed on September 30, 2003. A new conditional use permit shall be required for a change in the type, structure or substantial quantity of said use after September 30, 2003. A substantial quantitative change shall mean a change of more than 15% in the number of individuals actually using the premises or in the actual square footage used for the conditional use, as compared to the use on September 30, 2003. This paragraph is intended to supplement and not be a substitute to the express standards and criteria set forth in Article 4 and Article 5 of this Ordinance.

J. Appeals

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

ARTICLE 12

ZONING HEARING BOARD

1200 ORGANIZATION AND PROCEDURE

A. Establishment

Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, a Zoning Hearing Board is hereby established in Woodward Township.

B. Appointment and Membership

The Zoning Hearing Board shall consist of three (3) residents of Woodward Township to be appointed by Resolution of the Township Board of Supervisors. The terms of the initial appointees shall be for one, two and three years from the date of appointment. Their successors shall be appointed for the term of three (3) years after the expiration of the terms of their predecessors in office.

A Zoning Hearing Board member may be removed by majority vote of the appointing authority for just cause only after the member has received 15 days' advance notice of the Township's intent to take such a vote. Members of the Zoning Hearing Board shall hold no other office in the Township.

The Township Supervisors shall also appoint two (2) alternate members to the Zoning Hearing Board to serve in the event of absence or conflict of interest of a regular member. The term of office of an alternate shall be three (3) years. For each case, the Chairman of the Zoning Hearing Board shall designate as many alternates as may be necessary to provide a quorum. Designation shall be made on a case-by-case basis, in rotation, according to declining seniority.

C. Appointment to Fill Vacancies

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

D. General Grant of Power

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

1201 POWERS AND DUTIES

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

A. To Hear and Decide Appeals

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

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

1. The Zoning Hearing Board shall hear and decide substantive challenges to the validity of any land use ordinance, except those for Landowner Curative Amendments, which shall be brought before the governing body pursuant to Sections 609.1 and 916.1(a) (2) of the PA Municipalities Planning Code, as amended.
2. The Zoning Hearing Board shall hear and decide challenges to the validity of any land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption. Such challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.

C. To Hear and Decide Requests for Variances

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

The Board's decision to approve a variance request shall be made only after public notice and hearing. (See Section 1202.) (See also Section 709 for additional information regarding variances in Floodplain Districts and Appendix C for an illustration of the variance procedure.)

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

1. that there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;
2. that because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. that such unnecessary hardship has not been created by the appellant;
4. that the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and,
5. that the variance, if authorized will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to

implement the purposes of this Ordinance.

D. To Hear and Decide Requests For Special Exceptions

The Zoning Hearing Board may grant Special Exceptions only for such uses as are provided for in Article 4, the District Regulations, and pursuant to express standards and criteria outlined in Article 5. The Board's decision to approve a Special Exception shall be made only after public notice and hearing. (See Section 1202.) Such approval shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent changes or additions shall be subject to further review and public hearing by the Zoning Hearing Board as a separate Special Exception use. (See Section 710 for additional information regarding Special Exceptions in Floodplain Districts and Appendix D for a chart illustrating the Special Exception procedure.)

No application for a Special Exception shall be granted by the Zoning Hearing Board until said Board has first received and considered an advisory report thereon from the Township Planning Commission. Said report shall review the proposal with respect to the location of such use in relation to the needs and growth patterns of the area and, where appropriate, the adequacy of the site area and arrangement of buildings, driveways, parking areas, off-street loading spaces and other pertinent features. The Planning Commission shall have 30 days from the date of its receipt of the application from the Zoning Hearing Board within which to file its report. In the event that the Commission shall fail to file its report within 30 days, the application shall be deemed to have been approved by the Planning Commission. The Commission may have representation at the public hearing held by the Zoning Hearing Board on such application.

In reviewing requests for Special Exceptions, the Zoning Hearing Board shall take into account the comments received from the Township Planning Commission and the following requirements in addition to those found in Article 5 and in other applicable sections of this Ordinance:

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

streets; and,

6. that the use conforms with all applicable regulations governing the district where located, except as may otherwise be determined for large-scale developments.

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

1202 HEARING PROCEDURES

A. Parties Appellant Before Zoning Hearing Board

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

B. Time Limitations

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

C. Applications Required

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

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

4. a statement of the present zoning classification of the parcel in question, the improvements thereon and the present use thereof; and,
5. a reasonably accurate description of the present improvements and the additions or changes intended to be made under this application, indicating the size of such proposed improvements, material and general construction thereof. In addition, there shall be attached a plot plan of the property to be affected, indicating the location and size of the lot and size of improvements thereon and proposed to be erected thereon.

D. Procedure for Zoning Officer

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

E. Hearings Required and Notice of Hearings

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

1. Publish Public Notice in accordance with the definition of "Public Notice" in Article 2 of this Ordinance.
2. Post in a conspicuous place on the property involved a written notice of the pending hearing and action; such notice shall take place at least seven (7) days prior to the public hearing;
3. Give written notice to the applicant, the Zoning Officer, the Township Secretary, Secretary of the Township Planning Commission, and to any person who has made a timely request for the same, at least seven (7) days prior to the hearing. (Where the Zoning Hearing Board is requesting comments on an application from the Township Planning Commission, the Planning Commission shall be given notice at least 30 days prior to the hearing); and,

4. In case of an appeal or a request for a variance or a special exception, all adjacent property owners shall be given written notice within seven (7) days of the hearing.

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

F. Rules of Conduct

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

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

A quorum of two (2) Board Members shall be required for the Zoning Hearing Board to take action.

G. Decisions

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

In exercising the above-mentioned powers, the Zoning Hearing Board may, in conformity with the provisions of this Article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or

determination as it feels appropriate.

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

H. Expiration of Appeal Decision

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

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

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

J. Failure to Hold Required Hearing or Render Decision

Where the Board fails to commence, conduct or complete the required hearing or fails to render a decision within the prescribed time periods (except for challenges filed under Section 916.1 of the PA Municipalities Planning Code), the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision is rendered in favor of the applicant due to a violation of the established time requirements, the Zoning Hearing Board must give public notice of this decision within ten (10) days from the last day it could have met to render a timely decision.

K. Stay of Proceedings

An appeal to the Zoning Hearing Board shall automatically stop all affected land development. However, if the Zoning Officer or other appropriate agency certifies to the Zoning Hearing Board that such a halt could cause an

imminent danger to life or property, then development may only be stopped by a restraining order granted by the Zoning Hearing Board or by the court having jurisdiction, on petition, after notice to the Zoning Officer and any other appropriate agency.

L. Appeals

Any person aggrieved by any decision of the Zoning Hearing Board may appeal therefrom within 30 days to the Court of Common Pleas of Lycoming County pursuant to the procedures established in the PA Municipalities Planning Code.

ARTICLE 13

ADMINISTRATION AND ENFORCEMENT

1300 DUTIES OF THE ZONING OFFICER

The provisions of this Ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the Township Supervisors, shall hold no elective office in the municipality, and shall have the following duties:

- A. to receive and process applications for permits, certificates, variances, special exceptions, conditional uses, appeals and other applications required under the terms of this Ordinance;
- B. to prescribe the form of all applications, permits and certificates required under the terms of this Ordinance;
- C. to issue or deny applications for Zoning Permits in accordance with the procedure set forth in Section 1302 of this Ordinance. In cases involving a request for a Conditional Use, a Special Exception, or a variance, Zoning Permits shall be issued only upon written order of the appropriate approving agency. (It shall be the responsibility of the Zoning Officer to process requests for hearings before the Board of Supervisors and Zoning Hearing Board, as applicable.);
- D. to issue or deny requests for Certificates of Compliance in accordance with the procedure set forth in Section 1303 of this Ordinance;
- E. to examine land, buildings and structures to determine their consistency with the Zoning Ordinance at the time of application filing, during the work and upon completion of the work;
- F. to post notice of pending Zoning Hearing Board hearings in accordance with the procedures established in Section 1202 E.2 of this Ordinance, and to post notice of proposed zoning district boundary changes as per the requirements of Section 1100 A. of this Ordinance;
- G. to issue written enforcement notices as specified in Section 1304 A. of this Ordinance where it appears that there has been a violation, and to institute civil enforcement proceedings with the appropriate District Justice on behalf of the Township as a means of enforcing the zoning regulations;
- H. to maintain and update the official Zoning Map;
- I. to maintain a log of all applications, permits or certificates issued, variances granted, inspections made, reports rendered and notices or orders issued;

- J. to issue Certificates of Nonconformance as requested. (See also Sections 1000 F. and 1001 C.); and,
- K. to perform such other duties as required by the terms of this Ordinance.

1301 GENERAL PROCEDURE FOR ZONING & BUILDING PERMIT APPLICATIONS

All persons desiring to undertake any development, new construction, structural alteration, or change in use of a building, structure, or land shall apply to the Township Zoning Officer for a Zoning Permit by completing the appropriate application form and submitting the required fee. The Zoning Officer shall then either issue or deny the Zoning Permit or refer the application to the Township Zoning Hearing Board or Board of Supervisors for their consideration, as applicable. After the applicant has received a Zoning Permit, he shall contact the Township Building Code official and make application for a Building Permit. Following completion of his project, the applicant shall apply to the Zoning Officer for a Certificate of Compliance. If the Zoning Officer finds that the project has been completed in accordance with the terms of the Zoning Permit, he shall issue a Certificate of Compliance, after which the Building Code official shall inspect the project and issue or deny an Occupancy Permit allowing the premises to be occupied or used. (The specifics of each step of the zoning procedure are presented in Section 1302 and 1303 below.) **Nothing in this Ordinance shall exempt the applicant from obtaining any Permits which may be required by other regulations or codes in effect in Woodward Township.**

1302 ZONING PERMITS

A. Requirements for Zoning Permits

A Zoning Permit shall be required prior to the erection, construction, addition, or alteration of any building or portion thereof; prior to the use or change in use of a building or land; prior to the erection or alteration of signs, except as specified in Article 8; prior to the change or extension of a nonconforming use; or prior to development in any Floodplain District; except as listed below. It shall be unlawful for any person to commence work for the erection or alteration of any building, or for a change in land use, until a Zoning Permit has been duly issued therefor. (In some instances, additional permits may also need to be obtained prior to beginning construction or alterations.)

Exemptions

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

1. alterations when there is no increase in ground floor exterior dimension and no change in use;
2. general maintenance and repair to existing buildings or structures;

including siding, roofing, painting, the addition of storm windows, and similar activities;

3. land cultivation activities, including crop or tree farming;
4. landscaping;
5. construction or erection of land terraces, steps or other similar features;
or,
6. razing of buildings or structures.

B. Application for Zoning Permits

Each request for a Zoning Permit shall be made by completing the appropriate application form obtained from the Zoning Officer and submitting it, along with the required fee, to the Township. Application for a Permit shall be made by the owner or lessee of any building or structure, or the agent of either; provided however, that if the application is made by a person other than the owner, it shall be accompanied by a written authorization from the owner. The full names and addresses of the owner, lessee, applicant or other responsible parties shall be stated in the application.

The Zoning Officer shall have ten (10) days after receipt of an application to issue or deny requests for a Zoning Permit. Any denial shall be in writing and shall state the reason(s) for such action.

C. Description of Work and Plan Requirements

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

One copy of the plans will be returned to the applicant when such plans have been approved by the Zoning Officer. All applications and accompanying plans and documents shall become a matter of public record once a permit has been either issued or denied.

D. Proof of Compliance

It shall be the responsibility of the applicant in all cases to furnish adequate

information and to certify that the proposed use will comply with all requirements of this Ordinance and all other applicable Federal, State or local regulations. Included in the information shall be a copy of a sewage permit when one is necessary. Also, if Labor and Industry or other regulatory agency requirements apply, the applicant shall supply evidence which shows that these regulations have been met.

E. Changes

After the issuance of a Zoning Permit by the Zoning Officer, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without written approval of the Zoning Officer. Requests for any such change shall be made in writing and shall be submitted to the Zoning Officer for consideration.

F. Posting of Permit

The Zoning Permit shall be displayed or posted on the premises during the time construction is in progress. The Permit shall remain posted until completion of the project and final inspection has been made by the Zoning Officer.

G. Time Limitations

Work on the proposed construction shall be completed within 12 months after the date of issuance of the Zoning Permit or the Permit shall expire, unless a time extension is granted in writing by the Zoning Officer. Time extensions may be granted only if a written request is submitted by the applicant which sets forth sufficient and reasonable cause for the Zoning Officer to grant such a request. Where such cause is determined, annual time extensions may be granted for an aggregate period of not more than three (3) years.

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

H. Inspections

During the construction period, the Zoning Officer shall inspect the premises to determine that the work is progressing in compliance with the information provided on the Permit application and with all other applicable Township laws. He shall make as many inspections as necessary to determine this compliance.

I. Revocation of Permits

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

J. Temporary Permit

A Temporary Zoning Permit may be authorized by the Zoning Officer for a non-permanent structure or use not generally permitted where it is deemed beneficial to the public health or general welfare, or necessary to promote the proper development of the community, provided that such structure or use shall be completely removed upon expiration of the Permit without cost to the Township. Such Permits shall be issued for a period of time not to exceed one (1) year, and may be renewed for no more than two (2) additional one (1) year periods, except as may be provided otherwise in Section 528 of this Ordinance for specific uses.

K. Seasonal Permits

A Seasonal Zoning Permit may be authorized by the Zoning Officer for the temporary placement of a recreational vehicle or camping unit in an identified floodplain area where the Zoning Officer is satisfied that adequate arrangements have been made for emergency and seasonal removal of the unit. Such permits shall be issued annually and shall be valid from May 1 through October 31 of each year. (See also Sections 511 and 512.)

1303 CERTIFICATES OF COMPLIANCE

A. Requirements for Certificates of Compliance

No land shall be occupied or used and no building hereafter erected, altered or extended shall be used in whole or in part or shall be changed in use until an Certificate of Compliance has been issued by the Zoning Officer. The issuance of an Certificate of Compliance does not guarantee or warranty, either stated or otherwise, the soundness of any construction nor the habitability of any structure. The Certificate is only intended to certify that all work approved by the Zoning Permit has been satisfactorily completed and that the building or proposed use thereof complies with the provisions of this Ordinance.

Occupancy of the basement of a single-family dwelling which is under construction, until completion of the remainder of the residence, may be permitted by this Ordinance on a temporary basis, but shall require the

issuance of an Occupancy Permit from the Township Building Code Official before such authorization is given. Such Temporary Zoning Permits shall be issued for a period of time not exceeding one (1) year, and may be renewed for no more than one (1) additional year.

B. Issuance and Effect

The applicant shall notify the Zoning Officer in writing upon completion of the permitted activity and the Certificate of Compliance shall be granted or denied within ten (10) days after the activity has been inspected and approved as complying with the provisions of this Ordinance and the issued Zoning Permit. Once granted, the Certificate of Compliance shall continue in effect so long as there is no change of use, regardless of change in ownership, tenants or occupants. If any part of the construction is found in violation, then the applicant shall be notified in writing of the deficiencies or reasons for denial.

1304 DRIVEWAY OR ACCESS DRIVE PERMITS

A Driveway or Access Drive Permit shall be required prior to the initiation of construction or alteration of a new driveway or access drive and/or prior to the alteration of an existing driveway or access drive (including a change of surface) for all drives created or existing which intersect Township or private roads. The individual, owner or agent creating the drive shall be responsible for supplying the Township with sufficient information regarding the proposed intersection, its sight distance, and its impact on drainage patterns along the Township or private road. Such Permit shall be issued by the Township Road Master after he has determined that the application complies with all provisions of Section 902 of this Ordinance and all other applicable State or local driveway regulations.

1305 VIOLATIONS AND ENFORCEMENT

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

A. Enforcement Notice

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

1. be served upon the property owner or sent to him by certified mail (return receipt requested);
2. include the name of the owner of record and any other person against whom the Township intends to take action;

3. include the location of the property in violation;
4. identify the specific violation(s) with a description of the requirements which have not been met, citing in each instance the applicable provision(s) of the Ordinance;
5. contain an outline of remedial action which, if taken, will effect compliance;
6. specify the time to be allotted for initial response to the Notice and specify the time to be allotted for correction or abatement of the alleged violation;
7. notify the recipient of his right to appeal to the Township Zoning Hearing Board prior to the expiration of the time period provided for response to the notice; and,
8. indicate that failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, shall constitute a violation and will be prosecuted or remedied as provided in this Section.

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

B. Causes of Action

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Township Zoning Officer may institute in the name of the Township, any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping or land, or to prevent any action, conduct, business, or use in or about such premises constituting a violation.

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

C. Enforcement Remedies

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance, whether enacted under current law or prior law, shall, upon being found liable therefore in a civil enforcement proceeding commenced by Woodward Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the

determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, Woodward Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid over to Woodward Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

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

1306 FEES

Fees for the issuance of Zoning Permits, Certificates of Compliance, ordinance amendments, Conditional Uses, Special Exceptions, variances and other zoning actions shall be paid to the Township upon filing of an application. Such fees shall be in accordance with the schedule of fees established by separate Resolution of the Township Supervisors.

Further, any fees paid by a party for appeal of an enforcement notice to the Township Zoning Hearing Board, shall be returned to the appealing party by the Township if the Zoning Hearing Board, or any court in a subsequent appeal, rules in favor of the appealing party.

ARTICLE 14

ENACTMENT AND MISCELLANEOUS PROVISIONS

1400 INTERPRETATION, PURPOSE AND CONFLICT

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

1401 REPEALER

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

1402 SEVERABILITY AND VALIDITY


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

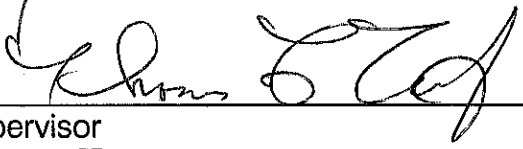
1403 ENACTMENT AND EFFECTIVE DATE

ENACTED AND ORDAINED into an Ordinance this 16th day of June, 1993, as amended on the 10th day of October, 2002, and on the 30th day of September, 2003, and on the 26th day of February, 2004, and on the 18th day of August, 2004 by the Board of Supervisors of Woodward Township, Lycoming County, PA.

TO BECOME EFFECTIVE on the 23rd day of August, 2004.

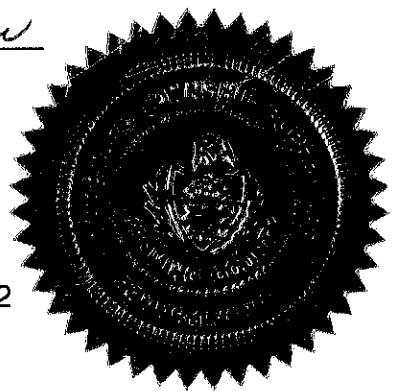
WOODWARD TOWNSHIP SUPERVISORS


Chairman


Supervisor


Supervisor

ATTEST: Marsha F. Bergman
Township Secretary



APPENDICES

APPENDIX A - ORDINANCE AMENDMENT PROCEDURE

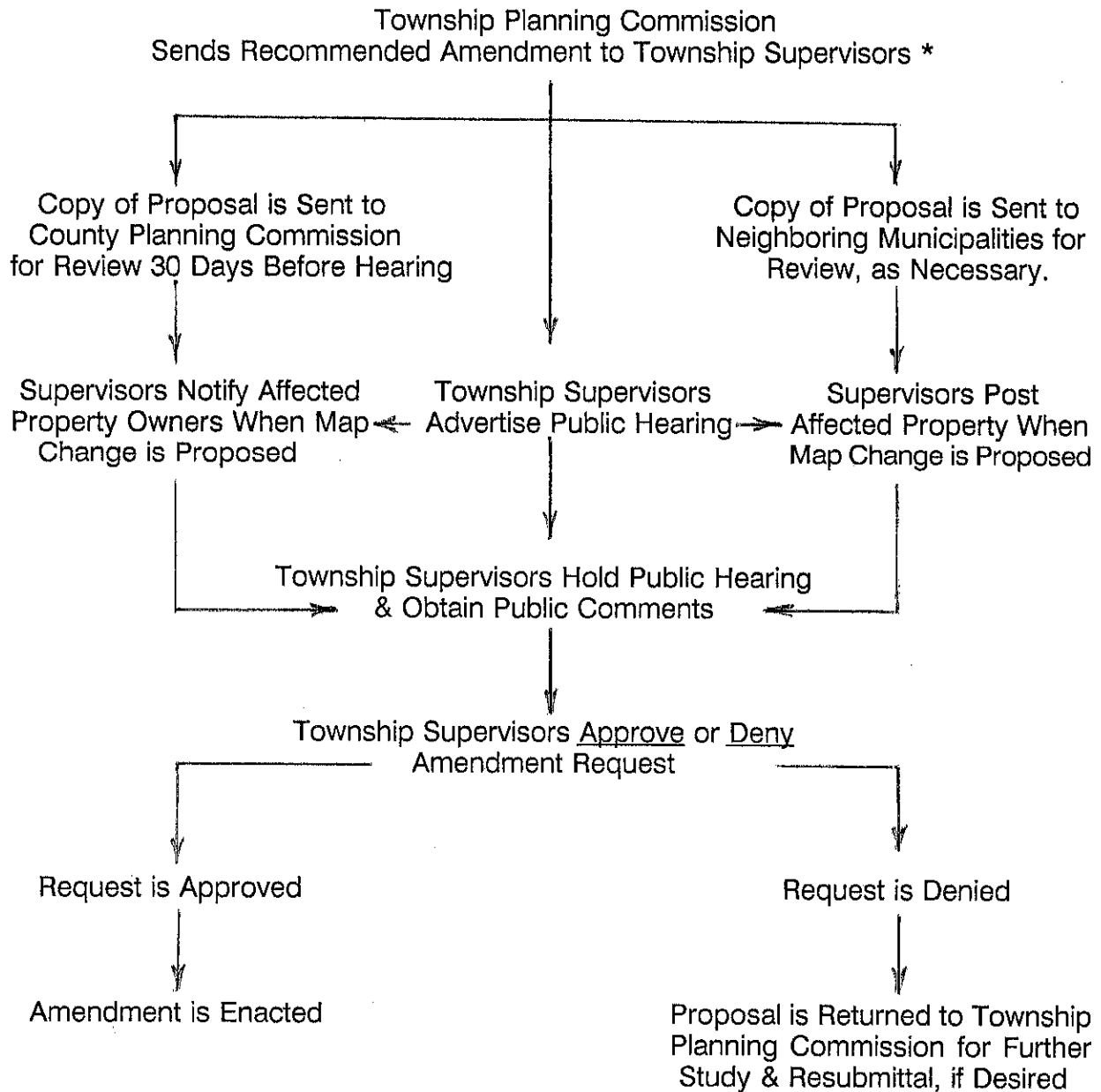
APPENDIX B - CONDITIONAL USE PROCEDURE

APPENDIX C - VARIANCE PROCEDURE

APPENDIX D - SPECIAL EXCEPTION PROCEDURE

APPENDIX A

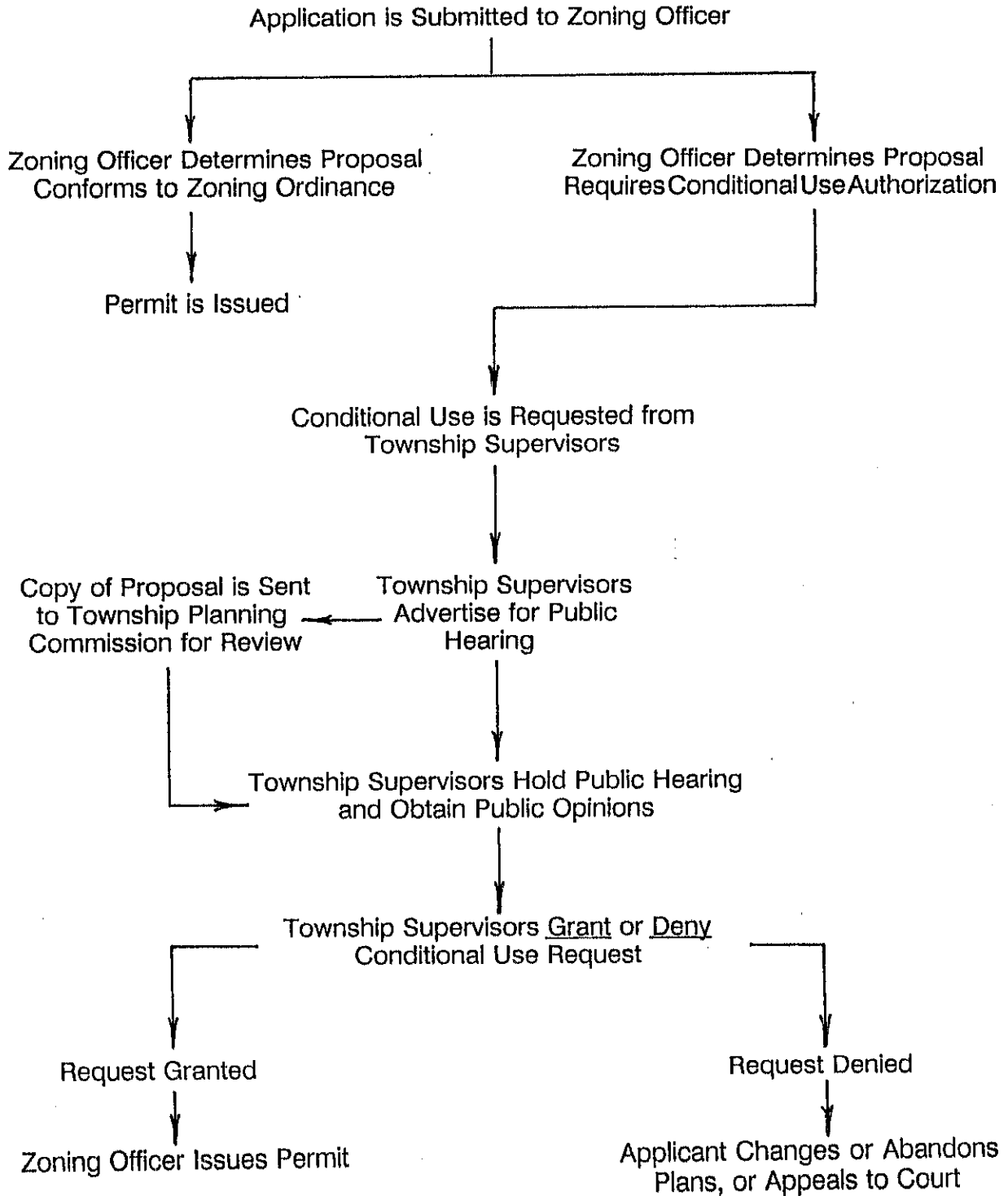
PROCEDURE FOR AMENDING THE ZONING ORDINANCE



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

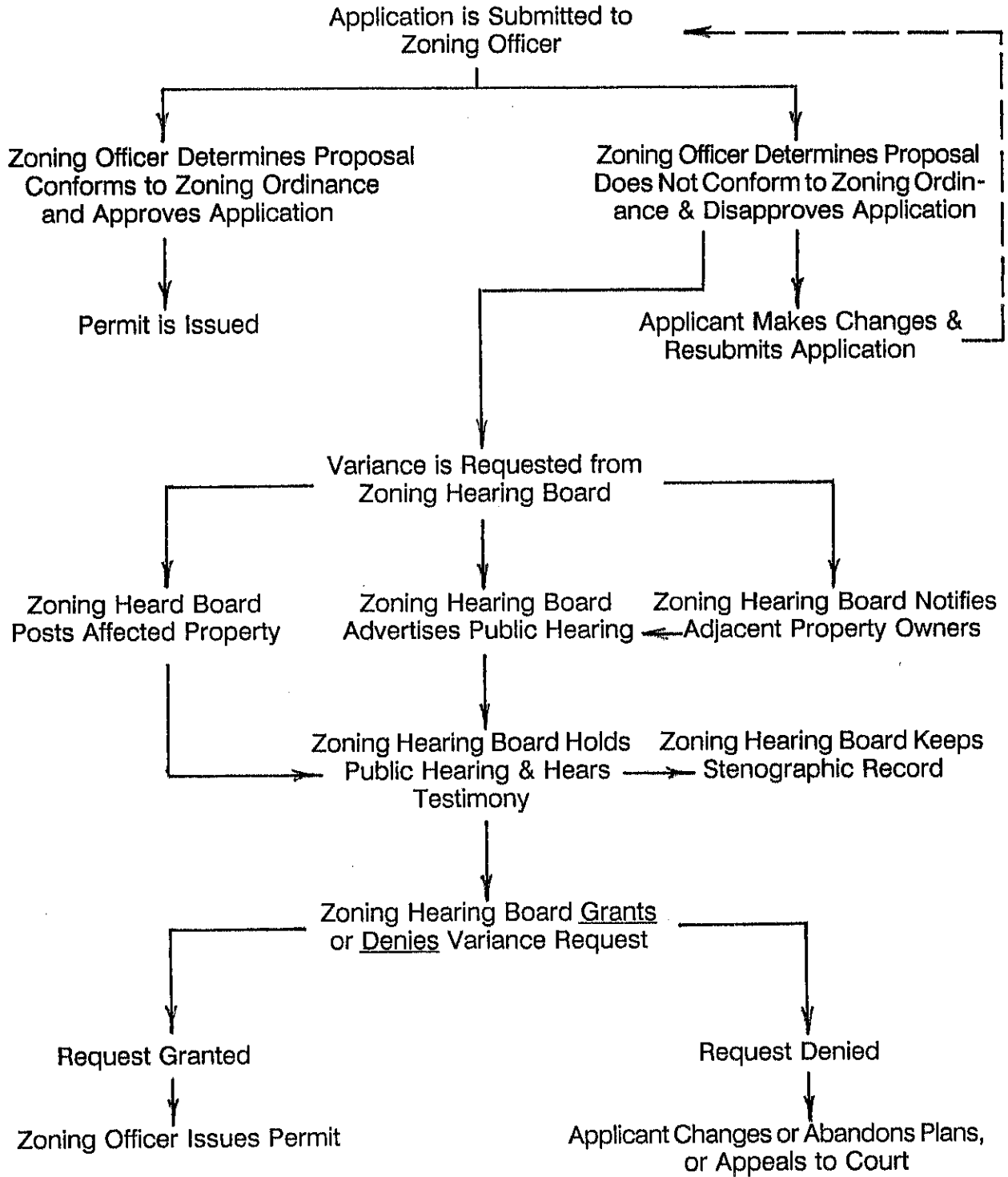
APPENDIX B

CONDITIONAL USE PROCEDURE



APPENDIX C

VARIANCE PROCEDURE



APPENDIX D

SPECIAL EXCEPTION PROCEDURE

