

LOYALSOCK TOWNSHIP ZONING ORDINANCE

Lycoming County, Pennsylvania

As adopted by the Loyalsock Township Board of Supervisors on August 25th, 2026.



A handwritten signature in black ink, appearing to read "Matthew Wanamaker", written over a horizontal line.

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USING THIS ORDINANCE: AN OVERVIEW

These two pages describe the most efficient way to use this Ordinance. These pages are general descriptions but are not part of the actual Ordinance.

Start by using the following parts of the Zoning Ordinance:

- Please contact the Zoning Officer to make sure you have the latest version of the Zoning Ordinance Text and Map.
- Turn to the Table of Contents and the Index (at the end of the document) to find the pages and sections that apply to your particular situation. You may wish to photocopy the Table of Contents to highlight the relevant sections.
- Review the Zoning Map at the end of this Zoning Ordinance or online to determine the Zoning District that includes your lot.
- Review Articles 3 or 4, the Table of Permitted Uses By Zoning District, which indicates the uses permitted in each Zoning District. A defined use is permitted in three ways:
 1. by right,
 2. by special exception (the Zoning Hearing Board approval is needed, as described in Article 15), or
 3. by a conditional use (the Board of Supervisors approval of the use is needed under Article 15).
- Consult Article 5, including the Table of Lot and Setback Requirements By Zoning District. This table states the required minimum size of each lot and the required minimum distance that buildings must be from streets and other lot lines in each Zoning District.
- Refer to the Definitions in Article 1 to determine the meaning of specific words.

If a lot is already being legally used for a particular purpose and that use is not permitted in the Zoning District according to Articles 3 or 4, that use is called a "Non-Conforming Use". In almost all cases, a lawful Non-Conforming Use can continue, can expand within limits, can change to another use within limits, and can be sold.

Certain specific uses must comply with additional regulations. The "principal uses" (which are the primary use of a property) are listed in alphabetical order in **§215-25** and the "accessory uses" (which are secondary uses, such as low-intensity businesses in a home) are listed in alphabetical order in **§215-26**. For example, additional regulations are listed for sheds, garages and other structures typically found on a residential lot under "Residential Accessory Structures" in **§215-26**.

If your lot may be flood-prone, see the Township's Floodplain regulations and the Federal Floodplain Maps (which can be viewed at the Township Building or at www.fema.gov).

Turn to the following articles and sections for regulations concerning parking, signs and buffer yards:

- Many uses must provide minimum numbers of off-street Parking spaces under Article 10 of this ordinance. The parking standards are listed in a table.
- If Signs are proposed within public view, Article 11 must be met. This article lists the types, heights and sizes of signs that are permitted.
- Certain uses are required to provide an open Buffer Yard with Screening to buffer nearby homes and adjacent residentially zoned land from nuisances. See **§215-31**.

The following additional considerations should be kept in mind when using this Ordinance:

- An applicant may apply to the Township Zoning Hearing Board for a Zoning Variance if he/she is not able to comply with a provision of this Zoning Ordinance. A fee is required to compensate the Township for legal advertisements and other costs. Generally, under the PA. Municipalities Planning Code, variances are not permitted unless an applicant proves a legal "Hardship".
- For Stormwater Management, see the Township Stormwater Ordinance.
- If there will be disturbance of the ground, it will be necessary to use certain measures to control soil erosion. In such case, contact the Lycoming County Conservation District. Permits and approvals may be required under State regulations.
- Generally, if one or more new lots will be created, or existing lot lines will be altered, or one or more new principal non-residential or multi-family buildings are proposed, then the requirements and approval procedures of the Township's Subdivision and Land Development Ordinance (SALDO) will also apply.

Before any new development can receive approval(s), required plans must be submitted to the Township. If a subdivision or land development is involved, then plans must be submitted to the Township under the SALDO, and a review will be required by the Lycoming County and Township Planning Commissions, followed by an approval by Board of Supervisors.

If a zoning permit is needed (such as for a new or expanded use, a new or expanded structure or a sign), a site plan typically must be submitted to the Zoning Officer.

The word "shall" means a provision is mandatory, while "should" means a provision is recommended. The meaning of the word "may" depends upon the context of the sentence.

Any questions concerning the Zoning Ordinance should be directed to the Zoning Officer. The Zoning Officer also administers applications for zoning permits.

A separate Construction Code Official handles applications for building and other construction permits under the State Uniform Construction Codes. Construction permit applications typically occur after receiving any needed SALDO or zoning approvals.

Article 1 - Title, Enactment, Severability

§ 215-1. Title.w

The title of this chapter is a new ordinance to provide regulations for the following:

- A. dividing the Township of Loyalsock, Lycoming County, Pennsylvania into zoning districts with varying regulations;
- B. permitting, prohibiting and regulating: the uses of land, watercourses and other bodies of water, the size, height, bulk, location, erection, construction, expansion, razing, removal and use of structures, the areas and dimensions of land and water to be occupied by uses and structures, as well as open areas to be left unoccupied;
- C. establishing the maximum density and intensity of uses;
- D. providing for the administration and enforcement of this Ordinance in accordance with the Pennsylvania Municipalities Planning Code (MPC) as amended, including provisions for special exception uses and variances to be administered by a Zoning Hearing Board; and
- E. establishing provisions for the protection of certain natural features.

§ 215-2. Short Title.

This Ordinance shall be known and be cited as the "Township of Loyalsock Zoning Ordinance" of 2026.

§ 215-3. Purpose.

The following regulations shall be in full force and effect and shall be designed:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation and loss of health, life or property from fire, flood, panic or other dangers.
- C. Any recommendations made by any planning agency to the Board of Supervisors shall be advisory only.

§ 215-4. Township Liability.

The granting of a zoning permit for the erection and/or use of a building or lot shall not constitute a representation, guarantee or warranty of any kind or nature by the township, or an official or employee thereof, of the safety of any structure, use or other proposed plan from any cause whatsoever, and shall create no liability upon, or a cause of action against such public official or employee for any damage that may result pursuant thereto.

§ 215-4.1 Severability.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, after deleting the part declared invalid, if it had advanced knowledge that such part would be declared invalid. If the entire Zoning Ordinance should be declared invalid, then

the Township of Loyalsock Zoning Ordinance that was in effect immediately prior to the enactment of this new Zoning Ordinance shall automatically be re-instated as the Zoning Ordinance for the Township of Loyalsock.

§ 215-4.2 Procedural Defects in Enactment.

Allegations that this Ordinance or any amendment was enacted in a procedurally defective manner shall be appealed as provided in State law.

§ 215-4.3 Repealer.

The pre-existing Township of Loyalsock Zoning Ordinance, as amended, is hereby repealed, in addition to the repeal of any other subsections of Township ordinances or resolutions or parts thereof that were adopted prior to this Ordinance that are clearly in direct conflict with this Ordinance.

§ 215-5. Enactment.

Under the authority conferred by the Pennsylvania Municipalities Planning Code, as amended, the Board of Supervisors of the Township of Loyalsock hereby enacts and ordains into an Ordinance the attached document this date of August 25th, 2026.

This Ordinance shall become effective 5 calendar days after enactment.

§ 215-6. Establishment of the fee schedule.

The Board of Supervisors shall, by resolution, establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, certificates of zoning compliance, appeals and other matters pertaining to this chapter. The schedule of fees shall be posted in the office of the Zoning Officer and may be altered or amended only by the Board of Supervisors.

§ 215-7. Definitions.

The following words are defined in order to facilitate the interpretation of this chapter for administrative purposes and in carrying out duties by appropriate officers and by the Zoning Hearing Board.

A. Word usage.

1. Words used in the present tense include the future tense unless the context clearly indicates the contrary.
2. The singular includes the plural, and vice versa unless the context clearly indicates the contrary.
3. The word "person" or "applicant" includes a profit or nonprofit corporation, company, and/or partnership as well as an individual.
4. The word "lot" includes the word plot or parcel.
5. The term "shall" is always mandatory.
6. 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."
7. The words "street," "highway" and "road" have the same meaning and are used interchangeably.
8. The word "sale" shall also include rental.
9. "Municipality" shall mean the Township of Loyalsock
10. "Governing Body" shall mean the Board of Supervisors of the Township of Loyalsock.

11. The word "Board" shall mean the "Zoning Hearing Board" in accordance with Article IX of Act 247 of the Commonwealth of Pennsylvania.
 12. If a word is not defined in this chapter, but is defined in Chapter 190, Subdivision and Land Development, as amended, the definition in Chapter 190 shall apply to this chapter.
 13. Any word or term not defined in this chapter or in Chapter 190, Subdivision and Land Development, as amended, shall be used with the meaning of standard usage within the context of the section. A standard reference dictionary should be consulted.
 14. The words "such as," "includes," "including" and "specifically" shall provide examples but shall not by themselves limit a provision only to items specifically mentioned, if other items would otherwise comply with the provision.
 15. If a word is defined in both this chapter and another Township ordinance, each definition shall apply to the provisions of each applicable ordinance.
- B. Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meaning herein indicated:

ACCESS DRIVE

A driveway leading from an area designated for parking to a street.

ACCESSORY BUILDING

A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

ACCESSORY USE

A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use. An accessory use may be a use of land, or a building, or structure.

ADULT ARCADE

An establishment or portion thereof, or any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still- or motion-picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting "specified sexual activities" or "specified anatomical areas." [Added 12-18-2007 by Ord. No. 321]

ADULT BOOKSTORE or ADULT VIDEO STORE

An establishment having as a substantial or significant portion of its stock and trade: books, magazines and other periodicals (including edited videotapes, compact discs and audiotapes) which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," or an establishment with a segment or section devoted to the sale or display of such material. [Added 12-18-2007 by Ord. No. 321]

ADULT CABARET

A club, restaurant, bar, tavern, theater, hall or similar establishment, whether or not alcoholic beverages are served, which features male and/or female entertainers whose performance includes "specified sexual activities" and/or reveals or displays "specified anatomical areas." [Added 12-18-2007 by Ord. No. 321]

ADULT DRIVE-IN PICTURE THEATER

An area open to the air and not enclosed within any building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein, at which patrons observe such material from a location within automobiles or other motor vehicles, seated in autos or on outdoor seats, or on the ground. [Added 12-18-2007 by Ord. No. 321]

ADULT MINI-MOTION-PICTURE THEATER

An enclosed building with a capacity for less than 50 persons used at any time for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein. [Added 12-18-2007 by Ord. No. 321]

ADULT MOTEL

A motel, hotel, or similar commercial establishment which offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, other photographic reproductions, or live performances which are characterized by the display of "specified sexual activities" or "specified anatomical areas"; or offers a sleeping room for rent for a period of time that is less than 10 hours; or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours. [Added 12-18-2007 by Ord. No. 321]

ADULT MOTION-PICTURE THEATER

An enclosed building with a capacity of 50 or more persons used at any time for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein. No motion picture theater shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America. [Added 12-18-2007 by Ord. No. 321]

ADULT WALK-IN PICTURE THEATER

An area neither enclosed nor open to the sky (e.g., a pavilion, tent, etc.) where material presented is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation of patrons therein. [Added 12-18-2007 by Ord. No. 321]

AGRICULTURE

The tilling of the soil, the raising of crops, horticulture and gardening.

AGRICULTURAL PRODUCTS

Products that are created through the processing of raw agricultural goods which are transformed into a more refined, prepared or marketable state.

AGRICULTURAL USES

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, silviculture, aquaculture, beekeeping, animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the site production; provided, however, that the operation of any such accessory uses shall be secondary to that of the principal agricultural activities.

AIRPORT

Any landing area, runway or other facility designated or used or intended to be used, either publicly or by any person or persons, for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangars and other necessary buildings, and open spaces within the airport boundaries.

ALLEY

A minor right of way; publicly or privately owned, primarily for secondary means of access to the rear or sides of adjacent properties.

ALLOWABLE DRILLING AREA

The area within the well pad that is approved for wells to be drilled. [Added 9-27-2011 by Ord. No. 343]

ALTERATIONS

As applied to a building or structure, any change or rearrangement in the total floor area, or an enlargement, whether by extending on a side or by increasing in height or moving from one location or position to another.

AMENDMENT

Any revision to a regulation or ordinance that is formally adopted by the governing body charged with the keeping of such regulations, which includes revisions to an ordinance, a change in use, and/or map. Amendments to this ordinance lie solely with the Board of Supervisors of Loyalsock Township.

ANIMAL DAY CARE

A building used for the general care and supervision of animals for daytime periods of less than 24-hours.

ANIMAL HOSPITAL

A building used for the treatment, housing or boarding of small domestic animals and domestic pets such as dogs, cats, rabbits and birds or fowl by a veterinarian. No outdoor boarding of animals is permitted.

ANIMAL RESCUE OPERATIONS

A nonprofit entity with federal 26 U.S.C. §501(c)(3) status whose mission and practice is, in whole or in significant part, the rescue of domestic animals and their placement in permanent homes. "Animal Rescue Organization" does not include commercial breeders or pet dealers.

ANIMAL RESCUE SHELTER

An establishment owned or operated by a humane society, SPCA, Animal Rescue Organization, or similar entity where domestic animals are temporarily housed for care and adoption, and which may include associated intake, quarantine, and adoption areas. For the purposes of this Ordinance, an Animal Rescue Shelter shall be distinguished from a commercial kennel by its nonprofit/mission-driven purpose and limits on commercial boarding. Animal Rescue Operations may be associated with Animal Rescue Shelters.

ANTENNA

Any exterior apparatus designed for the sending and/or receiving of electromagnetic waves for telephonic, radio, television, or personal wireless services. These uses include, without limitation, such apparatus for cellular or other wireless telephones, pagers, and beepers.

APARTMENT UNIT(S)

A dwelling unit within an apartment building, constructed or converted for rent or lease. An apartment building is a building on a single lot designed for and occupied as a residence for three (3) or more families, and in which the dwelling units may be separated horizontally and/or vertically.

APARTMENT DWELLING, CONVERSION

The conversion of any building in a district, where permitted, into a dwelling for one or more families, without substantially altering the exterior of the building other than as may be required for access or safety, shall be permitted.

APPLICATION FOR DEVELOPMENT

An application for development to include a form and set fee designated by the Township and all other plans and information required by this ordinance.

ARCHERY & SHOOTING RANGE, INDOOR

A totally enclosed building that is equipped for the practice of shooting, including archery, where no activity associated with shooting is conducted outside of the building.

ARCHERY & SHOOTING RANGE, OUTDOOR

An establishment conducted in whole or in part, outside of a building where said establishment is equipped for the practice of shooting, including archery.

ASSISTED LIVING FACILITY OR PERSONAL CARE FACILITY

A facility licensed by the Commonwealth of Pennsylvania that provides a combination of housing, supportive services, personalized assistance and health care to individuals who need help with certain activities of daily living.

AUTOMOTIVE CAR WASH FACILITY

A use of a structure, or portion thereof, containing facilities for washing, cleaning, and/or polishing vehicles by hand or by using automated or semi-automated methods for washing, cleaning, and/or polishing the interior or exterior of vehicles.

AWNING

An element completely affixed to a building, whether for the purposes of improving aesthetic appeal, or to provide shade or shelter. Unlike canopies, awnings provide no element of support extending away from the building to the ground surface. In the event that awnings will extend over pedestrian sidewalk or walkway, a minimum clearance of eight (8) feet must be maintained above the ground surface.

BANQUET FACILITY / HALLS, EVENT VENUE

A banquet or portion of a building, with or without associated outdoor areas, reserved by individuals or groups (by prior arrangements) for private or invite-only attendance functions such as wedding ceremonies/receptions, banquets, reunions, corporate meetings, fundraisers, cultural or education programs, or similar events. The use may include on-site kitchens for the preparations, warming, or staging of food and beverages to event attendees only during scheduled events, subject to all applicable Pennsylvania Liquor Control laws and municipal regulations. Outdoor gardens, patios, terraces, areas under tents and ceremonial/reception spaces are permitted accessory components when located on the same lot. This does not include a bar/tavern, nightclub, concert venue, stadium/arena, or a standard restaurant unless separately permitted.

BAKERY

A retail establishment that sells baked goods, including the baking of goods when prepared for retail sales on the premises only and not for distribution to another retail outlet.

BASEMENT

A story partly underground but having 1/2 or more of its height above the average level of the adjoining ground.

BED & BREAKFAST HOME

An owner-occupied single family detached dwelling in which a maximum of 10 rooms, all without cooking facilities, are rented to guests on a daily basis, in which breakfast may be served to the guests by the proprietor of the facility.

BERM

A raised mound or bank of earth, typically used as, but not limited to, a barrier for visual screening, wind break or sound attenuation. Berm height is measured vertically from prior existing grade immediately adjacent to either side of the berm to the maximum height.

BIOMASS

Organic materials derived from living or recently living organisms, such as livestock waste, agricultural crops and residue, wood and wood waste, and organic components of municipal and industrial wastes, which may be used as a source of fuel or energy. The term excludes fossil fuels, which have been transformed by geological processes into substances such as coal or petroleum.

BLADE LENGTH

The length measured from the tip of any blade to the hub of the nacelle. [Added 2-24-2009 by Ord. No. 331]

BOARDER or LODGER

A person, except family, occupying any room or group of rooms forming a single, habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging for a week or more at a time. Any person occupying such room or rooms and paying such compensation for less than a week at a time shall be classified for purposes of this chapter not as a boarder or lodger, but as a guest of a commercial lodging establishment (motel, hotel, lodge, inn or guest house).

BOARDING HOUSE

A building arranged or used for lodging, with or without meals, for compensation, of more than five and not more than 10 individuals that do not constitute a family.

BODY ART ESTABLISHMENT

Any business or portion thereof where tattooing or body piercing is practiced or provided to customers.

BUFFER, BUFFERYARD, or BUFFER AREA

A strip of land with natural or planted vegetation that is located between uses of different characters and is intended to mitigate negative impacts of the more intense use on the other. May include berms.

BUILDING

A combination of materials to form a permanent structure having walls and a roof.

BUILDING AREA

The total area taken on a horizontal plane at the level of the ground surrounding the main building and all accessory buildings; exclusive of uncovered porches, terraces and steps, and awnings.

BUILDING COVERAGE

The percentage of lot area covered by building area. The ratio obtained by dividing the maximum horizontal cross section of all principal and accessory buildings on a lot by the total area of the lot upon which the buildings are located. Excludes open patios, walkways, and parking or loading areas.

BUILDING, DETACHED

A building surrounded by open space on the same lot.

BUILDING, HEIGHT

The vertical distance measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest point of the roof, but not including chimneys, towers, spires, elevator penthouses, tanks and similar projections.

BUILDING, LINE

A line formed by the intersection of a horizontal plane and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered or projected section of a building, except overhanging eaves, gutters, cornices, and steps, the vertical plane will coincide with the most projected surface.

BUILDING, MAIN OR PRIMARY

A building in which is conducted the principal use of the lot on which it is located.

BUILDING SETBACK LINE

A line defining the minimum required distance within a lot from and parallel to a street right of way line and side and rear lot lines which designates the minimum location of future buildings and structures.

BUILDING, MIXED-USE

A building with two or more principal uses, where the uses are located either side by side or one over the other and may include apartments over or beside commercial.

CAMPGROUND

A tract or tracts of ground, or portion thereof, used for the purpose of providing space 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.

CAMP, LODGE, OR VACATION HOME

A building or group of buildings intended for occupancy only occasionally during the year, including buildings intended as camps, cottages, lodges, hunting cabins, vacation homes, and similar facilities. For the purposes of this ordinance, a recreational vehicle shall not be considered a camp, lodge, or vacation home.

CARPORT

An unenclosed structure open on at least two sides, with a permanent roof supported by columns or posts that is used for the storage of one or more licensed and operable vehicles in the same manner as a private garage. These carports shall be maintained free of outdoor storage materials and clutter. Carports that are not open on at least two sides shall be considered a garage.

CATERING FACILITY

A commercial kitchen and associated space used to prepare, stage, and/or serve food and beverages by prior arrangement for a specific private function. Service may occur (a) on-site to invited attendees of a scheduled event; and/or (b) off-site by transporting prepared food to a specific location not open to the public for a limited duration. Retail walk-up, dine-in, or drive-through service to the general public is not included unless separately permitted.

CELLAR

A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the required number of stories.

CEMETERY

Land used or intended to be used, as an accessory use, for the burial of the deceased including columbarium, mausoleums and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof. This definition shall not include crematoria, which shall be considered to be funeral homes.

COMMERCIAL FORESTRY

The management of forests through developing, cultivating, harvesting, transporting, and selling trees or tree products such as firewood and mulch for commercial purposes that do not involve any land development.

COMMUNICATIONS TOWER, ANTENNA, OR EQUIPMENT BUILDING

See Chapter 197 of the Code of the Township of Loyalsock, "Telecommunications Towers".

COMMUNITY CENTER

A single structure that is open to the public, in which residents of the area may gather for social, educational, religious, cultural, recreational or organizational activities that benefit the Loyalsock Township community. The facility may be a combination of indoor and outdoor areas. The related structure must be a minimum of 10,000 square feet in floor area. Each specific use or group of uses for the proposed community center will require the submission of an application for a conditional use hearing and approval by the Board of Supervisors of Loyalsock Township. [Added 10-25-2005 by Ord. No. 315]

COMPLETION OF DRILLING, REDRILLING AND REWORKING

The date the work is complete for the drilling, re-drilling or reworking and the crew is released by completing their work or contract or by their employer. [Added 9-27-2011 by Ord. No. 343]

COMPRESSOR STATION/PROCESSING PLANT

A permanent structure with equipment, tanks and site disturbance used to process and/or compress gas that is used as a midstream operation supporting oil and gas production. [Added 9-27-2011 by Ord. No. 343]

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)

An animal feeding operation that meets the regulatory definition in 40 CFR 122.23 (b)(4) or (6) of a Large or Medium CAFO or has been designated as a CAFO on a case-by-case basis by the Pennsylvania Department of Environmental Protection or by the U.S. Environmental Protection Agency.

CONDOMINIUM

Real estate, portions of which are designed for separate ownership, and the remainder of which are designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. A condominium is a unit with all of the following characteristics:

1. The unit may be any permitted land use. A condominium is an ownership arrangement, not a land use.
2. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Pennsylvania Uniform Condominium Act 68 Pa.C.S.A. § 3101 et seq. and in accordance with the provisions for open space, roads or other development features in this chapter and Chapter 190, Subdivision and Land Development.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC)

A type of retirement community licensed by the Commonwealth that provides a continuum of care from independent living to assisted living to extended care/skilled nursing facilities.

CONTRACTING SHOPS AND YARDS

A place of business for a building-trade contractor offices, indoor work areas for fabrication/repair, parking areas and outdoor storage of contractor equipment, materials and supplies, including but not limited to, building, cement, electrical, heating, plumbing, masonry, painting, roofing, excavating. Open yard area space may be used for the storage of construction equipment and/or building materials. Any retail sales are incidental to contracting services. This may not include heavy industrial manufacturing or solid-waste processing.

CONVENIENCE STORE

A store or shop less than 10,000 square feet, which may sell items such as food products, groceries, toiletries, lottery tickets, tobacco products, alcohol, newspapers, and magazines, along with a selection of processed food and groceries. Dining areas may be offered and are included in the total floor area, whether located inside or outside the building. Stores that offer gas may also sell motor oil, windshield washer fluid, radiator fluid, and maps. The outdoor sales or dining area shall be a maximum of 600 square feet.

COUNTY PLANNING COMMISSION

The Lycoming County Planning Commission.

COURT

An unoccupied open space, other than a yard, on the same lot with a building, which is bound on two or more sides by the walls of such a building.

CRAFTS

Carpentry shop, cabinet making, furniture making and similar crafts including glass blowing, pottery and painting. The uses of which may be instructor led in a classroom setting and/or the finished products may be displayed for retail sales.

CROP FARMING

The raising, keeping and sale of field, truck and tree crops, including necessary farm structures within the prescribed zoning limits, and the storage of equipment customarily incidental to the primary use.

CROSSWALK

That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CRYPTOCURRENCY

A digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank. Bitcoin is the most common example of cryptocurrency.

CRYPTOCURRENCY MINING

The operation of specialized computer equipment for the primary purpose of mining one or more blockchain-based cryptocurrencies such as bitcoin. This activity typically involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include, but are not limited to, specialized computer hardware or data centers with a non-diverse electrical use for mining operations as well as equipment to cool the hardware and operating space.

CRYPTOCURRENCY MINING OPERATIONS

A location, unit, device, cargo container, building or other facility temporary or permanent, located indoors or outdoors where cryptocurrency mining takes place.

DAIRY

A commercial establishment for the manufacture, processing or sale of dairy products.

DATA CENTER

A building, structure or facility, or a dedicated space within a building, structure or facility, or a group or campus of such buildings, structures, or facilities used primarily for, or intended to be used primarily for, the housing, operation and/or co-location of computer and/or communications equipment and/or for the handling, storage and backing up of the data or other information necessary for the operation of a business or organizational entity, such as, by way of illustration and not by means of limitation, telecommunications systems, storage systems, internet systems and/or artificial intelligence, telecommunications and storage systems and digital currency mining systems. The term "Data Center" may also include Data Center Equipment, or DCE, and/or Data Center Accessory Uses, when located on a same tract or assemblage of adjacent parcels developed as a unified development or campus.

DATA CENTER ACCESSORY USE

Data Center Accessory Uses generally include but are not limited to utilities, utility lines, electrical substations, transformers, emergency and back-up generators, including but not limited to diesel and natural gas powered emergency and back-up generators, switchgears, electrical fields, mechanical fields, pump stations, water towers, heating and cooling equipment, mechanical equipment and environmental controls (air conditioning, chillers, cooling towers, fire suppression, etc.), battery and power storage facilities and equipment, redundant/backup power supplies, storage facilities for water, natural gas and propane, including pumps, compressors and related facilities and equipment, operations which directly support Data Center uses, water and wastewater treatment and processing facilities, redundant data communications connections, guard houses and security facilities, parking, support offices, storage and logistic buildings when located on the same tract or assemblage of adjacent parcels developed as a unified development for a Data Center. Data Center Accessory Uses shall comply with all applicable provisions of the Loyalsock Township Zoning Ordinance.

DATA CENTER CAMPUS

An integrated group or campus of Data Center Buildings, Data Center Accessory Uses and DCE's located on the same Lot or tract of assemblage of adjacent lots and parcels and developed as a unified development. A Data Center Campus may include land bisected by private or public roadways and right of ways so long as they are developed as a unified development.

DATA CENTER EQUIPMENT (DCE)

Data Center Equipment, or DCE, includes by way of illustration and not by means of limitation, any data center accessory uses which in an un-muffled state generate noise in an excess of any applicable provisions of the Loyalsock Township Zoning Ordinance or other Ordinance. Data Center Equipment, or DCE, shall be accessory to the Data Center and shall be located on the same tract or assemblage of adjacent parcels developed as a unified development or campus for a Data Center and shall comply with all applicable provisions of the Loyalsock Township Zoning Ordinance.

DAY CARE CENTER, ADULT

A principal use building, or space in a building, and grounds in which, on a regular basis, for a fee, care is provided for four to six adults who are in need of supervision because of their mental or physical condition. It does not include any establishment which provides overnight care or stays of any kind.

DAY CARE CENTER, CHILD

A principal use involving the supervised care for children under age 16 outside of the children's own home(s) primarily for period of less than 18 hours per child during the average day. This use may also include educational programs that are supplementary to State-required education, including "nursery school" or "Head Start" programs. See also the definition of Day care, Adult.

DAY CARE CENTER, COMMERCIAL

A day care facility that is a principal use and is licensed by the Commonwealth of Pennsylvania for the care or supervision of minors or adults. It does not include any establishment which provides overnight care or stays of any kind.

DAY CARE CENTER, FAMILY MAJOR

A day care facility that is operated as an accessory use to a detached single-family dwelling that is registered by the Commonwealth of Pennsylvania and offers care and supervision to no more than six children unrelated to the operator during any calendar day.

DAY CARE CENTER, FAMILY MINOR

A day care facility that is operated as an accessory use to a detached single-family dwelling that is registered by the Commonwealth of Pennsylvania and offers care and supervision to no more than three children unrelated to the operator during any calendar day.

DAY CARE, GROUP HOME

A type of day care use that is accessory to, and occurs within a dwelling unit, and provides care for 7 to 12 children at one time unrelated to the operator during any calendar day.

DECK

A flat-floored, roofless area, usually built above grade. Could adjoin a building or be detached as an accessory structure.

DENSITY

Density is a measure of the dwelling units per unit of area. Density shall be expressed in dwelling units per acre.

DENSITY, BASE

The density achieved when a property is developed in accordance with the Subdivision and Land Development Ordinance, and the zoning district requirements.

DENSITY, RESIDENTIAL GROSS

The number of dwelling units in relation to the total land area proposed to be used for residential purposes, including right-of-way, interior parking areas, access drives, private streets, sidewalks, common open space, and public or semipublic parks and playgrounds.

DENSITY, RESIDENTIAL NET

The number of dwelling units in relation to the area of land of a parcel in use or proposed to be used for residential purposes, exclusive of public rights-of-way.

DERRICK

Any portable framework, tower, mast and/or structure which is required or used in connection with drilling or reworking a well for the production of oil and gas, i.e., rig. [Added 9-27-2011 by Ord. No. 343]

DEVELOPER

Any landowner, agent of such landowner or tenant with permission of such landowner who makes or causes to be made a subdivision of land or a land development, or other activities covered by this ordinance.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DEVELOPMENT COMMERCIAL CENTER

Retail and consumer uses that are located within a planned residential development.

DEVELOPMENT PLAN

See Chapter 190 of the Code of the Township of Loyalsock, "Subdivision and Land Development".

DEVELOPMENT, SELF-STORAGE

An industry in which storage space (such as rooms, lockers, containers, and/or outdoor space), also known as "storage units" is rented to tenants, usually on a short-term basis (often month-to-month). Self-storage tenants include businesses and individuals.

DISTRIBUTION FACILITY (LOGISTICS / FULFILLMENT CENTER)

A facility used primarily for the short-term storage, picking/packing, sorting and staging, and outbound shipment of goods to retail establishments, wholesalers, or direct to consumers. May include parcel sortation and staging for trucks or delivery vans.

DOMESTIC ANIMALS

Any non-wild animal that is not considered a domestic pet.

DOMESTIC PETS

Animals that are normally considered to be kept in conjunction with a dwelling for the pleasure of the resident family, rather than for economic reasons. This shall include dogs, cats, small birds, racing pigeons, gerbils, rabbits, lizards and other nonpoisonous animals commonly sold in retail pet shops.

DORMITORY/RESIDENCE HALL

A building, especially associated with a school or institution, which provides living and sleeping accommodation for a number of students attending such school or institution.

DRILLING

The digging or boring of a new well, either vertically or horizontally, for the purpose of exploring for, developing or producing oil and gas or other hydrocarbons or for the purpose of injecting gas, water or any other fluid or substance into the earth. [Added 9-27-2011 by Ord. No. 343]

DRILLING EQUIPMENT

The derrick or rig, together with all parts of and appurtenances to such a structure, and every piece of apparatus, machinery or equipment used or erected or maintained for use in connection with drilling. [Added 9-27-2011 by Ord. No. 343]

DRILL SITE

The premises used during the drilling or reworking of a well or wells located there and subsequent life of a well or wells or any associated use. [Added 9-27-2011 by Ord. No. 343]

DRIVEWAY

A private cartway, other than a street which provides vehicular and pedestrian access from a street to a lot(s).

DRIVE THROUGH SERVICE/FACILITY

A restaurant, bank, drug store or other use that provides service to customers who remain seated in automobiles where customers are served either through an exterior window in the establishment, or directly to parked automobiles on the premises.

DRUG STORE RETAIL

A store in which a licensed on-site pharmacist oversees the sale and dispensing of drugs within the store and/or via drive-through area and also sells over-the-counter drugs, health/beauty aids and/or limited household products and/or food products.

DUMP

A lot or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or any other means and for whatever purposes of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste material of any kind.

DWELLING

Any building or portion thereof which is designed for or used for permanent residential occupancy, including single-family dwellings, two-family dwellings and multi-family dwellings, but not including hotels or boardinghouses and the like, as defined by this chapter.

DWELLING, CARRIAGE HOUSE

A single dwelling located on the second floor above a detached garage and having a maximum of 1,000 square feet.

DWELLING, TWO-FAMILY (DUPLEX)

A single, contiguous building designed or used to contain exactly two (2) dwelling units on the same lot each, having independent living facilities, which share:

1. A common structural wall, floor, or ceiling, and
2. A common foundation and roof,

and which is constructed as one principal structure.

A duplex shall not include:

1. Two or more separate buildings connected by breezeways, walkways, decks, porches, or other unenclosed or partially enclosed structures; or
2. Multiple buildings connected solely for the purpose of meeting the definition of a duplex.

For zoning purposes, connections such as sidewalks, decks, breezeways, or similar structures, regardless of length, shall not be considered sufficient to establish a single contiguous building.

DWELLING, GARDEN APARTMENT

A building used or designed to be used as a residence for three or more families living independently of each other. The individual dwelling units share common elements and a common lot area which is the sum of the required lot areas of all dwelling units within the structure. The structure shall not consist of more than three stories.

DWELLING, GROUP

A dwelling unit operated by a responsible individual, family, or organization with a program to provide supportive living arrangements for individuals where special care is needed by the persons served due to age, emotional, mental, developmental or physical disability. This shall expressly include facilities for the supervised care of persons with disabilities subject to protection under the Federal Fair Housing Act as amended. Group dwellings must be licensed where required by any appropriate government agencies, and a copy of any such license must be delivered to the Zoning Officer prior to initiation of the use.

DWELLING, HIGH-RISE APARTMENT

A building used or designated to be used as a residence, on a single lot, for three or more families living independently of each other. The individual dwelling units share common elements and a common lot area which is the sum of the required lot areas of all dwelling units within the structure. The structure shall consist of four or more stories.

DWELLING IN COMBINATION

A dwelling in combination with an existing or permitted office or commercial use.

DWELLING, ONE FAMILY

A building containing one dwelling unit.

DWELLING, ONE FAMILY DETACHED

A freestanding building containing one dwelling unit for one family and having two side yards, one front yard, and one rear yard; in cases where such dwelling is located on a corner lot, the dwelling shall have two front yards, one side yard, and one rear yard. Mobile homes may be considered one family detached dwellings if, in addition to the requirements listed for all dwellings, the mobile home is securely anchored to the permanent foundation, and all the apparatus used to transport the unit are removed including the towing hitch. Recreation vehicles shall not be construed as dwellings. Modular homes may be considered one family detached dwellings so long as they comply with the general requirements of a dwelling.

DWELLING, ONE-FAMILY SEMIDETACHED (TWIN)

A single, contiguous building accommodating a single family but attached to one other one-family dwelling by a common vertical wall. Each dwelling is on a separate lot.

DWELLING, TINY HOME

A dwelling unit placed on a property for occupancy as a principal dwelling unit with a habitable floor area between 150 square feet and 400 square feet constructed with a foundation.

DWELLING, TOWNHOUSE

A building containing at least three dwelling units but not more than eight dwelling units arranged in a side-by-side configuration with two or more common party walls in which each unit extends from foundation to roof. The individual units are arranged on fee simple lots with a yard or public way on at least two sides.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING UNIT, ACCESSORY (ADU)

An independent, self-sufficient dwelling unit, with complete kitchen and bath facilities, which is entirely contained within a one family dwelling unit which has a common hall, shared primary entrance, utilities and address for occupancy by either a dependent, elderly, handicapped, or disabled person related by blood, marriage, or adoption to the occupants of the principal dwelling. An Accessory Dwelling Unit (ADU) shall be

attached to or contained within the principal dwelling unit on the lot. This may be within an addition that shares a wall within the principal dwelling unit.). An ADU remains accessory and shall not be subdivided or sold separately from the principal dwelling.

EARTHMOVING ACTIVITY

Any construction or other activity which disturbs the surface of the land, including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock, or earth, excluding the tilling of the soil.

EASEMENT

A right of way granted for limited use of private land for a public, quasi-public or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES

Electric public utilities transmission distribution facilities, including substations.

ELECTRIC VEHICLE (EV)

Automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current. Plug-in hybrid electric vehicles are electric vehicles having a second source of motive power. Off-road, self-propelled electric mobile equipment, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats and the like, are not considered electric vehicles.

ENTRY STOOP

A raised platform with steps leading to the entrance of a home (See §215-30 "Yard Regulations").

EV – CAPABLE SPACE

A parking space that is provided with conditions meeting the following requirements:

1. The conduit shall be continuous between a junction box or receptacle located within three (3) feet of the parking space and an electrical panel serving the area of the parking space with sufficient dedicated physical space for a dual-pole, 40-amp breaker.
2. The conduit shall be sized and rated to accommodate a 40-amp, 208/240-volt branch circuit and have a minimum nominal trade size of one (1) inch.
3. The electrical junction box and the electrical panel directory entry for the dedicated space in the electrical panel shall have labels stating, "For future electric vehicle charging."

ELECTRIC VEHICLE CHARGING – LEVEL 2

Electric vehicle supply equipment (EVSE) that operates on a 40-amp 208/240-volt circuit and provides power at a minimum of 6.2kW.

ELECTRIC VEHICLE CHARGING – LEVEL 3 (OR DIRECT CURRENT FAST CHARGER – DCFC)

Electric vehicle supply equipment (EVSE) that operates on a 480-volt circuit and provides power at a minimum of 50kW of power.

EV – READY SPACE

A parking space that is provided with dedicated branch circuit that meets the following requirements:

1. Wiring capable of supporting a 40-amp, 208/240-volt circuit;
2. Terminates at a junction box or receptacle located within three (3) feet of the parking space; and
3. The electrical panel directory shall designate the branch circuit as "For electric vehicle charging" and the junction box or receptacle shall be labelled "For electric vehicle charging."

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE)

Conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) SPACE

Designated parking space with dedicated electric vehicle supply equipment capable of supplying not less than 6.2 kW to an electric vehicle located within three (3) feet of the parking space.

EMERGENCY SERVICES

A facility or facilities which offers safety and emergency services, such as, but not limited to, fire stations, police stations, and emergency and medical ambulance services.

ENTERTAINMENT, INDOOR

Entertainment and recreation facilities operated as a gainful business within the confines of a building.

ENTERTAINMENT, OUTDOOR

Outdoor entertainment and recreation facilities operated as a gainful business, not including an outdoor motion picture establishment.

ENTRANCE CANOPY

A small, roofed cover located above a doorway for weather protection, supported by brackets or posts, with no sidewalls, that projects, not more than four (4) feet in depth and eight (8) feet in width, measured perpendicular from the building façade. An entrance canopy may project into a required yard subject to §215-30.D (Projections in yards).

EROSION AND SEDIMENTATION CONTROL PLAN

A plan which is designed to minimize accelerated erosion and sedimentation through the use of best management practices (BMPs).

ESTATE SALES

A sale, open to the public, of new, used or previously owned personal property, including but not limited to goods, wares, merchandise and clothing, held on vacant property or on the lawn, yard, porch, patio or in the garage or residence, or in the principal or outbuilding, of the person holding the sale.

EXPLORATION

Temporary geological or geophysical activities, drilling in context with the oil and gas drilling zoning definition in this chapter, and hydraulic fracturing, including seismic surveys, related to the search for natural gas or other subsurface hydrocarbons. [Added 9-27-2011 by Ord. No. 343]

EXTRACTIVE OPERATION

The excavation of sand, clay, dolomite, shale, gravel, topsoil or other natural mineral deposits or the quarrying of any kind of rock formation. [Amended 9-27-2011 by Ord. No. 343; 3-11-2014 by Ord. No. 362]

FAÇADE

A building face or wall.

FAMILY UNIT

1. A single person occupying a dwelling unit and maintaining a household;
2. Two or more persons related by blood, marriage, or other domestic bond, occupying a dwelling unit, living together and maintaining a common household;
3. Not more than five (5) unrelated persons occupying a dwelling unit, living together and maintaining a common household;
4. This definition shall not include a collective body of persons occupying a hotel, dormitory, lodge, boarding house, commune or institution.

FARM

The land, buildings, structures, and machinery which are primarily adapted and used for agricultural purposes.

FARM-BASED BUSINESS

A low-intensity commercial or light industrial activity that is customary or accessory to an on-site principal agricultural use, conducted by the farm owner or resident and intended primarily to: (a) provide supplemental farm income that supports the continuation of farming; and/or (b) provide goods or services to agricultural operations (including the host farm and other farms). A Farm-Based Business is secondary to the principal agricultural use, may occur within existing farm buildings or limited new structures, and is distinct from a standalone commercial or industrial use not accessory to agriculture.

FARMERS MARKET

A periodic market held in an open area, parking lot, or structure as an accessory use to an institutional use, public or semipublic use, or municipal use or supermarket at which fruits, vegetables, breads, eggs, milk, cheese, meat, flowers, and the like are sold to the public by persons who typically grow, harvest, or process such items from their farm or agricultural operation located in Lycoming County and/or the surrounding Counties. Value added products such as jam, beeswax candles, or other handmade food products such as baked goods may be sold but sellers of these goods may not comprise the majority of vendors. Flea markets, yard sales, and auctions are not considered a farmers' market.

FENCE

A structure made of metal, stone, concrete, wire, wood, vinyl, or other material that spans between posts or is supported in, above, or against the ground, generally used to define boundaries of property or to prevent entry or escape from the area it surrounds or for ornamental, security, or screening purposes, but not including retaining walls.

FILL, CLEAN

Uncontaminated, non-water-soluble, non-decomposable inert solid material. The term includes soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such. The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized.

FINANCIAL ESTABLISHMENT

Bank, savings and loan association, credit union and other similar financial establishments.

FLOOD

See Article 8 "Floodplain Regulations"

FLOOR AREA, HABITABLE

Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space and similar areas are not considered habitable floor area.

FLOOR AREA OF A BUILDING

The sum of the gross horizontal areas of the several floors of a building, including the area of roofed porches or terraces. All dimensions shall be measured between exterior faces of walls or of party walls when applicable.

FLOOR AREA RATIO

The ratio of floor area of a building to its lot area. When a floor area ratio of .4 is specified, the floor area of a building constructed on a lot of 10,000 square feet is limited to a maximum of 4,000 square feet. The number of stories being optional, the building area may be 4,000 square feet for one story; 2,000 square feet for two stories, etc.

FOOD CATERING

A business establishment which prepares and serves meals and refreshments primarily off the premises. Excludes food trucks/carts. (See §215-26.12 for food truck/cart information)

FORESTRY

The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FUEL SERVICE- MINOR

A facility which may include retail and/or food service with the ability to serve fuel to no more than eight (8) vehicles simultaneously.

FUEL SERVICE – MAJOR

A facility which may include retail and/or food service with the ability to serve fuel to more than eight (8) vehicles simultaneously.

FUNERAL HOME/MORTUARY

A business establishment licensed by the Commonwealth of Pennsylvania that contains a suitable storage room for the deceased and may include embalming facilities and rooms for the display and burial ceremonies of the deceased.

FRACTURE STIMULATION/HYDRAULIC FRACTURING (FRACKING)

The process of injecting water, sand, customized fracking fluid, steam, or gas into a gas well to allow or to improve gas recovery. [Added 9-27-2011 by Ord. No. 343]

GAMING FACILITY

A designated area contained within a building where gaming devices, table games and/or other lawful gambling functions are permitted as a principal use, as authorized, licensed and regulated by the Township of Loyalsock and Commonwealth of Pennsylvania. A gaming facility may include associated amenities and areas permitted by state law – such as a food and beverage service, hotel, and entertainment subject to approval by the Pennsylvania Gaming Control Board and the Township Board of Supervisors.

GARAGE

A building or part of a building in which a car/truck, etc. is kept.

GARAGE/YARD SALE

All general sales, open to the public, conducted from or on a residential property for the purpose of disposing of personal property (property which is owned, utilized, and maintained by an individual or member of his or her residence and acquired in the normal course of living in or maintaining a residence). Items purchased for resale or obtained on consignment are not considered to be personal property for the purposes of this chapter.

GARDENING

The cultivation of herbs, fruits, flowers or vegetables not for a profit, and associated with a residential use, excluding the keeping of livestock.

GAS

Any fluid, either combustible or noncombustible, which is produced in a natural state from the earth, and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in or derived from petroleum or natural gas. [Added 9-27-2011 by Ord. No. 343]

GAS STORAGE WELL

A well located and used in a gas storage reservoir for injection withdrawal purposes or an observation well. [Added 9-27-2011 by Ord. No. 343]

GAS WELL

Any well drilled for the intent of extracting gas or other hydrocarbon from beneath the surface of the earth. [Added 9-27-2011 by Ord. No. 343]

GATHERING LINES

The pipelines used to transport gas and/or oil from the drill sites to an interstate or intrastate transmission line. [Added 9-27-2011 by Ord. No. 343]

GENERAL FARMING

The selling and production of agricultural, horticultural, arboricultural, viticultural and dairy products; the selling and keeping of livestock and poultry, and the sale of products thereof; the raising of fur-bearing animals and the sale of products thereof; the selling and production of poultry and bee-raising products. All buildings (barns, sheds, silos, etc.) associated with this use.

GHOST KITCHENS

A commercial space where food is prepared and cooked for off-premises consumption only. Also known as dark, cloud, shadow, zombie or virtual kitchens.

GLARE

The sensation produced by luminance within the visual field is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.

GRADE, FINISHED

The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

GREENHOUSE, COMMERCIAL

The indoor raising of plants, shrubs and trees for sale and transplantation.

GREENHOUSE, RESIDENTIAL

The indoor raising of plants, shrubs and trees for personal use with no sales permitted.

GROUP HOME

A lawful dwelling unit that is operated by a reasonably responsible individual, family, or organization with a program to provide a supportive living arrangement for individuals not necessarily related by blood, marriage, adoption or legal guardianship, where special care is needed by the individual(s) served due to their emotional, mental, or physical challenges. A Group Home shall include persons who are functioning as the equivalent of a family, as opposed to operating as a transient facility. Group homes must be licensed where required by any appropriate government agencies (including the Pennsylvania Department of Human Services), and a copy of any such licenses must be delivered to the Township prior to beginning the use. Facilities which house persons who pose a direct physical threat to the community shall not be deemed "group homes" under the provisions of this chapter, noting that such persons include, but are not necessarily limited to, individuals who have violent behavioral disorders or who have been convicted or adjudicated delinquent for violent offenses or who have been determined to be criminally insane. The following facilities shall be allowed under the term "Group Homes":

1. a Group Institution;
2. a facility housing juvenile who have been adjudicated delinquent;
3. a facility serving as an alternative to incarceration, confinement or imprisonment;
4. an alcohol or drug treatment center;
5. a halfway house for persons who need such a facility because they are on probation or parole;
6. a work release facility for individuals convicted or adjudicated delinquent of a crime;
7. a facility providing housing for sexual offenders;
8. a secured care facility, secure detention or secure treatment center (such as where the residents have been convicted or adjudicated for violent offenses) or
9. a correctional facility.

GUEST HOUSE

A separate facility from a primary-use home, with a maximum of 800 square feet in floor area that is designed to provide accommodation for nonpaying visitors or guests on a temporary basis. The facility must have shared utilities with the primary home and have no separate mailing address to be considered a guest house.

HEALTHCARE PRACTITIONER'S OFFICE

A business establishment where one (1) or more state licensed medical professionals provide general medical, pediatric, eye, dental, and/or psychiatric treatment and/or diagnostic services to the general public, and may include uses such as reception areas, waiting areas, consultation rooms, x-ray and a dispensary. A healthcare practitioner's office shall not have overnight accommodation (hospital). Any facility for other addiction treatment programs and/or medical marijuana approved by the Pennsylvania Department of Health shall not be considered a health practitioner's office use.

HEALTH SPA

A commercial establishment offering health and beauty treatment, such as massages, therapeutic baths, fitness activities, and other such treatments.

HEAVY EQUIPMENT AND FARM EQUIPMENT SALES AND REPAIR

Establishments engaged in the sale and/or repair of heavy or farm equipment.

HOME & MOBILE HOME SALES & DISPLAY

A facility where prefabricated homes or mobile homes are erected for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or their parts and accessories.

HOME OCCUPATION

A routine, accessory and customary non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building and that meets all of the requirements for a Home Occupation provided in Article 5.

HOME OCCUPATION, MAJOR

A Home Occupation that does not meet the additional standards for a Minor Home Occupation in Article 5 and has a higher impact through elements such as increased automobile and/or foot traffic, outdoor storage, frequent deliveries, etc. Major Home Occupations require a special exception via the Zoning Hearing Board.

HOME OCCUPATION, MINOR

A Home Occupation that meets the additional standards for a Minor Home Occupation as provided in §215-26.17. A Minor Home Occupation also includes, but is not limited to, a use that meets all of the requirements for a “No Impact Home-Based Business” as provided in the Pennsylvania Municipalities Planning Code. Minor Home Occupations require approval by the Board of Supervisors.

HOME-BASED BUSINESS (NO IMPACT)

A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicle or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.

HORSE RIDING STABLES & FACILITIES, EXCLUDING HORSE RACING

A facility used for commercial riding of horses and/or ponies to the general public, which may or may not include boarding and/or riding lessons for students and the training of horses for riding and competition but does not include the intended breeding of horses.

HOSPITAL

A place for the diagnosis, treatment or other care of humans and having facilities for inpatient care, including such establishments as a sanatorium and preventorium.

HOSPITAL AND REHABILITATION FACILITY

A facility licensed by the Commonwealth of Pennsylvania as a hospital, which renders inpatient and outpatient medical care or rehabilitative services on a twenty-four hours per day basis excluding treatment centers and provides primary health services and medical/surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. A hospital use can also include attached and detached accessory uses, provided that all accessory uses are contained upon the hospital property.

HOTEL/MOTEL

A building or group of buildings for the accommodation of transient guests, containing six or more guest rooms for rent, each of which are provided with running water and toilet facilities such facilities may include a full-service kitchen and restaurant facility and meeting and conference facilities for use by the general public.

IMPERVIOUS SURFACE

Impervious surfaces are those surfaces which do not absorb water. All structures, buildings, parking areas, driveways, roads, sidewalks and any area in concrete, asphalt and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious

within the meaning of this definition will also be classified as impervious surfaces. See also Chapter 183 Stormwater Management Ordinance for further information on this definition.

IMPROVEMENTS

Physical changes to the land, including, but not limited to, buildings/structures, grading, paving, curbs, gutters, storm sewers and drains, storm water management facilities, improvements to existing watercourses, sidewalks, streets, signs, monuments, water supply facilities and sewage disposal facilities.

INDUSTRIAL PARK

A tract of land laid out in accordance with an overall plan for a group of commercial or industrial uses with separate building sites designed and arranged on streets.

JUNK VEHICLES

Includes any vehicle or trailer that meets any of the following conditions:

1. does not display one of the following: a license plate with a current registration sticker or a valid State safety inspection sticker (plates or stickers that have expired less than 3 months ago shall be considered current or valid for the purpose of this Section);
2. cannot be moved under its own power, in regard to a vehicle designed to move under its own power, other than a vehicle clearly needing only minor repairs;
3. cannot be towed, in regard to a vehicle designed to be towed;
4. has been demolished beyond repair;
5. has been separated from its axles, engine, body or chassis, and/or
6. includes only the axle, engine, body parts and/or chassis, separated from the remainder of the vehicle.

JUNKYARD

A lot or structure, or part thereof, used for the collection, storage and/or sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in operating condition, and/or for the sale of parts thereof.

JUVENILE DETENTION CENTER

Any facility, privately or publicly owned and operated, designated by the court and approved by the Department of Public Welfare to detain a juvenile temporarily. Detention facility shall not include any county jail or state prison. A juvenile is a person who has attained ten years of age and is not yet twenty-one years of age who is alleged to have, upon or after the juvenile's tenth birthday, committed a delinquent act before reaching eighteen years of age or who is alleged to have violated the terms of juvenile probation prior to termination of juvenile court supervision.

KENNEL

Any lot/property, whether for-profit or nonprofit, licensed by the Commonwealth of Pennsylvania on which six or more animals more than six months old are kept, boarded, or trained, whether or not they are kept in special buildings or runways and is not an Animal rescue shelter. Kennels may contain sleeping areas where animals are kept overnight.

LABORATORY

See "Research"

LANDSCAPE SCREEN

A completely planted visual barrier composed of a combination of shrubs, trees, or earthen berms arranged to form both a low-level and high-level screen.

LANDSCAPING

Includes, but is not limited to, grass or ground cover, and other plantings such as trees and shrubs, and may also include mulch and/or decorative stone.

LANDSCAPE AND GARDEN SERVICE, NON-RETAIL

A business establishment which specializes in the installation and/or care of lawns, landscaping (including tree care and hardscape installation and irrigation), and general property maintenance including snow removal, with all retail transactions occurring off-site and storage of landscape equipment and bulk materials, including mulch, stone, soil.

LANDSCAPING AND GARDEN CENTER, RETAIL

A business establishment which specializes in the retail sale of plants, soils, landscaping tools, hardscape, and other landscaping and garden accessories. This may include greenhouses, outdoor display areas, seasonal sales yards, and limited on-site bagging of bulk materials for retail sale. Contractor sales may be added as an accessory component, provided that retail sales to the public remain the principal use.

LANDOWNER

The owner of a fee interest, equitable interest or lease hold interest in real property.

LAUNDROMAT

A commercial facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

LAUNDRY COMMERCIAL

A facility where the washing, drying, or dry cleaning of fabrics in machines operated by the staff of the facility occurs for customers.

LIVESTOCK

Livestock are domestic animals raised for use, profit, or enjoyment, typically on a farm or ranch. This includes a wide range of animals such as cattle, sheep, pigs, goats, horses, and poultry, as well as other domesticated animals like llamas and alpacas. The term generally excludes household pets like cats and dogs. See also "Domestic Animals"

LOADING SPACE

A paved, off-street space logically and conveniently located for the temporary loading and unloading of goods and having direct usable access to a street, access drive or alley. Off street loading spaces do not count towards off street parking requirements and shall not infringe on any required buffer planting strip.

LODGING HOUSE

A building or a portion thereof containing not more than one dwelling unit; where lodging is provided for compensation for not more than three persons in addition to the resident family unit.

LOT

A tract or parcel of land, regardless of size, held in single or joint ownership and as described by metes and bounds in the most recent deed for said land, unless shown on an approved and duly recorded subdivision plan as more than one parcel of land. The term lot shall also mean parcel, plot, site or any similar term.

LOT, CORNER

A parcel of land at the junction of and abutting on two or more intersecting streets.

LOT, FLAG

A lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right of way.

LOT, INTERIOR

A lot other than a corner lot, the sides of which do not abut a street.

LOT LINES

The lines defining the boundaries of a lot.

LOT LINES/PROPERTY

A recorded boundary of a lot forming the front, rear, and sides of lots. Any property line which abuts a street or other public right of way shall be measured from the right of way.

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

LOT, NONCONFORMING

A lot, the area, width depth or other dimensional attribute of which was lawful prior to the adoption or amendment of this ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

LOT OF RECORD

A lot identified on a subdivision plan or on a deed or other instrument of conveyance recorded in the office of the Recorder of Deeds in and for Lycoming County, Pennsylvania.

LOT, REVERSE FRONTAGE

A lot that abuts public rights-of-way to the front and rear of the property, where vehicular access is prohibited to and from the higher classified street. The yard abutting the higher classified street shall be considered a rear yard.

LUMBERYARD

Where lumber products are sold and/or processed.

MANUFACTURING

Manufacturing, including production, assembly, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products that have some economic value.

MANUFACTURED HOME / MOBILE HOME

A fully prefabricated, transportable, single family detached dwelling unit intended for household occupancy contained in one or more units designed to be joined into one integral unit, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and household furnishings. It is constructed as required by the Township Building Code and shall be placed on a frost-protected foundation with the same, or equivalent, electrical, plumbing and sanitary facilities as for a conventional stick-built single family detached dwelling. A manufactured home may include any addition or accessory structure, such as porches, sheds, or decks, which are attached to it.

MANURE

The fecal and urinary excrement of livestock and poultry, often containing some spilled feed, bedding or litter.

MANURE STORAGE FACILITIES

A detached properly permitted structure or other improvement built to store manure for future use or disposal. Types of storage facilities are as follows: underground storage, in-ground storage, earthen bank, stacking area, and aboveground storage.

MASSAGE

The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping by hand, mechanical device, or other means.

MASSAGE ESTABLISHMENT

An establishment which provides the services of massage, except where operated by a medical practitioner, chiropractor or professional physical therapist licensed by the commonwealth or a qualified massage therapist. This definition does not include an athletic club, health club, school, gymnasium, reducing salons, spas, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service. "Massage establishment" shall not include any of the adult entertainment type uses defined in this chapter.

MEDICAL MARIJUANA

Marijuana for certified medical use as set forth in Act 16 of 2016 or as subsequently amended.

MEDICAL MARIJUANA DISPENSARY

Use of the premises by a natural person, corporation, partnership, association, trust or other entity, or a combination thereof, holding a permit issued by the Commonwealth of Pennsylvania Department of Health, to dispense medical marijuana.

MEDICAL MARIJUANA GROWER/PROCESSOR

The use of the premises by a person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, holding a permit from the Commonwealth of Pennsylvania Department of Health, to grow and/or process medical marijuana, with all growing and processing activity to be conducted indoors.

MEMBERSHIP CLUB

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.

METERING STATION

A permanent structure that is used as a midstream operation for the purpose of metering or measuring the flow and/or volume of gas, and includes associated equipment (dehydrators, line heaters, and meters), tanks and site disturbance. [Added 9-27-2011 by Ord. No. 343]

MICRO BREWERY

A brewery, in accordance with the Pennsylvania Liquor Control Board, that makes no more than 15,000 barrels of beer a year.

MICRO DISTILLERY

A business establishment which distills and produces beverage grade spirit alcohol in single batches in accordance with Pennsylvania Liquor Control Board.

MIDSTREAM OPERATION

Compressors, compressor stations, meters and processing plants that support more than one well pad (all operations and facilities constructed or installed between the wellheads and the main product transportation line). [Added 9-27-2011 by Ord. No. 343]

MILL

Mill where grain and similar produces are processed.

MINERALS

Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. [Added 9-27-2011 by Ord. No. 343]

MIXED USE DEVELOPMENT

A development, generally consistent with the parameters of Article 7 (Planned Residential Development) of the Municipalities Planning Code ("MPC"), specifically Section 705(b) of the MPC [53 P.S. §10705(b)] that permits residential and non-residential uses pursuant to a tentative master development plan on property singularly owned or controlled (equitable or otherwise) having a minimum overall property or lot area of 30 contiguous acres.

MANUFACTURED HOME LOT AND PARK

A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two more 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 constructed so that it may be used without a permanent foundation. Manufactured homes do not include recreational vehicles.

MANUFACTURED HOME LOT

A parcel of land in a manufactured home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single manufactured home, which is sold or leased by the park owner to the occupants of the manufactured home erected on the lot. (See Article 6 for further design information).

MANUFACTURED HOME PARK

A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more manufactured home lots for the placement thereon of manufactured homes. (See Article 6 for further design information).

MONOPOLE TOWER

A telecommunications tower consisting of a single pole constructed without guy wires. (See Chapter 197 of the Code of the Township of Loyalsock, "Telecommunications Towers".)

MOTOR VEHICLE

A self-propelled device, except that which uses human power only, used for the transporting of persons or goods. This would include automobiles, trucks, boats, trailers, farm equipment, all-terrain vehicles, dune buggies, snowmobiles, and other similar motorized equipment.

MOTOR VEHICLE, COMMERCIAL

A licensed, motorized vehicle designed for transportation of commodities, merchandise, produce, freight, animals, or passengers and operated in conjunction with a business, occupation, or home occupation. This term shall include, but is not limited to, automobiles, trucks, tractor-trailers, and vans.

MOTOR VEHICLE REPAIR & RESTORATION

A motor vehicle repair garage, including paint spraying and body and fender work, provided that all repair and paint work is performed within a building.

MOTOR VEHICLE SALES

The sale and/or rental of motor vehicles, including new automobiles by a duly franchised new car dealership, used car sales, trucks, trailers, cycles, boats, and recreation vehicles, including repair work conducted as an accessory use.

MUNICIPAL ENGINEER

A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for the Township of Loyalsock.

MUNICIPALITIES PLANNING CODE (MPC)

The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. 10101 et seq.

MUNICIPALITY

Loyalsock Township, Lycoming County, Pennsylvania.

NONCONFORMING STRUCTURE

A structure or part of a structure manifestly not designed to comply with the applicable use provisions of this chapter or amendment heretofore or hereafter enacted, where such structure lawfully exists prior to the application of this chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE

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

NONPROFIT

An organization registered as a 501C(3) organization with the Internal Revenue Service. [Added 10-25-2005 by Ord. No. 315]

NONRESIDENTIAL ACCESSORY

A building or use subordinate to, or customarily incidental to, the principal use or main building on property other than a residential property.

NORMAL FARMING OPERATIONS

The customary and generally accepted activities, practices and procedures that farms and dairies adopt, use, or engage in year after year in the production and preparation for market of poultry, livestock and their products and in the production, harvesting and preparation for market of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities, if the operations are conducted in compliance with applicable laws, and if the use or disposal of these materials will not pollute the air, water or other natural

resources of the commonwealth. The term includes the storage and utilization of agricultural and food-processing wastes on land where the materials will improve the condition of soil, the growth of crops or in the restoration of the land for the same purposes.

NURSERY (HORTICULTURE)

Any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines, and other plants for sale and transplantation, including the buildings, structures and equipment customarily incidental and accessory to the primary use.

NURSING OR CONVALESCENT HOME

A commercial facility designed and used for the full-time care of human beings, and which may include housing or lodging, meals, and nursing. A facility licensed by Pennsylvania for the housing and intermediate or fully skilled nursing care of 3 or more persons. As of 2009, such licensing agency is the Department of Health.

OBSERVATION WELL

A well-used to monitor the integrity and conditions in a gas storage reservoir, the reservoir protective area or strata above or below the gas storage horizon. [Added 9-27-2011 by Ord. No. 343]

ODORANT INJECTION

Any manner or method by which odorant is placed into the gas being transported from well sites to an interstate or intrastate gas distribution line. [Added 9-27-2011 by Ord. No. 343]

OFFICE, BUSINESS AND OTHER

Business, professional, financial, governmental and other related or similar office uses.

OFFICE, MEDICAL

See "Healthcare Practitioners Office"

OFFICE, PARK

A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses, with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.

OIL AND GAS DEVELOPMENT

The oil and gas development use includes the process of perforating the earth's surface and rock layers to extract fossil fuels, natural gas or oil, for energy production, and all associated equipment, structures and construction at the drilling site, including the well pad, access roads, hydraulic fracturing, production, pipelines, tanks, meters, gas production units, flares, towers, and temporary crew and supervisor trailers, for exploration and production at a single well pad, including multiple wells at a single well pad, and all subsequent site reclamation activities which follow the production phase. [Added 9-27-2011 by Ord. No. 343]

OIL AND GAS STAGING FACILITY

A facility or location on a permitted site for the storage of equipment and vehicles used to support gas development activities at other permitted sites. [Added 9-27-2011 by Ord. No. 343]

OIL AND GAS WELL

A hole or holes, bore or bores, which perforate the earth's surface and rock layers to extract oil, gas or other hydrocarbons from the earth. [Added 9-27-2011 by Ord. No. 343]

OPEN SPACE

The unoccupied space open to the sky on the same lot with the building.

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 and designed and intended for the use or enjoyment of residents of a development, not including streets, off street parking areas, and areas set aside for public facilities.

OUTDOOR LIGHTING

Temporary or permanent lighting installed or used to illuminate the areas outside of an enclosed structure, including those lighting fixtures located in enclosed structures aimed to illuminate the area outside of the enclosed structure.

OUTDOOR STORAGE (RESIDENTIAL)

Keeping goods, materials, equipment, or furnishings outside of a fully enclosed building for more than 24 hours, excluding items expressly permitted by this Zoning Ordinance.

PARK-AND-RIDE LOT

A parking lot intended primarily for use by persons riding mass transit or carpooling.

PARKING GARAGE/DECK/COMPOUND

A covered or enclosed space used exclusively for the parking of passenger vehicles for short-term, daily, or overnight off-street parking and connected to a street by an access drive. This shall include parking garages, decks, and compounds. Vehicles shall be limited to currently registered and inspected vehicles.

PARKING LOT

An area devoted to the off street, temporary parking of vehicles, including parking spaces, aisles, access drives and landscaped areas. The term shall not include private garages or private residential parking of less than five (5) spaces.

PARK, MINI

A form of common open space measuring between 10,000 square feet and two acres that is intended for a mix of active and passive recreation and may include play equipment or play court areas.

PARK NEIGHBORHOOD

A form of common open space that is a minimum of two acres in size and provides a mix of active and passive recreation.

PARKING SPACE

An impervious space available for the parking of one motor vehicle and having usable impervious access to a street, access drive or alley.

PATIO

An unroofed area or courtyard which shall not be completely enclosed, except for any side which may adjoin a structure or be lined by fences, walls, shrubs, or hedges. Outdoor areas covered by a structural roof, trellis, pergola, or fixed awning shall be considered to be a structure and not a patio. For the purposes of this ordinance, a patio is considered to be impervious surface.

PAVED AREA

Any impervious paving or other durable surface for, including but not limited to, driveways, sidewalks, patios, and parking facilities, exclusive of the building footprint, the permitted extent of which is expressed as a percentage of the lot size.

PENNDOT

Pennsylvania Department of Transportation

PENNSYLVANIA MUNICIPALITIES PLANNING CODE/PMPC

Pennsylvania Act 247, enacted by the General Assembly of Pennsylvania on July 31, 1968, as amended, 53 P.S. 10101 et seq or as subsequently amended.

PERMIT

Written authorization issued by the recognized official or authoritative agency, as specified in respective regulations, which permits the applicant to proceed with the work certified by said official or authoritative agency in the permit application.

PERSON

The term shall be construed to include a natural person, firm, co-partner, or corporation, partnership, association or any other similar entity.

PET GROOMING FACILITIES

A business establishment devoted exclusively to the grooming and hygienic cleaning of domestic pets but not overnight housing, breeding, and/or sale of domestic pets.

PLACE OF WORSHIP

A building, structure, or group of buildings or structures, including accessory uses, designed or intended for worship. This definition shall include a church, chapel, cathedral, synagogue, temple, mosque, or other facility that is principally used for prayer by persons of similar beliefs; or a special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis and may include cemeteries as an accessory use. For additional criteria, see Article 5.

PLANNED RESIDENTIAL DEVELOPMENT

An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance. [Amended 8-25-1998 by Ord. No. 274]

PLANNING COMMISSION

The Loyalsock Township Planning Commission Lycoming County Pennsylvania duly appointed by the Board of Supervisors.

PLANTING STRIP

A strip of required yard space adjacent to a property line or right-of-way planted in grass, shrubs, trees, other plant material or decorative stone or mulch.

PLAT

The map or plan of a subdivision or land development, whether preliminary or final.

PLOT PLAN

A detailed proposal for a project which shows the location, character and dimensions of the proposed occupancy and related roadway features, including layouts, profiles, cross sections, drainage and other details as specified in this ordinance.

POND

A body of water contained by earthen banks used for fire protection or aesthetic value and having a depth at any point of more than two feet and more than 250 square feet in surface area.

PORCH

A roofed-over structure that is attached to and projecting from the front, side, or rear wall of a building that may be open or enclosed by walls, screens, railing, or columns. For the purpose of this ordinance, a porch is considered a part of the principal building and shall not be permitted to extend into any required yards except as expressly permitted for Entrance Canopies.

PREMISES

Any lot, parcel or tract of land and any building constructed thereon.

PREPARED FOODS

Foodstuffs and/or beverages which have been cooked, changed, cleaned, or otherwise altered for public consumption.

PRINCIPAL BUILDING

The building or portion thereof housing the principal use.

PRINCIPAL USE

The main or primary purpose for which a building, other structure and/or lot is designed, arranged or intended, or for which it may be used, occupied or maintained under this ordinance. More than one principal use may occupy a single building or lot, provided each use is permitted in the district and all applicable standards are met.

PRINTING/PUBLISHING

Establishments dedicated to the printing, publishing and binding of paper products and the distribution of these products.

PRISON

Including a jail, a place for the confinement of persons awaiting trial or lawful detention under the supervision of Loyalsock Township, county, state and/or federal officials, especially persons convicted of crimes. A prison may be privately or publicly owned and maintained. [Added 8-27-2013 by Ord. No. 356]

PRIVATE

Not publicly owned, operated or controlled.

PRIVATE ROAD

A right-of-way not owned or maintained by any municipal entity or any other public agency which provides vehicular access to no more than three adjoining lots by means of a private right-of-way, easement or common area. A Private Road is distinct from a public street and from a private driveway that serves only a single lot.

PRODUCT

Any article whose appearance or composition has been changed or altered but not in complete form for ultimate disposition.

PRODUCTION

A function involved in the manufacturing and/or packaging of materials, goods, or products, in which they are physically changed.

PRODUCTION WELL

Any gas or oil well that has been brought on-line to provide the material to market after a successful exploration step. [Added 9-27-2011 by Ord. No. 343]

PROFESSIONAL CONSULTANT

Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, arborists, or planners.

PROFESSIONAL ENGINEER

An engineer registered in the Commonwealth of Pennsylvania.

PROFESSIONAL LAND SURVEYOR

A surveyor registered in the Commonwealth of Pennsylvania.

PUBLIC

Used as an adjective describing being owned, operated or controlled by a government agency (federal, state or local, including a corporation created by law for the performance of certain specialized governmental functions and including the Board of Education).

PUBLIC HEARING

A formal meeting held pursuant to public notice by the Township Board of Supervisors, Township Zoning Hearing Board, or Township Planning Commission, intended to inform and obtain public comment.

PUBLIC NOTICE

Notice published once each week for two 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 seven days from the date of the hearing. [Amended 8-25-1998 by Ord. No. 274]

PUBLIC SEWER

See Chapter 175 of the Code of the Township of Loyalsock, "Sewers".

PUBLIC TRANSPORTATION SHELTER

A small structure with a roof used by passengers awaiting the arrival of public transportation that provides cover or protection, as from weather. Any associated advertisements shall comply with the appropriate ordinance sign regulations for public use.

PUBLIC UTILITIES

See "Utilities (Public)"

QUALIFIED MASSAGE THERAPIST

An individual who has graduated from a massage school that is accredited and licensed as a private school by the Commonwealth of Pennsylvania or by any state within the United States of America; and holds and maintains a current certification by the National Certification Board of Therapeutic Massage and Body Work or its successor or a national certification program maintaining similar standards.

RECREATION FACILITY (PRIVATE)

A facility or park area intended to be used for recreation purposes, owned or operated by other than a governmental agency.

RECREATION FACILITY, PRIVATE COMMERCIAL

An activity operated as a business, open to the public for the purposes of recreation or entertainment, including but not limited to bowling alleys, drive-in motion picture facilities, swimming pools, health clubs, movie theaters, miniature golf courses, etc. This does not include adult-related uses, as defined herein.

RECREATION FACILITY, PUBLIC NON-COMMERCIAL

A facility or park area intended to be used for recreation purposes, owned or operated by the Township or other governmental agency.

RECREATIONAL VEHICLE

A vehicle which can be towed, hauled, or driven and is designed primarily as temporary living accommodation for recreational, camping, and travel use and includes but is not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes. See Article 8 for floodplain regulations regarding these types of vehicles in the designated floodplains.

REDRILL

Deepening or sidetrack/horizontal drilling extending more than 150 feet from the existing well bore. [Added 9-27-2011 by Ord. No. 343]

RENEWABLE ENERGY

Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy, and excluding those sources of energy used in the fission and fusion processes.

REPAIR

The replacement of damaged or defective existing construction, not including alterations or additions.

REPAIR SHOP

A shop for the repair of items such as appliances, lawn mowers, and other small engine equipment, watches, guns, bicycles, locks and electronic devices, but not including automobiles, motorcycles, trucks, trailers and other heavy equipment.

RESEARCH

Investigating, analyzing, testing in or on experimental laboratories or grounds.

RESIDENTIAL ACCESSORY

A building or use subordinate to, or customarily incidental to, the principal use or main building on a residential property.

RESTAURANT

A public eating place primarily offering indoor or outdoor counter or table service seating and custom-prepared foods for on-premise consumption. As an accessory use, may contain a bar, drive through or carry out services.

RETAIL

Those businesses whose primary activities involve the display and sales of goods and products to the general public.

RETAIL DELIVERY BUSINESS

A retail business that has at least 75% of its sales via telephone, internet or fax and such merchandise is delivered to the customers from the retail business location. Said deliveries shall be made on a yearly average of no more than five times in any twenty-four-hour period. [Added 12-29-2004 by Ord. No. 309]

RETAIL STORE

A shop which sells goods to the ultimate consumer.

RETAINING WALL

A structure that holds back earth or water from a building or other structure. Retaining walls stabilize soil and/or rock from downslope movement or erosion and provide support for vertical or near-vertical grade changes.

REWORK

Reentry of an existing well within the existing bore hole or by deepening or sidetrack/horizontal operations which do not extend more than 150 feet from the existing well bore, or replacement of well liners or casings. [Added 9-27-2011 by Ord. No. 343]

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.

RIGHT-OF-WAY

Land set aside for use as a street, alley or other means of egress and ingress and for the location of public water lines, public sewer lines and utilities regulated by the Pennsylvania Public Utilities Commission.

ROOMING HOUSE

See "lodging house."

SALVAGE YARD

Any place where a salvor, a vehicle salvage dealer, a salvage motor vehicle auction or pool operator or where an automobile dismantler and recycler engage in business.

SCHOOL

Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SCHOOL (CHARTER)

A public school that— (A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph; (B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction; (C) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency; (D) provides a program of elementary or secondary education, or both; (E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution; (F) does not charge tuition; (G) complies with the Age Discrimination Act of 1975 [42 U.S.C. 6101 et seq.], title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.], section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794], the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 1232g of this title (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the Individuals with Disabilities Education Act [20 U.S.C. 1411 et seq.]; (H) is a school to which parents choose to send their children, and that— (i) admits students on the basis of a lottery, consistent with section 7221b(c)(3)(A) of this title , if more students apply for admission than can be accommodated; or (ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the

affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i); (I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State; (J) meets all applicable Federal, State, and local health and safety requirements; (K) operates in accordance with State law; (L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and (M) may serve students in early childhood education programs or postsecondary students.

SCHOOL (COMMERCIAL)

A trade or professional school intending for training in a particular field.

SCHOOL (NURSERY)

Any place designed and operated to provide regular instruction and daytime care for three or more children under the age of elementary school.

SCHOOL (PRIVATE)

Any school which offers instruction under the supervision of the state or an organization, corporation, partnership or person meeting the requirements of the state or federal government, other than a public school.

SCHOOL (PUBLIC)

Educational facilities associated directly with the Loyalsock Township School District.

SCREENING

The formation of a visual or acoustical barrier or fencing generally intended to shield nearby uses or structures from one another.

SCREEN PLANTING

A vegetative material designed to restrict from the view of property owners in adjoining districts the structures and uses on the premises on which the screen planting is located.

SEASONAL ROADSIDE STAND

A nonpermanent structure used for the sale of farm, agricultural or nursery products on the premises.

FIREWOOD SALES, INCIDENTAL (RESIDENTIAL).

Seasonal sale of split firewood produced on the same residential lot from trees grown/removed on that lot, offered via a small stand or by pre-arranged pickup. This is separate from Firewood Retail Yard (bulk retail, wholesale, or commercial distribution) (See "Commercial Forestry").

SEATS

Whenever the word "seats" is referred to, it shall mean the seating capacity of a particular building as determined by the plans filed with the Zoning Officer; in the event individual seats are not provided, each 20 inches of benches or similar accommodations shall be considered as one seat for the purposes of this ordinance.

SEISMIC TESTING

Testing conducted on the earth's surface or shallow subsurface for the purpose of evaluating subsurface geological conditions. [Added 9-27-2011 by Ord. No. 343]

SELF SERVICE FUEL SALES

See Fuel Service.

SERVICE BUSINESS

Shops, including but not limited to a barber, beauty shop, nail salon, tailor, dressmaking, shoe repair, photographer, travel agency or similar service uses. This definition includes incidental uses and additional related cosmetic and/or beauty services such as facials, waxing, and the minor retail sale of cosmetic products. Service businesses do not include adult establishments as defined herein.

SERVICE STATION/CAR WASH FACILITY

The retail sale of vehicular fuels and/or a car washing facility, and including as accessory uses, the sale and installation of lubricants, tires, batteries and similar accessories and/or the sale of groceries and other convenience-type products.

SETBACK

The required horizontal distance between a setback line and a property or street right-of-way line.

SETBACK, FRONT YARD

The required minimum yard area contained between the street right-of-way line, private street, or common open space (when the subject structure is oriented towards the common open space) and the subject structure. On corner lots, there shall be two front yards, being the area contained between the street right-of-way lines and the subject structure.

SETBACK LINE

A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line.

SETBACK, REAR YARD

The required minimum yard area contained between the rear property line and the subject structure. On corner and reverse frontage lots, the rear yard shall be considered as an area between the subject structure and the property line directly opposite the street address.

SETBACK, SIDE YARD

The required minimum yard area between a subject structure and the adjacent side lot line, extending from the front yard to the rear yard.

SEXUAL DEVICE

Any three-dimensional object designed and marketed for stimulation of the male or female human genital organ or anus or for sadomasochistic use or abuse of oneself or others and shall include devices such as dildos, vibrators, penis pumps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy. [Added 12-18-2007 by Ord. No. 321]

SEXUAL-DEVICE SHOP

A commercial establishment that regularly features sexual devices. Nothing in this definition shall be construed to include any pharmacy, drugstore, medical clinic, or any establishment primarily dedicated to providing medical or health care products or services; nor shall this definition be construed to include commercial establishments which do not restrict access to any portion of their premises by reason of age. [Added 12-18-2007 by Ord. No. 321]

SEXUAL ENCOUNTER CENTER

A business or commercial enterprise that, as one of its principal business purposes, purports to offer for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex when one or more of the persons is seminude. [Added 12-18-2007 by Ord. No. 321]

SEXUALLY ORIENTED BUSINESS

An adult bookstore or adult video store, an adult cabaret, an adult arcade, an adult motel, an adult motion picture theater, an adult drive-in picture theater, an adult mini-motion-picture theater, an adult walk-in picture theater, a sexual device shop or sexual encounter center. [Added 12-18-2007 by Ord. No. 321]

SIGN

A device for visual communication that is used to bring the subject to the attention of the public. Signs include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia or flags of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects. Signs do not include architectural features which may be identified with a particular business; backlit awnings that include no lettering, logos, or other symbols; signs within a building which are obviously intended to be seen primarily from within the building; outdoor signs intended for use within a property, such as menu signs by fast food restaurant drive through lanes.

SHOPPING CENTER

A group of retail, office and other commercial and consumer/service establishments planned and designed with separate entrances to function as a unit and held in a single ownership with off-street parking provided as an integral part of the unit.

SHORT-TERM RENTALS

Any dwelling unit within a residential or mixed-use structure which is rented or leased for overnight lodging to transient guests for a period of not less than one day nor more than 30 consecutive calendar days. Short-term rentals shall include vacation homes but shall not include bed-and-breakfast inns, boarding or rooming houses, or hotels/motels as defined in the Zoning Ordinance of Loyalsock Township.

SIDEWALK

A designated area paralleling and usually separated from the vehicular travel way that is usually part of the right of way and used as a pedestrian walkway.

SIGHT DISTANCE

The length of road visible to the driver of a passenger vehicle at any given point in the road when viewing is unobstructed.

SIGHT TRIANGLE

A triangle-shaped portion of land established at a street intersection on which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the clear sight distance of motorists entering or leaving the intersection.

SIGN

A device for visual communication that is used to bring the subject to the attention of the public. Signs include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia or flags of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects. Signs do not include architectural features which may be identified with a particular business; backlit awnings that include no lettering, logos, or other symbols; signs within a building which are obviously intended to be seen primarily from within the building; outdoor signs intended for use within a

property, such as menu signs by fast food restaurant drive through lanes. For specific sign type and component definition, see § 215-59 “Sign Definitions”.

SLOPE

The vertical change of an area of land divided by the horizontal change, measured in a percent.

SLOPED LOT

Any parcel containing slopes greater than 15%.

SMALL WIND ENERGY SYSTEM

A single tower, or multiple towers, situated on a lot to provide energy from a wind turbine source to an individual home, multifamily residential use, and agricultural uses located on the same lot. The wind energy is not to be provided to others for sale off-site in the power grid. The small wind energy system may follow the rules of net metering under the state policy. [Added 2-24-2009 by Ord. No. 331]

SOLID WASTE

See Chapter 180 of the Code of the Township of Loyalsock.

SOLID WASTE MANAGEMENT SERVICES AND FACILITIES

To include Solid Waste Transfer Facility, Landfill or Waste to Energy Facility .A solid waste management and ancillary service use provided by a corporate or political body organized under the Municipal Authorities Act of 1945 of the Commonwealth of Pennsylvania, or such similar or successor statute as may be enacted, for the systematic control of generation, collection, storage transport, source separation, processing, treatment, recycling, recovery and disposal of solid waste, including facilities for the incineration of solid waste and transfer stations.

SPECIAL EXCEPTION

A use to be permitted or denied by the Loyalsock Township Zoning Hearing Board in a particular zoning district pursuant to expressed standards and criteria.

SPECIFIED ANATOMICAL AREAS

Less than completely and opaquely covered human genitals; pubic region; buttock; and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered. [Added 12-18-2007 by Ord. No. 321]

SPECIFIED SEXUAL ACTIVITIES

Sexual stimulation or arousal of human genitals; acts of human intercourse, oral sex, masturbation or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast. [Added 12-18-2007 by Ord. No. 321]

SPORTSMEN’S CLUB

A membership organization owning land in common for outdoor recreational purposes on a seasonal and temporary basis, to include activities such as hunting, fishing, boating, skeet shooting and the like, and which may include indoor facilities such as a club house or cabins for use by members.

SQUARE

A form of common open space, typically ranging from 3,000 to 10,000 square feet in area, that is designed and maintained with pavers, benches, plantings, and other landscape features.

STABLE, HOUSEHOLD

An accessory building in which domestic animals are kept for private use and not for hire, exhibition or sale.

STABLE, NON-HOUSEHOLD

Any lot or building on which domestic animals are kept, boarded, trained or rented for remuneration.

STEEP SLOPES

Areas with slopes that are 15% or greater.

STORAGE

A function involving the depositing of materials, goods or products for safekeeping.

STORAGE CONTAINER

Any box-like container which is transported by truck or trailer to a designated location for drop off and which is otherwise stored at an offsite location. Meant to be temporary in nature and for the purposes of this ordinance shall not be considered a permanent structure, unless authorized by the Zoning Hearing Board through special exception.

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. These are not to be primary uses.

STORMWATER MANAGEMENT ORDINANCE

The official Loyalsock Township Stormwater Management Ordinance Chapter 183.

STORY

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six (6) feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused under-floor space shall be considered as a story.

STREET

Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [Amended 8-25-1998 by Ord. No. 274]

STREET GRADE

The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts, at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE

The dividing line between the street and adjoining property. Also known as the "right-of-way line."

STRUCTURE

Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including, but not limited to, buildings, signs, sheds, at grade or above grade stormwater features, carports, garages, pergolas, fences, decks, swimming pools, cabins, manufactured homes, and certain outdoor recreational equipment however specifically excluding walkways, driveways, patios, lawn ornaments, posts and mailboxes.

SUBDIVISION

The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, 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 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

The official Loyalsock Township Subdivision and Land Development Ordinance Chapter 190.

SUPPLY YARD

A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

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 two (2) feet or a surface area of more than 250 square feet, used or intended to be used for swimming. This includes in-ground swimming pools, above-ground or on-ground pools, hot tub and spas.

SWIMMING POOL, PUBLIC OR SEMI-PUBLIC

Any open or enclosed place open to the public for swimming or recreational bathing, whether or not a fee is charged for admission or for the use thereof.

TANK

A container, covered or uncovered, used in conjunction with the drilling or production of oil and gas or other hydrocarbons for holding or storing fluids. [Added 9-27-2011 by Ord. No. 343]

TAVERN/BAR

Any establishment licensed by the Pennsylvania Liquor Control Board to serve alcoholic beverages for on-premise consumption.

TECHNOLOGICAL INDUSTRY

An establishment which conducts research, development and/or controlled production of high-technology electronic, industrial, or scientific products or commodities, including, but not limited to, a biotechnology firm or manufacturer of non-toxic computer components.

TELECOMMUNICATIONS FACILITIES/EQUIPMENT

See Chapter 197 of the Code of the Township of Loyalsock, "Telecommunications Towers".

TELECOMMUNICATION TOWER

See Chapter 197 of the Code of the Township of Loyalsock, "Telecommunication Towers".

THEATER CHURCH

A portion of a movie theater used on a limited and secondary basis for religious and/or spiritual worship, and which is operated for nonprofit and noncommercial purposes.

TOWER

See Chapter 197 of the Code of the Township of Loyalsock, "Telecommunications Towers".

TOWNSHIP

The Township of Loyalsock, Lycoming County, Pennsylvania.

TOWNSHIP ENGINEER

A duly registered professional engineer, licensed as such in the Commonwealth of Pennsylvania, appointed by the Township or engaged as a consultant thereto.

TOWNSHIP MANAGER

The Manager serving at the pleasure of the Board of Supervisors of Loyalsock Township, Lycoming County, Pennsylvania.

TRAILER

An unpowered portable, vehicular structure built on a chassis and designed for travel, recreation, or hauling.

TREATMENT CENTER

A use involving any one or combination of the following:

1. A use (other than a prison or a hospital) providing housing for 3 or more unrelated persons who need specialized housing, treatment and/or counseling because of:
 - a. Criminal rehabilitation, such as a criminal halfway house, or a facility for the housing of persons judged to be juvenile delinquents, or a criminal work release or pre-release facility;
 - b. Current addiction to a controlled substance that was used in an illegal manner or alcohol; and/or
 - c. A type of mental illness or other behavior that causes a person to be a threat to the physical safety of others
2. A residential or non-residential Methadone Treatment Facility, which shall be defined as a facility licensed by the Pennsylvania Department of Health other than a Hospital, to use the drug methadone in the treatment, maintenance or detoxification of persons.
3. A lot upon which resides 2 or more persons who are required to register their place of residence with the Pennsylvania State Police as a requirement of the Pennsylvania Megan's Law II, or its successor law, as amended.
4. A behavioral health facility and a psychiatric hospital meeting the requirements of all laws and regulations shall qualify as a Treatment Center.

TRANSIENT RETAIL BUSINESS

See Chapter 154 of the Code of the Township of Loyalsock, "Peddling and Soliciting".

TRUCK TERMINAL

Any property which is the origin and/or destination point of short and long-distance hauling and is used for the purpose of storing, transferring, loading, and unloading, in addition to truck and trailer parking. This would include solid waste disposal vehicles, tank trucks, and livestock trucks. Accessory uses may include dispatch/office, minor fleet maintenance, driver amenities such as dumpsters to rent. Any sales are not open to the public.

TURBINE HEIGHT; TOWER HEIGHT

The distance measured from the surface grade of the tower foundation to highest point in vertical position of the turbine rotor blade. [Added 2-24-2009 by Ord. No. 331]

UNIFORM CONSTRUCTION CODE (UCC)

The statewide building code, adopted by the Pennsylvania General Assembly in 1999, as amended, applicable to new construction in all municipalities, whether administered by the municipality, a third party, or the Department of Labor and Industry. Applicable to residential and commercial buildings, the code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable to the state floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

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.

USE, ACCESSORY

See "Accessory Use"

USE BY RIGHT

A permitted use as distinguished from a use not requiring a special exception or conditional use.

USE, CHANGE OF

An alteration of a building, structure, sign, or tract of land which changes the use heretofore existing to a new use classification.

USE, COMMERCIAL

A use of land or improvements thereto for the purpose of engaging in retail, wholesale, service or other activities for consideration.

USE, CONDITIONAL

A use which may not be appropriate to a particular zoning district as a whole, but which may be suitable in certain localities within the district only when specific conditions and criteria prescribed for such uses have been complied with. Conditional uses can be approved or denied after being reviewed by the Board of Supervisors at a public hearing upon recommendations from the Planning Commission.

USE, NONCONFORMING

A use, whether of land, structure, or building, which does not comply with applicable use provisions of this ordinance or amendments heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation. See §215-42 of this ordinance for specific regulations concerning nonconforming uses.

USE, PERMITTED

The specific purpose for which land, structure, sign or a building may be designed, arranged or intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

UTILITIES (PUBLIC)

Those services rendered and regulated by public utility corporations, municipalities or municipal authorities, in the nature of electricity, gas, telephone, water, cable and fiber optic internet, and sewage, including the appurtenances used in connection with the supplying of such services (building, wires, pipes, poles and the like).

USE, PRINCIPAL

See "Principal Use"

USE, RESIDENTIAL

An existing or proposed dwelling or dwelling unit(s) on a lot, to include a one-family detached dwelling; single-family semidetached dwelling; duplex dwelling; multiple-family dwelling; townhouse dwelling; group dwelling, carriage house dwelling; accessory dwelling unit; apartment dwellings and a dwelling in combination.

USE, SPECIAL EXCEPTION

See "Special Exception"

USE, TEMPORARY

Any use not to exceed a defined period-of-time as permitted.

VARIANCE

Relief of any provision of this ordinance granted by the Zoning Hearing Board pursuant to the provisions of Articles VI and IX of the Municipalities Planning Code, Act 170, as amended.

VEGETATIVE MATERIAL

Shall consist of trees, shrubs, flower grass, ground covers or similar decorative substitute such as bark, stone, etc.

VEHICLE, JUNK

Any inoperable vehicle, recreational activity vehicle, or utility vehicle that meets any of the following conditions such as but not limited to:

1. In regard to a vehicle designed to move under its own power: The vehicle cannot be moved under its own power, other than a vehicle clearly needing only minor repairs;
2. In regard to a recreational activity vehicle or utility vehicle designed to be towed: The vehicle cannot be towed;
3. The vehicle has been demolished beyond repair;
4. The vehicle has been separated from its axles, engine, body, or chassis;
5. The vehicle consists of only the axle, engine, body parts, and/or chassis, which is separated from the remainder of the vehicle;
6. The vehicle does not contain a current license or registration; and/or is uninspected.
7. The vehicle is otherwise unworthy for road travel in accordance with applicable local, state, or federal regulations as determined by the Township Zoning Officer.

VEHICLE UTILITY

A vehicle, other than an automobile or truck (regardless of size), designed to be self-propelled or towed or carried by an automobile or truck, commonly used for hauling of materials, possessions, animals, or other nonrecreational vehicles.

VIOLATION

The act of not meeting specific conditions or requirements of this Chapter (i.e., noncompliance)

WALKWAY

A defined pedestrian path which is not aligned with vehicular circulation patterns, but which is located on a lot along proposed or existing pedestrian patterns.

WALL, FREESTANDING

A man-made structure erected for purposes of property delineation, decoration, or enclosure, which is not part of a building or other structure and is typically constructed of brick or stone. This definition shall not include retaining walls.

WALL, HEIGHT

The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

WALL, RETAINING

See “retaining wall”

WAREHOUSE, WHOLESALE, STORAGE

A building where raw materials or manufactured goods may be stored before their export or distribution for sale.

WATERCOURSE

A channel for conveyance of surface water, having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow. For the purposes of this Ordinance, a watercourse shall not include manmade swales constructed expressly for the purpose of stormwater management.

WATER STORAGE FACILITY

A site where tanks of any construction (metal, fiberglass, concrete, etc.) and impoundments are used for the storage of fresh or flow-back water. This does not include temporary water storage facilities at well sites. [Added 9-27-2011 by Ord. No. 343]

WEDDING CHAPELS/VENUE

A facility that operates largely for the holding of special events, occasions, concerts, weddings, celebrations, or other similar activities in which parties of more than 10 people that are invited to the site for the purpose of such events.

WELL BORE

The surface location of the center of the drill hole. [Added 9-27-2011 by Ord. No. 343]

WELL PAD

The area used for development and production of oil and gas, including buildings and structures, and all activities associated with an oil and gas well after drilling activities are complete. [Added 9-27-2011 by Ord. No. 343]

WETLANDS

Those areas which are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (40 CFR 230.3) More specifically, any area meeting the official wetland definition of the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection, as amended, shall be considered a wetland for the purposes of this Ordinance. In the event there is a conflict between the definitions of these agencies, the more restrictive definition shall apply.

WHOLESALE

See “Distribution Facility”

WINDOW

An opening to the outside, other than a door, which provides all or part of the required natural ventilation, natural light, or both, to an interior space.

WIND ENERGY CONVERSION SYSTEM (WECS)

Any windmill, wind turbine, or similar device, including its associated equipment, cables and electrical components, which converts wind power to mechanical or electrical energy.

WIND TOWER; TOWER

In total, a structure for converting wind source into electricity through a system using a wind turbine generator that includes the nacelle, rotor, blades, tower, foundation, and pad transformer with transmission lines sending the electricity to a power substation. [Added 2-24-2009 by Ord. No. 331]

WINERY

A facility specializing in the agricultural processing of grapes and/or other fruits and vegetables for the fermentation and/or processing of fruit juice into wine or the re-fermenting of still wine into sparkling wine as regulated by the Pennsylvania Liquor Control Board.

WRITTEN NOTICE

A written notice appropriately delivered stating the time, date and place of an event and the particular nature of matters to be considered.

YARD

A space open to the sky and unoccupied by any building or structure located on the same lot with a building, structure or use. [Amended 12-18-2007 by Ord. No. 322]

YARD, FRONT

A yard on the same lot with a main building, extending the full width of the lot and situated between the street line and the front building line projected to the side lines of the lot. The depth of the front yard shall be measured between the front building line and the street line. It shall be an unobstructed area from the building line to the street line except for lawn and plantings.

YARD, INTERIOR

An open, unoccupied space between the buildings of a dwelling group or its accessory buildings, not a front, side or rear yard.

YARD, REAR

A yard on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear building line projected to the sides of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear building line.

YARD, SIDE

A yard on the same lot with the building, extending the full length of the lot and situated between the side line of the lot and the side building line projected to the front and rear lines of the lot. The depth of the side yard shall be measured between the side line of the lot and the side building line. Any lot line not a rear line or a front line shall be deemed a side line.

ZONING MAP

The Official Loyalsock Township Zoning Map.

Article 2 - Establishment of Zoning Districts

§ 215-8. Applicability of regulations

Except as may otherwise be provided by law or this chapter, in each district no building, structure or land shall be used or occupied except for the purposes permitted in the Table of Uses, and for the zoning districts so indicated in Article 3. On any property, parcel or tract of land, only one principal use shall be permitted, unless otherwise specified in this ordinance.

§ 215-9. Permitted Uses by right; conditional uses; uses not permitted.

- A. Permitted use by right. A use listed in Article 3 through Article 4 that is permitted subject to such requirements as may be specified in this chapter.
- B. Conditional uses. A use listed in Article 3 through 4 may be permitted as a conditional use with the applicable district, provided that the Board of Township Supervisors grant the conditional use subject to the expressed standards set forth in § 215-66, and such further conditions that the Board of Supervisors may impose to insure the protection of adjacent uses, or the health, safety or general welfare of township residents.
- C. For uses allowed within a specific Zoning District as "Special Exception Uses," see also the procedures and standards in §215-65.D.

§ 215-10. Uses subject to other regulations.

Permitted uses or conditional use shall be subject, in addition to use regulations, to such regulations of yard, lot size, lot width, building area, easements and other matters as established by this chapter.

§ 215-11. Uses not provided for.

Whenever, under this Ordinance, a use is neither specifically permitted nor denied, and an application is made to the Zoning Officer for such a use, the Zoning Officer shall refer the application to the Board of Supervisors to hear and decide such a request as a conditional use. Subject to the requirements of this Section, the Board of Supervisors shall have the authority to permit the proposed use or deny the use in accordance with the standards governing conditional use applications. An applicant's proposed use may only be permitted by the Board of Supervisors if:

- A. Is it not allowed as a permitted use, a conditional use, a special exception use, or otherwise in any zoning district under the terms of this Ordinance;
- B. Is it similar to and compatible with the other uses permitted in the zoning district where the applicant's proposed use is located; and,
- C. It is in no way in conflict with the general purposes of this Ordinance.

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

§ 215-12. Establishment and Purpose of Districts

The Township of Loyalsock is hereby divided into Zoning Districts of different types to carry out the objectives of this Ordinance. Each parcel of land and every structure in the Township, except as otherwise provided by law or by this Ordinance, shall be subject to the regulations specified for the District in which it is located. The Township is divided into the following Zoning Districts, with the following abbreviations and that serve the following purposes, in addition to the overall purposes of this Ordinance:

§ 215-12.1 R-1 - Neighborhood Residential District

A. District Purpose.

The district is intended for the primary permitted use of single-family dwellings. Certain other types of uses may be integrated into this district but will be compatible with the primary single-family dwelling use only if the impact of certain activities and improvements are specifically mitigated by regulations and conditions that promote and encourage a suitable family environment. The uses in this district are to be primarily residential in nature.

This district is served by public sewer and water; natural gas is available in most locations.

B. Dimensional Requirements.

Use	Sanitary Services	Lot area (min.) ¹	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
One-family; detached. Two Family (Duplex)	With sanitary sewer present	12,500 sf	Detached: 30% Duplexes: 40%	20 ft	Total 15 ft, min. 5 ft per side	30 ft	35 ft	100 ft
	Without sanitary sewer present	50,000 sf						
One-family; Semi-Detached	With sanitary sewer present	6,000 sf	30%	30 ft	Total of 10 ft	30 ft	35 ft	60 ft
Garden Apartments ¹	With sanitary sewer present	12,500 sf	30%	30 ft	10 ft	30 ft	35 ft	100 ft
Multi-Family (High-rise) ² Apartments (Not including conversion of existing one family dwelling into additional dwelling units)	With sanitary sewer present	12,500 sf	25%	20 ft ²	Total 15 ft, min. 5 ft per side ²	30 ft from public ROW and 50 ft from all adjacent property lines ²	80 ft	100 ft
Townhouse ³ (3+ Attached units)	With sanitary sewer present	2,400 sf	50%	30 ft	Total 10 ft	30 ft	35 ft	24 ft
Public uses or Public Utility structures	No minimum or maximum criteria for lot area, lot width, lot and public coverage, building height or yard setbacks for this use.							
All other Principal uses	With sanitary sewer present	12,500 sf	30%	20 ft	Total 15 ft, min. 5 ft per side	30 ft	35 ft	100 ft
Agricultural Uses ⁴	Without sanitary sewer present	12,500 sf	30%	85 ft	Total of 100 ft	50 ft	35 ft	150 ft
Permitted Residential and other Accessory Uses	--	--	--	Not allowed in Front Yard	Total of 10 ft	5 ft	20 ft	N/A

Notes:

1. Garden Apartment Dimensional Requirements:

BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
0	300	750	1.00
1	500	1250	2.00
2	650	1450	2.00
3	850	1700	2.00
4	1100	2200	3.00

a. Interior Yards

- 1) Front to front, front to rear, rear to rear: 100 feet.
- 2) Front to side: 55 feet.
- 3) Side to rear, side to side: 35 feet.

2. Multi-Family (High Rise) Dimensional Requirements:

BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
0	300	500	1.00
1	500	750	2.00
2	650	825	2.00
3	850	950	2.00
4	1100	1225	3.00

a. Interior Yards

- 1) Front to front, front to rear, rear to rear: 100 feet.
- 2) Front to side: 60 feet.
- 3) Side to rear, side to side: 40 feet.

3. Townhouse Requirements:

- a. Maximum average number of units in structure – 8 Units.
- b. Townhouse Maximum Dwelling Unit Density per Acre – 18 Units.
- c. Interior Yards

- 1) Front to front, front to rear, rear to rear: 85 feet.
- 2) Front to side: 40 feet.
- 3) Side to rear, side to side: 25 feet.

4. Agricultural uses are limited/not desired in this district.

§ 215-12.2 R-2 – Suburban Residential District:

A. District Purpose.

This district is intended for application to the areas already undergoing residential development where public utilities are presently or may be available. Primarily residential in nature, the regulations promote and encourage a suitable family environment by allowing more intense residential development and certain compatible nonresidential uses

B. Dimensional Requirements.

Use	Sanitary Service*	Lot area (min.) ¹	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
Agricultural, Horticultural and Forestry related uses	Without sanitary sewer present	3 acres	10%	50 ft	Total of 100 ft	50 ft	35 ft	150 ft
One-family: detached Two Family (Duplex)	With sanitary sewer present	12,500 sf	30% (for detached units) 40% (for Duplex units)	30 ft	Total 20 ft, 10 ft per side	30 ft	35 ft	100 ft
	Without sanitary sewer present	50,000 sf						150 ft
One-family: Semi-detached	With sanitary sewer present	6,000 sf	30%	30 ft	Total of 10 ft (party wall on shared lot line)	30 ft	35 ft	60 ft (per twin bldg..)
Garden Apartments ³	With sanitary sewer present	12,500 sf	30%	30 ft	Total 10 ft	30 ft	35 ft	100 ft
Townhouse ⁵ (3 or more attached dwelling)	With sanitary sewer present	2,400 sf, 10% common open space	50%	30 ft	10 ft	30 ft	35 ft ⁶	24 ft
Tiny Home	Tiny Homes to follow One-Family square foot standards							
Public uses or Public Utility structures	No minimum or maximum criteria for lot area, lot width, lot and public coverage, building height or yard setbacks for this use.							

Use	Sanitary Service*	Lot area (min.) ¹	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
Agricultural Uses	With sanitary sewer present	1 acre	35 ft	35 ft	Total 30 feet, 15 ft per side	35 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
All other Principal uses	With sanitary sewer present	12,500 sf	30%	30 ft	10 ft per side	30 ft	35 ft	100 ft
	Without sanitary sewer present	50,000 sf						150 ft
Permitted Residential and all Accessory Uses	--	--	--	30 ft	Total of 10 ft, 5 ft per side	5 ft	24 ft	N/A

* Other Utilities include sanitary sewer, public water, electric and broadband.

1. All lots shall be large enough to support two septic drainfields. Subdivision of lots where septic systems are required will require two approved septic test sites so that a replacement may be installed if one drainfield fails. No building or structure shall be placed in the replacement drainfield area.
2. All yard areas shall be maintained in lawns and planting.
3. Garden Apartment Dimensional Requirements:

BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
0	300	750	1.00
1	500	1250	2.00
2	650	1450	2.00
3	850	1700	2.00
4	1100	2200	3.00

a. Interior Yards

- 1) Front to front, front to rear, rear to rear: 100 feet.
- 2) Front to side: 55 feet.
- 3) Front to front, front to rear, rear to rear: 100 feet.
- 4) Front to side: 55 feet.

4. Townhouse Requirements:

- a. Maximum average number of units in structure – 8 Units.
- b. Townhouse Maximum Dwelling Unit Density per Acre – 18 Units.
- c. Interior Yards:
 - 1) Front to front, front to rear, rear to rear: 85 feet.
 - 2) Front to side: 40 feet.
 - 3) Side to rear, side to side: 25 feet.

5. Maximum Height Requirement: 35 feet

§ 215-12.3 R-3 - Agriculture Residential District:

A. District Purpose.

1. This district is intended for application to the areas already undergoing residential development where very minimal public utilities are presently or may not be available. Primarily residential in nature, the regulations promote and encourage a suitable family environment by allowing residential development, agricultural practices, and certain compatible non-residential uses and to encourage the continuation of agricultural activities. Agricultural uses within this district are encouraged but subject to the following criteria:
 - a. Use of untreated human sewage as fertilizer is prohibited
 - b. The use shall not be detrimental to natural features.
 - c. Buildings in which animals are housed shall be 50 feet from all lot lines.
 - d. Manure storage or dust making materials shall be 100 feet from all lot lines.
2. At least 50% of the lot shall be covered with vegetative material.
3. All residential building lots shall be large enough to support two septic drainfields. Subdivision of lots where septic systems are required will require two approved septic test sites so that a replacement may be installed if one drainfield fails. No building or structure shall be placed in the replacement drainfield area.

B. Dimensional Requirements.

Use	Lot area (min.)	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
			Front yard	Side yard	Rear yard		
One-family detached. Dwelling in combination	30,000 sq. ft With Public Sanitary Sewer; 50,000 Without Public Sanitary Sewer	30%	35 ft	Total 30 feet, 12 ft per side	35 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
One-family semidetached (twin)	30,000 sq. ft With Public Sanitary Sewer; 50,000 Without Public Sanitary Sewer	30%	35 ft	Total 30 feet, 12 ft per side	30 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
Two-family duplex	30,000 sq. ft With Public Sanitary Sewer	30%	35 ft	Total 16 feet, 8 ft per side	30 ft	35 ft	150 ft With Public Sanitary Sewer
Place of worship, public school, commercial school, recreation facility, library or museum, hospital and cemetery	1-acre With Public Sanitary Sewers	40%	35 ft	Total 16 feet, 8 ft per side	30 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
	2-acres Without Public Sanitary Sewers	40%	35 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	150 ft
Permitted Institutional Uses Or Commercial Uses	30,000 sq. ft With Public Sanitary Sewer	40%	35 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
	50,000 sq. ft Without Public Sanitary Sewers						150 ft
Agricultural Uses	1 acre		35 ft, accessory building height 30 ft	Total 30 feet, 15 ft per side	35 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
Permitted Accessory Uses	--	--	35 ft	Total of 20 feet, 10 ft per side	10 ft	24 ft	--

§ 215-12.4 R-4 - Mixed-Use Residential District:

A. District Purpose.

To provide reasonable standards for the development of an apartment structure, multi-family dwellings, business or professional offices, convenience goods and personal service shops and facilities or any multiple combination use thereof; to provide design standards that will minimize traffic congestion on the streets, provide for the public convenience and to harmonize with adjoining residential uses. Commercial properties in the R-4 District may have multiple commercial tenants. Lots in the R-4 District may have up to 2 (two) primary uses.

B. Dimensional Requirements

Use	Lot area (min.)	Max. Building Coverage	Setback Requirements			Max. Building height	Min. lot width
			Front yard	Side yard	Rear yard		
One-family detached. Dwelling in combination	6,000 sq. ft With Public Sanitary Sewer	30%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
One-family semidetached (twin)	4,000 sq. ft With Public Sanitary Sewer	30%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
Garden Apartments ²	5,000 sq. ft With Public Sanitary Sewer	30%	30 ft	10 ft	30 ft	35 ft	60 ft
Multi-Family (High-rise) ³ Apartments (Not including conversion of existing one family dwelling into additional dwelling units)	5,000 sq. ft With Public Sanitary Sewer	25%	30 ft	Total 16 feet, 8 ft per side	30 ft	80 ft	60 ft
Townhouse ⁴	2,400 sq. ft With Public Sanitary Sewer	50%	30 ft	10 ft	30 ft	35 ft	24 ft
Two-family duplex	3,000 sq. ft With Public Sanitary Sewers	30%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
Place of worship, public school, commercial school, recreation facility, library or museum, hospital and cemetery	1-acre With Public Sanitary Sewers	40%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
	2-acres Without Public Sanitary Sewers	40%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	150 ft
Permitted Institutional Uses Or Commercial Uses	5,000 sq. ft With Public Sanitary Sewer	40%	30 ft	Total 16 feet, 8 ft per side	30 ft	45 ft	60 ft
	30,000 sq. ft Without Public Sanitary Sewers						150 ft
Permitted Accessory Uses	--	--	30 ft	Total of 10 ft, 5 ft per side	10 ft	24 ft	--

A. Garden Apartment Dimensional Requirements:

BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
0	300	750	1.00
1	500	1250	2.00
2	650	1450	2.00
BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
3	850	1700	2.00
4	1100	2200	3.00

1. Interior Yards

- 1) Front to front, front to rear, rear to rear: 100 feet.
- 2) Front to side: 55 feet.
- 3) Side to rear, side to side: 35 feet.

B. Multi-Family (High Rise) Dimensional Requirements:

BEDROOMS	HABITABLE SQUARE FEET PER DWELLING UNIT	LOT AREA PER DWELLING UNIT	PARKING SPACES PER DWELLING UNIT
0	300	500	1.00
1	500	750	2.00
2	650	825	2.00
3	850	950	2.00
4	1100	1225	3.00

1. Interior Yards

- 4) Front to front, front to rear, rear to rear: 100 feet.
- 5) Front to side: 60 feet.
- 6) Side to rear, side to side: 40 feet.

C. Townhouse Requirements:

- a. Maximum average number of units in structure – 8 Units.
- b. Townhouse Maximum Dwelling Unit Density per Acre – 18 Units.
- c. Interior Yards
 - 1) Front to front, front to rear, rear to rear: 85 feet.
 - 2) Front to side: 40 feet.
 - 3) Side to rear, side to side: 25 feet.

§ 215-12.5 C-1 - Central Business District:**A. District Purpose.**

This district is intended to provide for establishing business such as retail, wholesale, professional and personal service establishments, shopping centers, restaurants. To support the business district apartments may be allowed by Special Exception, as noted in Article 4 and may be established as stand-alone residential buildings or in combination with non-residential uses. Commercial properties may have multiple commercial tenants.

B. Dimensional Requirements.

Use	Lot area	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
			Front yard	Side yard	Rear yard		
All Non-Residential Uses	--	50%	30 ft	10 ft per side	10 ft	50 ft	--
All Permitted Residential Uses	Lot Area shall meet R-3 Standards.	50%	30 ft	10 ft per side	10 ft	35 ft	--
Accessory Uses	--	--	30 ft	10 ft per side	5 ft	24 ft	--

C. Required Utilities

include sanitary sewer, public water, electric and broadband.

D. Vegetative cover and Tree Planting

No less than 10 % of the lot area shall be covered with vegetative material.

§ 215-12.6 C-2 – Highway Commercial District:**A. District Purpose.**

This district is intended to accommodate commercial uses including professional and personal services, highway-oriented retail, eating and drinking places, and low intensity shopping centers, on larger sites with convenient access to major roads. The district generally has public sewer; however Zoning Officer must be consulted for other utilities and floodplain areas designation. Apartments are permitted by Special exception, as noted in Article 4. Commercial properties may have multiple commercial tenants.

B. Dimensional Requirements.

Use	Lot area	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
			Front yard	Side yard	Rear yard		
All Non-Residential Uses	--	50%	30 ft	10 ft per side	10 ft	35 ft	none
All Permitted Residential Uses	Lot Area shall meet R-3 Standards.	50%	30 ft	10 ft per side	10 ft	35 ft	none
Accessory Uses	--	--	30 ft	10 ft per side	5 ft	24 ft	--

Required Utilities include sanitary sewer, public water, electric and broadband.

§ 215-12.7 C-3 – Neighborhood Commercial District:**A. District Purpose.**

This district is intended to provide for the development of those types of uses compatible with and providing for the everyday services to the immediate neighborhood. Whenever the standards contained in this section are different from another articulated standard, the strictest standard shall apply. Commercial properties may have multiple commercial tenants.

B. Dimensional Requirements.

Use	Lot area*	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
			Front yard	Side yard	Rear yard		
All Non-Residential Uses	--	50%	30 ft	10 ft per side ¹	10 ft	35 ft	none
All Permitted Residential Uses	Lot Area shall meet R-3 Standards.	50%	30 ft	10 ft per side	10 ft	35 ft	none
Accessory Uses	--	--	30 ft	10 ft per side	5 ft	20 ft	--

* Uses in this District are required to have public sewer and water.

1. Side Yard Note:

When mutual agreement is provided, in writing, by the adjoining property owners, no side yard shall be required where two or more commercial uses adjoin side to side; however, in no case shall common walls be permitted between properties of separate ownership. In the case of a series of adjoining structures abutting and paralleling a public right-of-way, an open and unobstructed passage of at least 20 feet in width shall be provided at grade level at intervals of not more than 400 feet apart.

§ 215-12.8 I-1 General Industrial District:**A. District Purpose.**

This district is intended to encourage the construction on, and continued use of, the land for industrial purposes and other permitted uses; to prohibit any use which would substantially interfere with the development, continuation, expansion of industrial uses and other permitted uses in the district; and to establish reasonable standards for buildings and other structures, the areas and dimensions of yards and other open spaces and the provision of facilities and operation of industries to minimize air pollution, noise, glare, heat, vibration, fire, safety hazards, etc. Commercial properties may have multiple commercial tenants.

B. Dimensional Requirements.

Use	Required Utilities	Lot area	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
Permitted Industrial Uses		none	none	30 ft	5 ft per side	5 ft	50 ft	none
Agricultural Uses		1 acre		30 ft	Total 30 feet, 15 ft per side	35 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
Accessory Uses	--	none	none	30 ft	10 ft per side	5 ft	30 ft	

§ 215-12.9 I-2 – Light Industrial/Commercial District:

A. District Purpose.

This district is intended to encourage low- to moderate-intensity employment uses including light manufacturing, assembly, R&D, crafts production, warehouses with limited output, and offices or showrooms that operate primarily indoors with minimal off-site impacts. The district also encourages commercial uses that are compatible with light industrial activities such as business services, contractor showrooms, limited retail that is tied to on-site production. Any uses allowed (by right or by special exception or conditional uses) in this district prohibits heavy industrial processes and bulk outdoor storage. The district also aims to enhance streetscapes where districts adjoin commercial corridors or residential edges. Commercial properties may have multiple commercial tenants.

B. Dimensional Requirements.

Use	Required Utilities	Lot area	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
Permitted Industrial Uses	Both public sewer and water	none	none	30 ft	5 ft per side	5 ft	35 ft	none
Accessory Uses	-	none	none	30 ft	10 ft per side	5 ft	20 ft	none

§ 215-12.10 INS – Institutional District:

A. District Purpose.

The Institutional District is intended to accommodate and guide the County government campus and related public services, including administrative offices, courts/District Justice, public safety, pre-release/corrections, and juvenile/children & youth services, together with support facilities (maintenance, storage, training, utilities) and semi-public open space located on County property. Institutional operations are intended to be compatible with surrounding land uses, while providing for orderly expansion and consolidation.

B. Dimensional Requirements

Use	Required Utilities	Lot area	Max. Building Coverage	Setback Requirements			Building height	Min. lot width
				Front yard	Side yard	Rear yard		
Permitted Institutional Uses	Both public sewer and water	none	none	30 ft	5 ft per side	5 ft	35 ft	none
Agricultural Uses		1 acre		35 ft	Total 30 feet, 15 ft per side	35 ft	35 ft	150 ft With Public Sanitary Sewer; 200 ft Without Public Sanitary Sewer
Accessory Uses	-	none	none	30 ft	3 ft per side	5 ft	24 ft	none

§ 215-12.11 Parking Requirements:

Off-street parking shall be provided as required in Article 10, Off-Street Parking and Loading.

Article 3 - Allowed Uses in Primarily Residential Districts

See additional requirements in Article 5

§ 215-13. Primarily Residential Uses

Uses	R-1	R-2	R-3	R-4
Adaptive Reuse of an Existing Place of Worship, Rectory, Convent or Primary or Secondary School into Dwelling Units	SE	SE	SE	SE
Age-Qualified Housing involving housing types allowed in the District	P	P	P	P
Conversion of an Existing One Family Dwelling into Additional Dwelling Uses	N	N	N	N
Group Home within a lawful existing dwelling unit (§215-25.29), not including a Treatment Center	C	C	C	C
Manufactured Homes	N	N	P	N
Multi-Family (Apartment) Dwelling, not including the conversion of an existing one family dwelling into additional dwelling units	N	N	N	P
Non-Dwelling Agricultural or Residential Storage Building (see §215-25.52)	N	N	P	N
One-Family semi-detached dwelling (side-by-side Twin)	P	P	N	P
One-Family detached	P	P	P	P
Two Family Dwelling (typically one unit above another unit)	SE	SE	N	P
Townhouses (Single-Family Attached Dwellings) (see §215-25.63)	C	C	N	P
Farm Dwelling	N	SE	SE	N

§ 215-14. Primarily Commercial Uses

Uses	R-1	R-2	R-3	R-4
Archery Range, Recreational Day Camp, Horseback Riding Academy, Golf Driving Range, and Stable Non-Household and closely similar low-intensity outdoor recreation uses	N	SE	C	N
Day Care Center, Commercial	N	N	N	C
Commercial Forestry	N	N	P	N
Golf Course and accessory clubhouse and recreation facilities	P	P	P	P
Lumberyard	N	N	P	N
Offices (see also as a home occupation).	N	N	N	P
Plant nursery, which may include a retail garden center and Greenhouses	N	N	P	N
Temporary Commercial Uses that comply with §215-26.28	P	P	P	P

§ 215-15. Primarily Institutional / Semi-Public Uses

Uses	R-1	R-2	R-3	R-4
Cemetery (not including Crematorium) (See §215-25.17)	N	P	P	P
Community Recreation Center (Note - one designed for residents of a housing development is permitted by right as an accessory use).	SE	SE	N	SE
Nursing Home, Personal Care Home, Assisted Living Residence or Hospice (See §215-25.44)	SE	SE	N	SE
Place of Worship (See §215-25.47) (includes Church)	SE	SE	SE	SE
School, Public or Private, Primary or Secondary (See §215-25.54)	SE	SE	SE	SE

§ 215-16. Primarily Public / Semi-Public Uses

Uses	R-1	R-2	R-3	R-4
Township Government Uses or Public Library	P	P	P	P
Emergency Services Station	SE	SE	SE	SE
Government Facility, other than uses listed separately in this table	SE	SE	SE	SE
Publicly Owned or Operated Recreation Park	P	P	P	P
Public Utility Facility other than uses listed separately in Articles 3 and 4	SE	SE	SE	SE
Swimming Pool, Non-household (Indoor or outdoor) (See §215-25.59)	SE	SE	N	P

§ 215-17. Primarily Accessory Uses

Uses	R-1	R-2	R-3	R-4
Accessory Dwelling Unit (See §215-26.31)	P	P	P	P
Agricultural Products, Accessory Sale of	N	P	P	N
Agritourism	N	N	P	N
Communications Antennas meeting criteria in Chapter 197 pertaining to accessory antenna placed on certain existing structures**	N	N	N	N
Clean Fill (See §215-26.3)	P	P	P	P
Concentrated Animal Feeding Operation ("CAFO", See §215-25.35)	N	N	SE	N
Crop Farming, Non-Retail Greenhouse or Hydroponics	P	P	P	P
Day Care Center accessory to an existing lawful place of worship	P	P	P	P
Day Care, Accessory Adult Day in a Home (4 to 6 adults)	SE	SE	N	P
Day Care, Child (See §215-26.5) as accessory to a dwelling of the following number of persons, in addition to children of the on-site caregiver: - Day care, family minor of a maximum of 3 person	P	P	P	P
- Day care, group home (7 to 12 children)	SE	SE	N	SE
- Day care, family major (no more than 6 children)	SE	SE	N	SE

Uses	R-1	R-2	R-3	R-4
Electric vehicle recharging stations, provided they shall be primarily used to serve vehicles owned or leased by residents or employees of the lot.	P	P	P	P
Farm-Based Business (See §215-26.11)	N	P	P	N
Furnace, Outdoor (See §215-26.13)	N	N	P	N
Forestry (See §215-25.27)	P	P	P	P
Gas or Oil Well and related Oil and Gas Development (See §215-25.28)	N	N	C	N
Home Occupation, Major (See §215-26.17)	SE	SE	SE	SE
Home Occupation, Minor (See §215-26.17)	P*	P*	P*	P*
Home Based Business, No Impact (See §215-26.17)	P	P	P	P
Livestock and Poultry, Raising of, as a customary accessory use	N	P	P	N
Parking Lot as the Principal Use of a Lot, limited to parking that serves a use allowed in the zoning district, such as a place of worship	P	P	P	P
Nature Preserve or Environmental Education Center	P	P	P	P
Solar Energy Collection Systems, see standards in Chapter 213.	P	P	P	P
Short-Term Rental of a Dwelling, as occasional accessory use (See §215-26.24)	P	P	P	P
Stable, Household	N	CU	P	N

*: With Board of Supervisor Approval

Article 4 - Allowed use in Primarily Commercial Districts

§ 215-18. Primarily Residential Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Boarding House (includes Rooming House) (§215-25.13) (other than uses listed separately in this table)	N	SE	N	N	N	N
Group home within a lawful existing dwelling unit (§215-25.29), not including a treatment center	N	N	N	N	N	N
Manufactured home park (see §215-25.36)	N	C	N	C	N	N
Multi-family (apartment) dwellings	N	N	SE	N	N	SE
Single-family detached dwelling (note: manufactured homes shall meet the additional requirements of §215-25.36)	N	N	N	N	N	SE
Single-family semi-detached dwelling (side-by-side)	N	N	SE	N	N	N
Townhouse (single-family attached dwelling) (see §215-25.63)	N	N	SE	N	N	N
Single residential unit above commercial use	SE	SE	SE	N	N	N

§ 215-19. Primarily Commercial Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Adult use (see §215-25.1)	N	N	N	C	N	N
After hours club, to the extent this use is not already prohibited by State Act 219 of 1990 (see §215-25.3)	N	N	N	C	N	N
Airport (see Article 14)	N	N	N	N	N	SE
Amusement arcade	P	P	P	N	N	N
Amusement park or water park	P	P	N	P	P	N
Animal cemetery (see §215-25.5)	N	N	N	N	N	P
Animal day care (see §215-25.6)	P	P	N	P	P	N
Arena, Auditorium (Commercial), Performing Arts Center or Exhibition - Trade Show Center	P	P	P	P	P	N
Auto body shop or auto repair garage (see §215-25.10), and provided that parking shall be prohibited on a sidewalk within the right-of-way	SE	SE	N	P	SE	N
Auto, Boat, or manufactured home sales (see §215-25.9)	P	P	N	N	N	N
Auto service station, which may be combined with a retail store or restaurant that is allowed in the zoning district, and which may include fueling using hydrogen, liquified natural gas, propane, or similar fuels of vehicles (see §215-25.11). This use shall not include high speed diesel pumps for trucks, which shall be separately regulated as a "truck stop"	P	P	N	N	N	N
Bakery, retail	P	P	P	P	P	N
Bed and breakfast inn (see §215-25.12)	P	P	P	P	P	N
Beverage Distributor (wholesale and/or retail)	P	P	P	P	P	N
Bus maintenance or storage yard or bus terminal	P	P	N	P	P	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
Bus Terminal	P	P	N	P	P	N
BYOB club (note: this use is limited to a use that is open after 1 a.m. and does not receive the majority of its revenues from food, and is not an "after hours club", and does not hold a liquor license) (see §215-25.14)	N	N	N	SE	N	N
Camp or campground, which may include recreational vehicle campground but not recreational vehicle storage (see §215-25.15)	P	P	N	P	P	N
Car wash (see §215-25.16)	P	P	N	P	P	N
Catering, customs, for off-site consumption	P	P	P	P	P	N
Commercial Forestry	N	P	N	N	N	N
Day Care Center, Commercial	C	N	N	N	N	N
Communications antennas, commercial (see §215-25.18), limited to accessory antenna attached to specified types of structures by §215-26.1	N	N	N	C	N	C
Communications tower, commercial, or other antennas that are not allowed under the above accessory provision***	N	P	P	C	C	C
Conference Center or Exposition Center	P	P	P	P	P	N
Construction company or tradesperson's headquarters (including but not limited to landscaping, building trades or janitorial contractors). See also as Home Occupation. Accessory outdoor storage shall be permitted provided it meets the screening requirements of §215-26.18.	P	P	P*	P	P	N
Convenience Store, which may be combined with an Auto Service Station only if the requirements for an Auto Service Station are also met, including being allowed in the district.	P	P	P	N	N	N
Crafts or artisan's studio	P	P	P	P	P	N
Custom printing, copying, faxing, mailing, or courier service and similar services to businesses	P	P	P	P	P	P
Exercise club	P	P	P	P	P	P
Financial institutions, including banks, which may include drive-through facilities are only allowed if the applicant proves to the Township that access has been designed to minimize conflicts with pedestrian traffic along sidewalks. See also Drive-Through Provisions in §215-26.7.	P	P	P	P	P	N
Flea market/auction house	P	P	P	P	P	SE
Food trucks (includes food trailer) that meet one or more of the following standards: a) they operate at any location for more than 15 minutes per day, b) is used at a Township-recognized special event or festival, or c) is an accessory use to an on-site principal commercial use building (see §215-26.12). Note that food trucks must additionally meet all standards of Chapter 154 of the Township code.	P	P	P	P	P	P
Funeral home (see crematorium listed separately under Institutional Uses)	P	P	P	P	P	P
Gaming facility, licensed, other than small games of chance allowed under State Law and the State Lottery	N	N	N	SE	N	N
Gas station - see "Auto Service Station" in this table						
Helipoint (see §215-26.16)	N	N	N	SE	SE	N
Hotel or motel (see §215-25.31)	P	P	N	P	N	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
Kennel (see §215-25.33)	SE	SE	N	SE	SE	SE
Laundromat	P	P	P	P	P	N
Laundry, Commercial or Industrial	P	P	N	P	P	N
Lumberyard	P	P	N	P	P	N
Medical marijuana dispensary (see §215-25.37)	SE	SE	N	SE	N	N
Micro-brewery or Micro-distillery (which may be in combination with a restaurant or tavern)	P	P	P	P	P	N
Motor vehicle racetrack, outdoor (see §215-25.42)	N	N	N	SE	N	N
Nightclub	SE	SE	N	N	N	N
Office (may include medical clinics or labs)	P	P	P	P	P	P
Pawn shop	P	P	N	N	N	N
Personal Services (includes tailoring, check cashing, custom dressmaking, haircutting/styling, dog grooming, travel agency, drycleaning, shoe repair, "massage therapy", certified (and closely similar uses)	P	P	P	P	P	P
Plant nursery, which may include a retail garden center and Greenhouses	P	P	P	P	P	P
Propane retail distributor, other than pre-packaged sales, with a 150 feet minimum setback required between any bulk storage or dispensing facilities and any Residential District, and with Fire Company review.	N	N	N	SE	SE	N
Recording studio, music	P	P	P	P	P	N
Recreation, commercial indoor or outdoor (includes bowling alley, roller- or ice-skating rink, batting practice, miniature golf course, golf driving range, archery, horseback riding, paintball, and closely similar uses), but this term does not include uses listed separately in this Article 4	P	P	P	P	P	SE
Repair service, household appliance	P	P	P	P	P	N
Restaurant (including banquet hall) (see §215-25.53), other than a tavern or nightclub	P	P	P	N	N	N
- With drive through service	P	P	P	N	N	N
-Without drive-through service	P	P	P	N	N	N
Retail store (not including uses listed individually in this Article 4). Any drive-through facilities shall meet §215-26.7. This may also include the rental of items or check cashing.	P	P	P	N	P	N
Self-storage development (see §215-25.55)	P	P	N	P	P	N
Shopping center	P	P	P	N	P	N
Sidewalk café as an accessory use (see §215-26.24)	P	P	P	N	N	N
Stable Non-Household/Riding Academy	N	N	N	N	N	SE
Supply Yard	N	P	N	P	P	N
Target range, Firearms (see §215-25.60)	P	P	N	P	P	P
-completely indoor, enclosed and soundproofed	P	P	N	P	P	P

Uses	C-1	C-2	C-3	I-1	I-2	INS
-other than above, with a barrier that the applicant proves is sufficient to protect public safety	N	N	N	C	N	N
Tattoo parlor or body piercing (other than temporary tattoos or ear piercing, which are personal service uses)	P	N	N	N	N	N
Tavern, other than a nightclub	P	P	N	N	N	N
Television or Radio Broadcasting Studios	P	P	P	P	P	N
Theater, Indoor Movie, or Live Theater, other than an adult establishment	P	P	P	P	P	N
Trade/Hobby School	P	P	P	P	P	P
Truck stop that primarily serves tractor-trailer trucks	N	N	N	C	N	N
Veterinarian office (see §215-25.66)	P	P	P	P	P	SE
Visitor center providing education and promotional information	P	P	P	P	P	P
Wedding venue, for a facility that is primarily used for ceremonies, and where meals are not provided -see restaurant if meals are provided	P	P	N	P	P	N
Wholesale sales - see under Industrial Uses	-	-	-	-	-	-

§ 215-20. Primarily Institutional/ Semi-Public Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Cemetery (see §215-25.17), see crematorium listed separately	P	P	P	P	P	P
College or university, educational, recreational, office, or support uses (see also Residential Uses, which are addressed separately)	P	P	P	P	P	P
Community Recreation Center or Library	P	P	P	P	P	P
Crematorium (see §215-25.21)	N	N	N	SE	SE	SE
Criminal Halfway House or Day Reporting Center (see §215-25.22)	N	N	N	C	N	C
Cultural center or museum	P	P	P	P	P	P
Day care center, Adult or Child (see §215-25.23) (see also as an accessory use)	P	P	P	P	P	P
Emergency services station or training facility	P	P	P	P	P	P
Hospital or surgery center, which may include related testing facilities	P	P	N	P	P	P
Membership club meeting and non-commercial recreational facilities, provided that such use shall not be open between two and six a.m., and provided that such use shall only be allowed in combination with another use if the other use is allowed in that District and if the requirements for that use are also met, not including adult use (see §215-25.1).	P	P	P	P	P	SE
Nursing home, personal care home, assisted living residence, or hospice (see §215-25.44)	P	P	P	N	N	P
Place of worship (see §215-25.47) (includes Church)	P	P	P	P	P	P
School, public or private, primary or secondary (see §215-25.54)	P	P	P	N	N	P

Uses	C-1	C-2	C-3	I-1	I-2	INS
Animal Rescue Shelter	N	N	N	C	N	C
Temporary Shelter (see §215-25.61)	N	N	N	C	N	C
Treatment center (see §215-25.64)	N	N	N	C	N	C

§ 215-21. Primarily Public/Semi-Public Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Government facilities, other than offices and other than uses listed separately in this Table	P	P	P	P	P	P
Juvenile detention center, pre-release center, or probation center	N	N	N	N	P	P
Prison or similar correctional institution (see §215-25.48)	N	N	N	N	P	N
Publicly owned or operated park	N	N	N	SE	SE	SE
Public utility facilities, other than Township-owned facilities and other than uses listed separately in this Article	N	N	N	C	N	C
Sewage pump stations	P	P	P	P	P	P
Swimming pool, non-household (see §215-25.59)	P	P	P	P	P	P
Township government uses facilities, such as Public Works facilities	P	P	P	P	P	P
U.S. Postal Service facility or substation	P	P	N	P	P	P

§ 215-22. Primarily Industrial Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Asphalt plant	N	N	N	C	N	N
Assembly or finishing of products using materials produced elsewhere (such as products from plastics manufactured offsite)	N	N	N	P	P	N
Building supplies and building materials, wholesale sales of coal gasification and/or liquefaction facility	P	P	N	P	P	N
Compressor station – see Pipeline Compressor Station in this section.	N	N	N	SE	N	SE
Data center as a principal use or crypto-currency mining (see §215-25.24)	N	N	N	C	N	N
Distribution center – see warehousing, storage, or distribution center in this section.	N	C	N	C	C	N
Electricity battery facility, which shall only be allowed as an accessory use to an allowed Wind Farm, Solar Energy Facility, or Electricity Generating Plant. And with a 200-foot setback from such structures to a residential district boundary	N	N	N	C	C	N
Electric Power Generating plant (other than Solid Waste to Energy, Solar Energy Facility, or Wind Turbines)	N	N	N	C	N	N
Gas or Oil Well Staging Facility (see §215-25.28)	N	P	N	P	P	N
Gas or Oil Well, Compressor Station, Odorant Injection Station, or Metering Station (see §215-25.28)	C	C	N	C	C	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
Industrial equipment sales, rental, and service, other than involving trucks and trailers primarily intended to be operated on public streets, not including a scrapyard	P	P	N	P	P	N
Incineration of hazardous or toxic waste, other than may have been previously approved within an existing waste-to-energy plant	N	N	N	C	N	N
Junk - outdoor storage, display, or processing of, other than within an approved junkyard or solid waste disposal facility	N	N	N	N	N	N
Junkyard, including automobile salvage yard (see §215-25.32)	N	N	N	SE	N	N
Liquid gas fuel storage, bulk, or liquified natural gas facility for off-site distribution or shipment, which shall require a 300-foot setback from a Residential District and review by the Fire Company of any proposed facilities; but not including: auto service station, propane distributor as listed separately, pre-packaged sales of tanks, or fuel tanks for company vehicles. See also pipeline setbacks §215-25.28.	N	N	N	C	N	N
Manufacture and/or bulk processing of the following provided manufacturing occurs only indoors:	N	N	N	SE	N	N
- Agricultural Chemicals, Fertilizers or Pesticides	N	N	N	SE	N	N
- Apparel, Textiles, Shoes and Apparel Accessories (see also Crafts Studio)	P	P	N	P	P	N
- Cement Manufacture	N	N	N	SE	N	N
- Ceramics Products (other than Crafts Studio)	N	N	N	P	P	N
- Chemicals, Manufacture or Bulk Processing of, other than pharmaceuticals and types listed separately	N	N	N	SE	N	N
- Clay, Brick, Tile and Refractory Products	N	N	N	P	P	N
- Computers; Electronic & Microelectronic Products	P	P	N	P	P	N
- Concrete, Lime and Gypsum Products, other than actual manufacture of cement	N	N	N	SE	N	N
- Electrical & Electronic Equipment, Appliances & Components	P	P	N	P	P	N
- Fabricated Metal Products (except Explosives, Fireworks or Ammunition) and/or Machine Shops)	N	C	N	P	P	N
- Food and Beverage Products, at an industrial scale as opposed to a clearly retail scale (which may include aquaculture)	C	P	N	P	P	N
- Glass & Glass Products (other than Crafts Studio)	N	N	N	P	P	N
- Jewelry and Silverware	P	P	N	P	P	N
- Leather and Allied Products (other than Crafts Studio or Tannery)	N	N	N	P	P	N
- Machinery or Gaskets	N	N	N	P	P	N
- Manufactured or Modular Housing Manufacture	N	N	N	P	P	N
- Medical Equipment and Supplies	SE	SE	N	P	P	N
- Metal Products, Primary	N	N	N	P	SE	N
- Mineral Products, Non-metallic (other than Mineral Extraction)	N	N	N	P	P	N
- Paper and Paper Products (including recycling, but not including manufacture of raw paper pulp)	N	N	N	P	P	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
– Paper - Raw Pulp	N	N	N	SE	N	N
– Paving Materials, other than bulk manufacture of asphalt	N	N	N	SE	SE	N
– Pharmaceuticals and Medicines	SE	SE	N	P	P	N
– Plastics, Polymers, Resins, Vinyl, Coatings, Cleaning Compounds, Soaps, Adhesives, Paints, or Ink	N	N	N	P	SE	N
– Products from Previously Manufactured Materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	SE	SE	N	P	P	N
– Roofing Materials and Asphalt Saturated Materials or Natural or Synthetic Rubber	N	N	N	P	SE	N
– Scientific, Electronic and Other Precision Instruments	P	P	P	P	P	N
– Sporting Goods, Toys, Games, Musical Instruments or Signs	P	P	P	P	P	N
– Transportation Equipment, including installing mechanical additions to trucks and trailers	N	N	N	P	P	N
– Wood Products and Furniture (not including raw paper pulp)	N	P	P	P	P	N
Medical Marijuana Grower/Processor	N	N	N	C	C	N
Mineral extraction (see §215-25.40) and related processing, stockpiling, and storage of materials removed from the site (other than necessary site preparation of a development site), and provided that reclamation activities of formerly mined lands are allowed in all districts.	N	N	N	SE	N	N
Packaging	N	C	N	C	C	N
Package delivery services distribution center - this use is regulated as a type of "Distribution Center" use. See under "Warehousing, storage, and distribution center" in this section.	N	P	N	P	P	N
Petroleum refining or manufacture or bulk storage of ethanol or similar fuels for off-site use, which shall require a 300-foot setback from a residential district and Fire Company review.	N	N	N	N	P	N
Pipeline compressor station (such as for natural gas), which shall be constructed within an enclosed structure with sound absorbing walls, and with additional setbacks required by Section 215-25.28.	N	N	N	SE	C	N
Printing or bookbinding	N	N	N	C	C	N
Recycling center, bulk processing, provided all operations of an industrial scale occur within an enclosed building (this does not include any use meeting the definition of a waste disposal or transfer facility, junkyard, or vehicle salvage use)	P	P	P	P	P	N
Research and Development, Engineering or Testing Facility Or Laboratory (other than medical laboratories, which is an office use)	N	N	N	P	P	N
Sawmill/ Planning Mill	N	N	N	P	P	N
Slaughterhouse, Stockyard or Tannery, with a 400 feet minimum setback from all lot lines	N	N	N	P	P	N
SOLID WASTE MANAGEMENT SERVICES AND FACILITIES to include Solid Waste Transfer Facility, Landfill or Waste to Energy Facility (See §215-25.57)	N	N	N	C	N	N
Tire Storage, Bulk - See Outdoor Storage and Display in §215-25.45	N	N	N	C	N	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
Trucking Company Terminal (§215-25.65)	N	C	N	C	C	N
Warehousing, Storage or Distribution Center as a principal use: (See §215-25.67) (Not including a Trucking Company Terminal)	N	C	N	C	C	N
- With a total building floor of more than 100,000 square feet	N	P	N	C	C	N
- With a total building floor area of 100,000 square feet or less	N	P	N	C	C	N
Warehousing or Storage as an accessory use to a lawful principal use in the same zoning district	P	P	N	P	P	N
Welding	P	P	P	P	P	N
Wholesale Sales (other than Motor Vehicles)	N	P	N	P	P	N

§ 215-23. Primarily Accessory Uses

Uses	C-1	C-2	C-3	I-1	I-2	INS
Agricultural Products, Accessory Sale of	P	P	P	P	P	P
Agritourism	N	N	N	P	N	P
Communications Antennas meeting §215-25.18 pertaining to accessory antenna placed on certain existing structures	P	P	P	P	P	P
Clean Fill (See §215-26.3)	P	P	P	P	P	P
Concentrated Animal Feeding Operation ("CAFO", See §215-25.35)	N	N	N	N	C	N
Crop Farming, Non-Retail Greenhouse or Hydroponics	N	N	N	N	P	P
Day Care Center accessory to an existing lawful place of worship	P	P	P	P	P	P
Day Care, Accessory Adult Day in a Home (4 to 6 adults)	N	N	SE	N	N	N
Day Care, Child as accessory to a dwelling of the following number of persons, in addition to children of the on-site caregiver: - Day care, family minor of a maximum of 3 person	P	P	P	N	N	N
- Day care, Group Home (7 to 12 children)	N	N	N	N	N	N
- Day care, family major (no more than 6 children)	N	N	N	N	N	N
Electric vehicle recharging stations, provided they shall be primarily used to serve vehicles owned or leased by residents or employees of the lot.	P	P	P	P	P	P
Farm-Based Business (See §215-26.11)	N	N	N	N	P	P
Furnace, Outdoor (See §215-26.13)	N	N	N	N	P	N
Forestry (See §215-25.27)	N	N	N	N	P	P
Gas or Oil Well and related Oil and Gas Development	N	N	N	N	C	N
Home Occupation, Minor (See §215-26.17)	SE	SE	SE	N	N	N
Home Based Business, No Impact (See §215-26.17)	P	P	P	N	N	N

Uses	C-1	C-2	C-3	I-1	I-2	INS
Livestock and Poultry, Raising of, as a principal use, other than a CAFO	N	N	N	N	SE	N
Livestock and Poultry, Raising of, as a customary accessory use	N	N	N	N	P	P
Parking Lot as the Principal Use of a Lot, limited to parking that serves a use allowed in the zoning district, such as a place of worship	N	P	P	N	N	N
Nature Preserve or Environmental Education Center	P	P	P	P	P	P
Solar Energy Collection Systems	*	*	*	*	*	*
Short-Term Rental of a Dwelling, as occasional accessory use (See §215-26.24)	N	P	P	N	N	N
Stable, Household	N	N	N	N	N	N
Unit, Accessory Dwelling (See §215-26.31)	N	P	P	N	N	N

*: Solar Energy Collection Systems see standards in Chapter 213.

Article 5 - Additional Requirements for Specific Uses

§ 215-24. Applicability.

§ 215-24.1 This Article establishes additional requirements for certain specific uses, in addition to the other requirements of this Ordinance. Where two requirements directly conflict regarding the same matter, the stricter requirement upon use or development shall apply. The regulations for a particular use shall apply, even if a particular use is approved as an accessory use but are only listed under uses that are typically principal uses, or vice versa.

§ 215-24.2 For uses allowed within a specific Zoning District as "Special Exception Uses," see also the procedures and standards in §215-65.D, as well as §215-66.H for "Conditional Uses."

§ 215-24.3 "Should" means that it is strongly encouraged but is not mandatory.

§ 215-24.4 "Shall" is always mandatory.

§ 215-25. Additional Requirements: Principal Uses.

Each of the following uses shall meet all of the following requirements for that use:

§ 215-25.1 Adult Use.

This use is limited to the following: Adult Store, Adult Movie Theater, Massage Parlor, or Adult Live Entertainment Facility

A. Purposes. The regulations on Adult Uses are intended to serve the following purposes, in addition to the overall objectives of this Ordinance.

1. To recognize the adverse secondary impacts of Adult Uses that affect health, safety and general welfare concerns of the Township. These secondary impacts have been documented in research conducted across the nation. These secondary impacts typically include, but are not limited to: increases in criminal activity, increases in activities that increase the risk of transmission of sexually transmitted diseases, increases in activities that increase the risk of transmission of other communicable diseases, increases in blight, decreases in the stability of residential neighborhoods, and decreases in property values for surrounding homes, and decreases in the marketability of nearby commercial business space. The research conducted across the nation concludes that Adult Uses typically involve insufficient self-regulation to control these secondary effects.
2. To limit Adult Uses to locations where these secondary impacts can be minimized, particularly as they affect residential neighborhoods and commercial revitalization.
3. To not attempt to suppress any activities protected by the "free speech" protections of the State and U.S. Constitutions, but instead to control secondary effects.

B. An "Adult Use" and its parking area shall not be located within any of the following distances, whichever is most restrictive:

1. 500 lineal feet from an existing dwelling on another lot,
2. 300 lineal feet from the lot line of any lot in a Residential Zoning District,
3. 500 lineal feet from the lot line of any primary or secondary school, place of worship, library, recreation trail, any child day care center or nursery school,

4. 500 feet from the lot line of a public park or playground.
- C. No Adult Use shall be located within 250 lineal feet from any existing "Adult Use."
- D. A 50-foot buffer yard shall be provided along the side and rear lot lines in compliance with §215.31. If such buffer area does not include substantial mature trees that will be preserved, it shall include continuous screening by evergreen trees with an initial height of 5 feet.
- E. No pornographic material displays or words shall be placed in view of persons who are not inside of the establishment. Definite precautions shall be made to prohibit minors from entering the premises.
- F. No Adult Use shall be used for any purpose that violates any Federal, State or municipal law.
- G. Pornographic and sexually explicit signs and displays shall be prohibited that are visible from outside of the premises.
- H. An "Adult Use" shall be prohibited in all Districts except where specifically allowed under Article 4. This is a distinct use and shall not be allowed under any other term for an allowed use in a district, such as a retail store or club.
- I. A minimum lot area of 30,000 square feet is required.
- J. For public health reasons, private viewing booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.
- K. No use may include live actual or simulated sex acts nor any sexual contact between employees and entertainers nor or between employees or entertainers and customers.
- L. Only "lawful" massages as defined by State court decisions shall be performed in a Massage Parlor. A use that involves massages by State-licensed massage therapists shall be considered a Personal Service Use and not a Massage Parlor.
- M. Any application for such use shall state the legal name(s) of an on-site manager responsible to ensure compliance with this Ordinance on a daily basis. A telephone number, official mailing address and email address shall be provided where the on-site manager can be reached during the hours when the business is open. Such information shall be updated in writing to the Zoning Officer within one business day after it changes.
- N. The use shall not operate between the hours of 12 midnight and 7 a.m. If State liquor laws require that the Township allow the sale of alcohol after midnight, the Adult Uses shall still cease at midnight, but alcohol sales may continue.
- O. As specific conditions of approval under this Ordinance, the applicant shall prove compliance, where applicable, with the following State laws, as amended: the Pennsylvania Liquor Code, Act 219 of 1990 (which pertains to sale or consumption of alcohol between 2 a.m. and 8 a.m.), Act 207 of 1990 (which pertains to obscenity) and Act 120 of 1996 (which pertains to Adult-Oriented Establishments and which limits enclosed viewing booths among other matters).
- P. An "Adult Use" shall be open to inspections during business hours by Township zoning and code enforcement staff, including health inspectors.
- Q. The use shall not provide parking for tractor-trailer trucks.

§ 215-25.2 Adult Day Care Center.

- A. The use shall be licensed by the State Department of Aging, if applicable.

- B. The use shall include constant supervision during all hours of operation.
- C. The use shall not meet the definition in Article 1 of a "treatment center".

§ 215-25.3 After Hours Club

This use is effectively prohibited by State Act 219 of 1990, as amended (Section 7327 of Title 18 of the Pennsylvania Statutes). If the use is determined to be allowed under State law, then the applicant shall be a special exception use that is only allowed in the I-1 General Industrial district. In such case, the applicant shall prove to the satisfaction of the Board of Supervisors that there will be adequate security and noise control measures.

§ 215-25.4 Agritourism

Within allowed districts, agritourism activities or events are subject to the following criteria:

- A. Agritourism activities or events are only permitted on farms. Farms must be existing and in operation
- B. Agritourism activities or events shall be owned or operated by the landowner, landowner's immediate family member, the operator or employee of the active agricultural business, or a resident of the lot upon which the active agricultural business occurs.
- C. Uses Permitted by Right:
 - 1. Roadside Stands
 - 2. Farm Markets
 - 3. U-Pick operations
 - 4. Christmas tree farm/cut your own
 - 5. Local farm products retail operations (including crafts made on the farm; food products, garden and nursery products grown on the farm; and clothing products made from the wool of animals raised on the farm, etc.)
 - 6. Corn Mazes
 - 7. Hayrides
 - 8. Farm-related interpretive facilities and exhibits.
 - 9. Agricultural related educational and learning experiences
 - 10. On-farm tours with demonstrations of agricultural practices, techniques and methods
 - 11. Walking and bicycling tours and trails
 - 12. Farm stays
 - 13. Recreation related operations (fishing and hunting facilities, bird watching)
 - 14. Horseback/pony rides
- D. Uses Permitted by Special exception:
 - 1. Retail sale of food products not produced on the farm
 - 2. Dairy, ice cream and bakery retail facilities
 - 3. Banquets, subject to the special event requirements regarding all applicable Pennsylvania Liquor Control laws and municipal regulations
 - 4. Other similar non-agricultural related activities, which may be determined on a case-by-case basis if

use is directly related to, remain secondary and clearly incidental to, and compatible with, the active agricultural business.

5. Weddings, concerts, and agriculturally related special events / fairs / festivals, subject to special event requirements regarding applicable Pennsylvania Liquor Control laws and municipal regulation
 6. Other similar agricultural entertainment-oriented gatherings, events, fairs, festivals and related activities that may be determined on a case-by-case basis if the use meets the purpose and intent of the regulations, as long as they are directly related to, remain secondary and clearly incidental to, and compatible with, the active agricultural operation or agri-business.
- E. The sales of goods or merchandise may occur on the premises, limited to those good or merchandise that are produced on the premises, or are customarily incident to the agritourism use(s) and directly related thereto.
- F. Applicants must submit a layout plan identifying the location of the agritourism use(s), all farm buildings, dwellings, existing and proposed driveways, access drives, parking areas, vehicle turn around areas, location of sanitary facilities (if required), and screening and landscaping.
- G. No part of an agritourism use shall be located within fifty (50) feet of any lot line.
- H. Off-Street Parking must be in compliance with Article 10 . Parking is not permitted in the street right-of-way.
- I. All driveway locations must be permitted under applicable state or local regulations
- J. Sanitary facilities shall be provided in accordance with PADEP requirements.
- K. All prepared food available for sale must be prepared in accordance with applicable federal, state, or local regulations. Produce grown on the farm is permitted.
- L. All buildings within which the agritourism use(s) are conducted shall be designed and constructed in compliance with the most recent version of the IBC as reference in the PA UCC.
- M. To the maximum extent feasible, the agritourism use(s) shall be conducted with an existing agriculture building or other accessory building. All portable structures and signs used as part of the agritourism use(s) shall be removed or shall be stored in an enclosed structure at the end of the harvesting season.
1. However, any new building constructed for use by the agritourism use(s) shall be located no less than 50 feet from any lot line.
 2. Any new building constructed for use by the agritourism use(s) shall be of a design so that it is compatible with the surrounding buildings and can be readily converted to another permitted use, or removed, if the agritourism use(s) is discontinued.
- N. The maximum permitted size for signs used for the agritourism use shall be in compliance with Article 11.
- O. The Applicant shall submit evidence that all state and federal requirements have been met prior to the issuance of a final Certificate of Zoning Compliance. Applicants must consult with the Township's building code officer to determine if a building permit is required for any building proposed as part of the agritourism use.
1. The Applicant shall submit proof of adequate liability insurance.
 2. It shall be the responsibility of the Applicant and/or landowner to prove compliance with these regulations at the time of application for a zoning permit.

§ 215-25.5 Animal Cemetery.

- A. All the regulations for a "Cemetery" in this Section shall apply.
- B. The applicant shall prove to the satisfaction of the Zoning Officer (or the Zoning Hearing Board in the case of a special exception use) that the use will be conducted in such a manner that the public health and groundwater quality will not be threatened.
- C. A system to fund perpetual maintenance shall be established, such as setting aside 15 percent of all lot sales for that purpose.

§ 215-25.6 Animal Day Care and Animal Rescue Operations.

- A. This use shall involve providing temporary care and recreation for multiple dogs and household pets. This use shall primarily involve housing the animals indoors within an enclosed air-conditioned building that is sound-proofed if the animals will be within 300 feet from an existing dwelling on another lot.
- B. The applicant shall describe in writing measures that will be used to avoid noise or odor nuisances for occupants of neighboring uses.
- C. Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be heard within any principal building on another lot.
- D. The applicant shall describe how outdoor runs will or will not be used during various hours.

§ 215-25.7 Apartments

See "Townhouses and Apartments" and "Conversions" in this Section.

§ 215-25.8 Assisted Living Facility/ Personal Care Home.

These uses are listed under "Nursing Homes" in this section.

§ 215-25.9 Auto, Boat or Manufactured Home Sales.

- A. No vehicle, boat or home on display shall occupy any part of the street right-of-way or the required customer parking area. See buffer yard provisions in §215-31.
- B. See light and glare standards in §215-45.7.
- C. Any manufactured homes on a sales site shall meet the required principal building setbacks from the perimeter lot lines.
- D. This use shall encompass sales and rental of all types of motor vehicles and trailers, including recreational vehicles.
- E. The regulations for vehicle parking for an "Auto Repair Garage" in this section shall also apply to an "Auto Sales" use.

§ 215-25.10. Auto Repair Garage (includes Auto Body Shop).

- A. All paintwork shall be performed within a building, with a fume collection and ventilation system that directs fumes away from any adjacent dwellings. Outdoor major repairs (such as body work and grinding) and outdoor welding shall meet DEP and OSHA requirements and shall not occur within 100 feet of a "residential lot line."
- B. All reasonable efforts shall be made to prevent or minimize noise, odor, vibration, light or electrical interference to adjacent lots. See standards in Article 9. See buffer yard requirements in §215-31.

- C. Outdoor storage of motor vehicles shall be within any required buffer yard or street right-of-way. Motor vehicles shall not be parked on a public sidewalk.
- D. Overnight outdoor storage of "junk," other than permitted vehicles, shall be prohibited within view of a public street or a dwelling.
- E. A maximum of 5 "junk vehicles" (as defined by §215-7) shall be kept outside of an enclosed building for more than 60 days. This numeric restriction shall not apply to vehicles that are: 1) actively under repair, or 2) awaiting resolution of an insurance claim or an accident investigation. On a lot of one acre or less, such maximum number of junk vehicles shall be reduced from 5 to 3. If a greater number of junk vehicles is kept on a lot than is allowed by this section, the use shall be regulated as a "junkyard." If a use involves more than one contiguous lot, this numeric restriction applies to all contiguous lots.
- F. A maximum of 10 vehicles that do not display a current State safety inspection sticker shall be kept for more than 60 days within view of a public street or a dwelling on another lot. This numeric restriction shall not apply to vehicles that are:
 - 1. actively under repair,
 - 2. in operable condition and are actively being offered for sale,
 - 3. awaiting resolution of an insurance claim or an accident investigation. On a lot of one acre or less, such maximum number of uninspected vehicles shall be reduced from 10 to 5. This restriction shall not apply to vehicles that have a State license plate that does not require a safety inspection, such as a recognized Antique Vehicle.
- G. Service bay doors shall not face directly towards an abutting dwelling (not including a dwelling separated from the garage by a street) if another reasonable alternative exits.

§ 215-25.11 Auto Service Station.

- A. See definition of this term and "Auto Repair Garage" in §215-7. The uses may be combined, provided both uses are allowed in the district and all other requirements for each use are also met.
- B. All activities except those to be performed at the fuel or air pumps shall be performed within a building. The use shall not include spray painting.
- C. The regulations for "Auto Repair Garage" in the above subsection shall also apply to an "Auto Service Station," including for vehicle parking.
- D. A canopy shall be permitted over the gasoline pumps with a minimum front setback of 12 feet from each street right-of-way line. Such canopy may be attached to the principal building. A portion of the allowed building wall sign area may be placed on the canopy.
- E. Fuel dispensers shall be setback a minimum of 30 feet from the existing street right-of-way line and 100 feet from any lot line of a lot occupied by a principal residential use.
- F. Auto service station canopies shall be designed with lighting that minimizes light pollution onto streets and other lots. See also Control of Light and Glare in §215-45.7.
- G. Auto service stations may be combined with a car wash, convenience store, retail store and/or restaurant, provided each use is allowed in the district and all other requirements for each use are also met.
- H. A portion of the required parking spaces may be used for electric vehicle recharging stations.

§ 215-25.12 Bed and Breakfast Inn.

- A. No more than 3 adults may occupy one rental unit. If allowed in a residential district, the use shall include a maximum of 5 rental units. This use is allowed where listed in Articles 3 and 4.
- B. One off-street parking space shall be provided for each rental unit. The off-street parking spaces for the Bed and Breakfast Inn shall be located either to the rear of the principal building or screened from the street and abutting dwellings by landscaping.
- C. There shall not be any signs visible from outside the premises, except for a single sign with a maximum sign area of 6 square feet on each of 2 sides and with a maximum height of 8 feet, and necessary directional signs. Such sign shall not be internally illuminated.
- D. The use shall have a residential or historical appearance.
- E. The use shall be operated and/or managed by permanent residents of the lot.
- F. There shall not be separate cooking facilities in any guest room. Food shall only be served to guests who are staying overnight, unless a restaurant is also permitted in the district.
- G. No guest shall reside in the Bed and Breakfast Inn for more than 60 total days in any 90-day period.

§ 215-25.13 Boarding House (includes Rooming House but not including an Assisted Living Facility).

- A. Minimum lot area - 50,000 square feet.
- B. Minimum side yard building setback - 15 feet each side
- C. Minimum lot width - 100 feet
- D. Maximum density - 1 bedroom per 3,000 square feet of lot area; but in no case shall the lot serve a total of more than 20 persons.
- E. Each bedroom shall be limited to 2 adults each.
- F. A buffer yard with screening meeting §215-31 shall be provided between any boarding house building and any abutting dwelling.
- G. Signs- shall be limited to 2 wall signs with a maximum of 2 square feet each.
- H. Rooms shall be rented for a minimum period of 5 consecutive days.
- I. If the use houses more than 8 persons, a resident manager shall be required, who shall be authorized to accept code enforcement notices.

§ 215-25.14 BYOB Club.

- A. The applicant shall submit a security plan, which shall be found acceptable by the Board of Supervisors.
- B. As a condition of approval, the applicant shall regularly collect litter from the outside of the premises and adjacent sidewalks during every day that the use is open. The applicant shall maintain and regularly empty a trash receptacle near a building exit.
- C. The applicant shall provide evidence that the use will be operated in compliance with State law. Such use shall not operate between the hours of 2 AM and 6 AM.

§ 215-25.15 Camp or Campground.

Where allowed by the zoning district regulations, campgrounds shall be subject to the following additional requirements:

- A. Minimum lot area: 10 acres;
- B. Setbacks. All campsites shall be located at least 100 feet from all public street lines and at least 50 feet from all other property lines;
- C. Each campsite shall be at least 3,000 square feet in size, and either parking space for two automobiles shall be provided, which will not interfere with the convenient and safe movement of traffic, or equivalent parking shall be provided in a common parking area. A combination of parking in campsites and common parking areas shall be permitted; however, each campsite shall contain a parking space for at least one automobile, and provided that the parking space is not required to be at the campsite if it is designed to be a primitive campsite;
- D. An internal road system shall be provided, which is suitable for access by emergency vehicles and by the largest vehicles that will be allowed within the campground
- E. All outdoor play areas shall be set back at least 100 feet from all property lines and shall be screened from adjoining properties. Such outdoor play areas shall be used exclusively by registered guests and their visitors;
- F. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of 100 feet from all property lines. Such facilities shall be screened from adjoining properties;
- G. Any accessory commercial, retail or service uses shall be set back a minimum of 100 feet from all property lines. Such uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Parking spaces provided for these uses shall only have vehicular access from the campground's internal road system. Vehicular access from parking spaces to any public road is strictly prohibited. All accessory commercial, retail, or service uses, and related parking shall be screened from adjoining properties;
- H. All campgrounds containing more than 100 campsites shall have vehicular access only to an arterial or collector street;
- I. A campground may construct one freestanding or attached sign containing no more than 32 square feet of area per face. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least 10 feet from any public street right-of-way line and at least 100 feet from any adjoining lot line;
- J. A minimum of 20% of the gross area of the campground shall be devoted to active and passive recreational facilities. Active recreation facilities shall not be located within 100 feet of any property line. Responsibility for maintenance of the recreation area shall be with the landowner;
- K. Every campground shall have an office for the person responsible for the campground operation. This office shall be open and staffed during all hours of campground operation;
- L. All water facilities, sewage disposal systems, restrooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the PADEP; and
- M. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.

§ 215-25.16 Car Wash.

- A. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
- B. Adequate provisions shall be made for the proper and convenient disposal of refuse. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals or polluted runoff that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks, spills or polluted runoff.
- C. Water from the car wash operation shall not flow onto sidewalks or streets in such a manner as could cause ice hazards or runoff problems. Wash water shall be properly collected and shall not flow into a waterway. To the maximum extent feasible, water should be recycled.
- D. Any car wash that is located within 250 feet of an existing dwelling shall not operate between the hours of 10:00 p.m. and 7:00 a.m.

§ 215-25.17 Cemetery.

- A. Minimum lot area: 1.5 acre, which may be on the same lot as an allowed place of worship.
- B. All structures and graves shall be setback a minimum of: 20 feet from the right of way of any public street, 10 feet from the cartway of an internal driveway, and 10 feet from any other lot line. Any structures with a height greater than 20 feet shall be setback a minimum of 50 feet from all lot lines.
- C. No grave sites and no buildings shall be located within the 100-year floodplain.
- D. The applicant shall prove to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that the use will include an appropriate financial system to guarantee perpetual maintenance.
- E. The spreading or internment of cremated remains are not regulated by this Ordinance, except structures more than 6 feet tall for the internment of remains of 15 or more persons shall be considered a cemetery.
- F. The applicant shall register the cemetery in compliance with State regulations.
- G. If burial vaults will not be required, the applicant shall describe appropriate methods that will be used to prevent subsidence and groundwater pollution.

§ 215-25.18 Commercial Communications Antennas/Tower as principal or accessory use.

See Chapter 197 of the Code of the Township of Loyalsock – Telecommunication Towers.

§ 215-25.19 Conversion of an Existing Dwelling into Additional Dwelling Units.

- A. See Articles 3 and 4, which establish where conversions are allowed.
- B. The following regulations shall apply to the conversion of an existing one family dwelling into a greater number of dwelling units:
 - 1. The building shall maintain the appearance of a one family dwelling with a single front entrance. Additional entrances may be placed on the side or rear of the structure. The dwelling units may internally share the single front entrance.
 - 2. The conversion shall not be permitted if it would require the development of an exterior stairway on the front of the building or would require the placement of more than 2 off-street parking spaces in the required front yard.

- C. A previously residential building shall maintain a clearly residential appearance, except as may be necessary for restoration of a historic building.
- D. A maximum total of 4 dwelling units may be developed per lot, unless a more restrictive provision is established by another section of this Ordinance, unless the building included more than 3,000 square feet of building floor area at the time of adoption of this Ordinance.
- E. Each unit shall meet the definition of a dwelling unit in Article 1 and shall meet all applicable minimum floor area requirements.

§ 215-25.20 Conversion of an Existing Place of Worship, Rectory, Convent, or Primary or Secondary School.

- A. A minimum average of 800 square feet of total existing building floor area that will be converted into residential use shall be required for each dwelling unit. A minimum of 500 square feet of floor area shall apply within each dwelling unit. A minimum square footage of lot area per dwelling unit shall not apply for this use.
- B. If the applicant proves to the satisfaction that modifications are needed to parking, loading, density or setback requirements to reasonably allow the adaptive reuse of an existing principal building, the Zoning Hearing Board shall have the authority to approve such modifications as a condition of the special exception approval.
- C. The Zoning Hearing Board shall consider compatibility with any adjacent residential neighborhood in considering approval of such modifications, and the availability or shortage of on-street parking spaces and the anticipated need for parking in case of a parking modification. If the applicant is requesting a parking modification, the applicant shall provide a written analysis of available parking spaces in the vicinity during a time of peak parking demand.
- D. A dwelling unit created per the requirements this section may be used solely as a residence, or as a residence in conjunction with a home occupation permitted under the requirements of Home Occupations (§ 215-26.17)

§ 215-25.21 Crematorium.

- A. Minimum lot area - 1.5 acre. A crematorium may be on the same lot as a cemetery, provided the requirements for each are met.
- B. A crematorium, where allowed by Articles 3 or 4, shall be setback a minimum of 250 feet from all lot lines of existing dwellings and all undeveloped residentially zoned lots.
- C. Township zoning approval is conditioned upon receiving and holding a valid DEP Air Quality Permit. The Zoning Officer shall be notified in writing by the operator of the use within one business day if such State permit is ever suspended or revoked or found to be out of compliance.

§ 215-25.22 Criminal Halfway Houses, Day Reporting Center, Pre-Release Center, Juvenile Detention Center, Probation Center or Work Release Center.

- A. See definition of Treatment Center in §215-7. A Day Reporting Center involves persons under the jurisdiction of the criminal justice system, who must report on a periodic basis, but which is not residential. A Pre-Release Center houses persons under the jurisdiction of the criminal justice system who are sent to a facility that is designed to ease the transition from imprisonment to functioning in society. A Work Release Center houses persons under the jurisdiction of the criminal justice system who reside in the facility overnight but are released to work during certain works.
- B. The applicant shall provide a written description of all conditions that will cause persons to occupy the use

during the life of the permit. Any future additions to this list shall require an additional special exception use approval.

- C. The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures to protect public safety. If any applicable County, State, Federal or professional association standards provide guidance on the type of supervision that is needed, the proposed supervision shall be compared to such standards.
- D. The Board of Supervisors may place conditions upon the use to protect public safety, such as conditions on the types of residents and security measures.
- E. This use shall be setback a minimum of 500 feet from all of the following: a residential district, a primary or secondary school, a public park or playground, or any child day care center.
- F. This use shall also include the housing of juveniles who have been ordered to reside in the facility by a judge based upon juvenile delinquency or a similar finding.

§ 215-25.23 Day Care Center, Child.

- A. The use shall comply with any applicable state and federal regulations, including having an appropriate State Department of Human Services registration certificate or license.
- B. At least one convenient space for the safe loading and unloading of children shall be provided, unless the Township may approve an on-street loading space.
- C. The use shall include secure fencing with a height between 4 and 6.5 feet around outdoor play areas. The outdoor play area shall include a minimum of 1,000 square feet of land area for a Day Care Center of up to 20 children.
- D. This use shall not be conducted in a dwelling that is physically attached to another dwelling that does not have a common owner.
- E. A day care use may occur in a building that also includes permitted or non-conforming dwelling units.
- F. In residential districts, where permitted as a principal use, a day care use shall have a minimum lot area of 30,000 square feet and a minimum setback for buildings and outdoor play areas of 25 feet from an abutting residential lot line.
- G. See also the standards for a "Place of Worship" in this Section, which allows a day care center as an accessory use.

§ 215-25.24 Data Center, Crypto-Currency Mining or Electric Battery Facility.

The applicant shall provide a written acoustic analysis by a qualified professional that documents how the facility will meet the noise regulations of the Township, including describing the noise control measures that will be utilized. For an Electric Battery Facility, the applicant shall also describe measures that will be used to minimize fire hazards, and the operator shall offer or fund training to local firefighters regarding how to respond to emergencies at the facility.

§ 215-25.25 Distribution Center.

The provisions are listed under Warehousing, Storage or Distribution Center as a Principal Use or Trucking Company Terminal in this Section.

§ 215-25.26 Electric Power Generating Plant.

- A. Cooling towers, smokestacks and other structures serving an Electric Power Generating Plant may exceed the maximum height limit.
- B. This term shall not include wind turbines or solar energy systems.

§ 215-25.27 Forestry.

The provisions of this subsection apply to forestry involving more than 2 acres of land in any calendar year, other than:

- A. Routine thinning of woods,
- B. Cutting of trees for personal firewood for the landowner or tenant,
- C. Christmas Tree Farms, orchards or tree nurseries,
- D. Forestry on state or federally owned land,
- E. Tree removal that is necessary to develop approved allowed uses, streets, driveways or utilities or soil testing, or
- F. Removal of dead, dangerous or diseased trees or trees that have a pest infestation that threatens the tree.
 - 1. A logging plan showing the area proposed to be forested and any proposed waterway or wetland crossings and roads shall be submitted to the Township, prior to the issuance of a zoning permit. The plan shall show the existing and proposed slopes in areas where logging roads are proposed. The plan shall provide a professional silviculture or wildlife management justification for any clearcutting of mature forests involving more than 2 acres. The plan shall also show stormwater and erosion control measures, such as filter strips and sedimentation basins.
 - 2. A soil and erosion control plan shall be submitted to the Township, and also to the County Conservation District for any review they may wish to provide, in addition to any approval that may be required under State law.
 - 3. The cutting or removal of more than 25 percent of the forest cover (canopy) is prohibited within 75 feet from the top of the bank on each side of a perennial waterway and on areas with a natural slope of 25 percent or greater. A perennial waterway shall be one shown as a continuous blue line on U.S. Geological Survey topographic maps. In such areas, the remaining trees shall be of quality species and be distributed to promote reforestation. Best management practices shall be used to protect water quality and to control erosion and stormwater problems in such areas.
 - 4. No tops or slash shall be left on the banks or between the banks of a perennial waterway or within the channel of an intermittent waterway. No tops or slash shall be left within 25 feet of a public street right-of-way or a private street serving residential lots.
 - 5. It is requested, but not required, to provide a 20 feet minimum setback for forestry from a public street right-of-way and from any lot line of adjacent residential property.

§ 215-25.28 Gas and Oil Wells as a Principal or Accessory Use.

- A. Compressor stations, processing plants and metering stations are subject to the following:
 - 1. Setbacks. All buildings, equipment or structures, other than fencing, shall have the following setbacks:
 - a. Three hundred feet from any road maintained by the municipality, the county or the State

Highway Department (public road).

- b. Three hundred feet from the property line of any neighboring property owner unless the owner of said land will grant a lesser setback.
 - c. One thousand feet from any residential dwelling building, except that of the owner of the land where the facility will be constructed. [Amended 3-11-2014 by Ord. No. 362]
 - d. One thousand feet from any school building, hospital building, nursing home building, park, playground or church building.
2. Height. The height of any structure or equipment shall not exceed the maximum height limit of the zoning district in which it is located, with the exception of temporary structures or equipment. [Amended 3-11-2014 by Ord. No. 362]
 3. Fencing. All facilities shall be protected by a continuous chain-link fence at least eight feet in height with locking gates.
 4. Screening. A screening of vegetative matter must be maintained around the perimeter of the fenced area. The plant materials used must be a minimum of six feet in height at the time of planting and must grow to a height of at least eight feet and produce an effective minimum screening percentage of 50% by the end of the third growing season. This screening must be maintained at all times.
 5. Noise. At no point beyond the boundary of the lot lines of any facility shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 55 dBA during daytime hours and 50 dBA during nighttime hours. All compressors must be contained within a building with doors.
 6. Coloring. All buildings, exposed piping, unhoused equipment and structures shall be painted with nonreflective tones. Colors shall be approved by the Loyalsock Township Board of Supervisors.
 7. Lighting. All lights located on any site shall be shielded, designed and directed in such a manner so that they do not shine directly onto any public road or adjacent dwellings.
 8. Tanks. All tanks shall be no higher than 35 feet in height, unless approved to be higher by the Loyalsock Township Board of Supervisors.

B. Oil and gas staging facilities shall be subject to the following:

1. Fencing. All facilities shall be protected by a continuous chain-link fence at least eight feet in height. Said fencing must be a minimum of 20 feet from the edge of any public road.
2. Driveways to access site. All driveways shall be paved for a distance of at least 50 feet from the center line of the public street from which the site is accessed. Said driveways shall be located as required by Article 10, Off Street Parking.
3. Parking. Areas used to store equipment and parking for staff and visitors must be covered with stone and kept at all times in a dust- and mud-free condition. The required number of parking stalls shall be determined by the use of each building on the site.

C. Water storage facilities shall be subject to the following:

1. Any pumps, underground fuel storage tanks and islands, including any canopies, shall be at least 30 feet from any street or lot line. All impoundments, whether intended to contain fresh water only or any other liquid, shall be subject to the Pennsylvania Dam Safety Act[1] and all pertinent federal and state

regulations.

[1]Editor's Note: See 32 P.S. § 693.1 et seq.

2. Entrances and exits to streets shall be a minimum of 50 feet from any intersection, as measured from the intersecting right-of-way lines. All entrance driveways shall be paved with material approved by the Loyalsock Township Board of Supervisors for a distance of 50 feet from the public street to prevent stone, soil and dust from being deposited on the public street.
3. All aboveground chemical or fuel tanks (except propane tanks) shall be located in a depressed area sized to hold all the tank volume with a one-foot freeboard. Such depressions shall be lined with materials that prevent the chemicals to be stored from soaking into the ground and have a positive drainage to an area for pumping up any spill. The application for a zoning permit and for land development plan approval shall be accompanied by a list of all chemicals and their quantities to be stored on site, and the MSDS sheets for each chemical shall be provided to the Township.
4. Chain-linked, barbed-wire topped screening and/or fencing (guy wires not included) is required for high-voltage transformers and any other utility structures or equipment of potential hazard to residents or passersby. Such enclosures shall be screened with hedges.
5. Area. The total area of the site shall not exceed 2 1/2 acres of land, not including the area of any access drive to the site.
6. Complete site restoration is required within one year following the termination of production or on-site development in accordance with PADEP regulations.

D. Oil and gas development shall be subject to the following:

1. Seismic testing does not require a zoning permit. Prior to any seismic testing and survey work, effective communication and notice shall be provided to the property owner, at least 30 days in advance, including the approximate schedule for activity on that property. Copies of said communications and notices shall be provided to the Township upon request.
2. No well or drilling operation will be allowed within any floodway identified in the Flood Insurance Study (FIS) prepared and approved by the Federal Emergency Management Agency (FEMA).
3. Driveways to natural gas wells, oil wells or well pads shall be subject to the following:
 - a. Vehicular access shall minimize danger to traffic and nuisance to surrounding properties.
 - b. All driveways shall be constructed in accordance with § 215-45, Design of parking and loading areas and access drives, of this chapter. Separate permits will be required for the driveway or driveways.
 - c. All driveways shall be paved for a distance of at least 50 feet from the center line of the public street from which the site is accessed.
4. Gathering lines shall be subject to the following:
 - a. A zoning/development permit shall be obtained for the construction of the pipelines that deliver the gas or oil from the well sites to any interstate or intrastate transmission line or lines.
 - b. Setbacks shall be as follows:
 1. Three hundred feet from any residential dwelling building, except that of the owner of the land where the pipeline will be constructed.

2. One thousand feet from any school building, hospital building, nursing home building, park, playground or church building.
- c. A highway occupancy permit shall be required for the crossing of any state or municipal public road, whether by open cut or boring. The Loyalsock Township Board of Supervisors retains the right to require such crossing to be done by boring when it so deems necessary.
5. Odorant injection shall be subject to the following, unless installed in the same site of a compressor station, processing plant or metering station:
 - a. Odorant injection systems must be contained within a building.
 - b. Setbacks shall be as follows:
 1. Three hundred feet from any residential dwelling building, except that of the owner of the land where the pipeline will be constructed.
 2. One thousand feet from any school building, hospital building, nursing home building, park, playground or church building.

§ 215-25.29 Group Homes.

Group homes are permitted within a lawful dwelling unit, provided the following additional requirements are met:

- A. The use shall meet the definition in **§215-7**.
- B. A Group Home shall not include any use meeting the definition of a "Treatment Center."
- C. A Group Home shall include the housing of people who are functioning as a common household, with a maximum of 4 unrelated residents by right and up to 6 unrelated people by special exception, except:
 1. if a more restrictive requirement is established by another Township requirement.
 2. the number of bona fide paid professional staff shall not count towards such maximum; and
 3. as may be approved by the Zoning Hearing Board under **§215-65.D.6**, which allows people to request a reasonable accommodation to the number of unrelated persons living together.
- D. The facility shall have adequately trained staff supervision for the number and type of residents. If the staffing of the facility has been approved by a Federal, State or County human service agency, then this requirement shall have been deemed to be met. Otherwise, if any applicable County, State, Federal or professional association standards provide guidance on the type of supervision that is needed, the proposed supervision shall be compared to such standards.
- E. The applicant shall provide evidence of any applicable Federal, State or County licensing or certification to the Zoning Officer and shall notify the Zoning Officer in writing within 2 business days if such licensing or certification expires or is withdrawn.
- F. The Group Home shall register in writing its location, general type of treatment/care, maximum number of residents and sponsoring agency with the Zoning Officer. If this information should change, such as an intent to serve a different type of treatment/care, the applicant shall notify the Zoning Officer in writing within 2 business days.
- G. Any medical or counseling services shall be limited to a maximum of 3 non-residents per day. Any staff meetings shall be limited to a maximum of 4 persons at one time.
- H. If a Group Home is in a Residential District, an appearance shall be maintained that is closely similar to nearby

dwellings, and no exterior sign shall identify the use.

- I. The persons living on-site shall function as a common household unit, with persons typically residing within the home for periods exceeding 30 days.
- J. The applicant shall notify the local ambulance and fire services in writing of the presence of the group home and the type of residents.
- K. An off-street parking space shall be provided for the largest vehicle that serves the use, in addition to the car park required by Article 10.
- L. The building shall have lighted exit signs, emergency lighting and inter-connected smoke and fire alarms.
- M. Note - For a use that does not meet these standards, see the requirements for Rooming Houses, Treatment Centers or Criminal Halfway Houses.

§ 215-25.30 Heliport.

- A. The applicant shall prove that the heliport has been located and designed to minimize noise nuisances to other properties.
- B. For a special exception use, the Zoning Hearing Board may place conditions on the maximum size of helicopters, frequency of use, fueling facilities, setbacks and non-emergency hours of operation to minimize nuisances and hazards to other properties. Provided that the conditions do not conflict with safety or Federal or State regulations, the Zoning Hearing Board may require that the majority of flights approach from certain directions, and not from other directions that are more likely to create nuisances for residential areas.
- C. Helicopter landings and take-offs for emergency medical purposes are not regulated by this Ordinance.

§ 215-25.31 Hotel or Motel.

- A. See definitions in §215-7, which distinguish a hotel/motel from a boarding house.
- B. Buildings and tractor-trailer truck parking shall be kept a minimum of 100 feet from any "residential lot line," unless a larger setback is required by another section of this Ordinance.

§ 215-25.32 Junkyard. (includes automobile salvage yard)

- A. Storage of garbage is prohibited, other than what is customarily generated onsite and routinely awaiting pick-up.
- B. Outdoor storage of junk shall be at least:
 - 1. 100 feet from the lot line of any dwelling and
 - 2. 50 feet from any other lot line and the existing right-of-way of any public street.
- C. The site shall contain a minimum of 2 exterior points of access, each of which is not less than 20 feet in width. One of these accesses may be limited to emergency vehicles. Cleared driveways with a minimum width of 15 feet shall be provided throughout the entire use to allow access by emergency vehicles. Adequate off-street parking areas should be provided for customers.
- D. Outdoor storage shall be completely enclosed (except at approved driveway entrances) by a 10-foot-wide buffer yard which complies with §215-31 The initial height of the evergreen planting shall be 6 feet. Secure fencing with a minimum height of 8 feet shall be provided and well-maintained around all outdoor storage areas. Such fencing shall be provided inside of the evergreen screening.
- E. Burning or incineration is prohibited.

- F. All gasoline, anti-freeze and oil shall be drained from all vehicles that are stored on-site and properly disposed of. All batteries shall be removed from vehicles and properly stored in a suitable area on an impervious and properly drained surface.
- G. Lot area - 3 acres minimum; 10 acres maximum.
- H. Tires - see the "Outdoor Storage and Display" standards in the following section.
- I. Any storage of junk shall be maintained a minimum distance of 100 feet from the average water level of any waterway and shall be kept out of a drainage swale.
- J. A junkyard shall include a building with a minimum floor area of 500 square feet and shall include an employee being on-site a minimum of 30 hours per week.
- K. Any crushing or shredding of vehicles shall be setback a minimum of 300 feet from any residential district.
- L. Along all lot lines a five-foot-wide buffer strip, including a solid fence or an open fence with plant material shall be placed to create a visual barrier. This barrier shall be placed in accordance with §215-31 and §215-32.
- M. When adjacent to a C-1, C-2 or C-3 boundary, a ten-foot-wide buffer shall be provided pursuant to the standards in §215-31 and §215-32.
- N. The presence of a highway, street or other right-of-way shall not lessen the need for buffer yards and screen planting for visual protection.

§ 215-25.33 Kennel (which may include an animal shelter)

- A. All outdoor runs and exercise areas shall be located at least 300 feet from:
 - 1. any existing dwelling on another lot, and
 - 2. any lot line of a lot in a residential district.
- B. All buildings used to house animals shall be located at least 200 feet from:
 - 1. any existing dwelling on another lot, and
 - 2. any lot line of a lot in a residential district.
- C. Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be heard within any principal building on another lot. Buildings shall be climate-controlled so that windows and doors do not routinely need to be left open, thereby generating noise.
- D. The applicant shall describe how outdoor runs will or will not be used during late night hours. The Zoning Hearing Board shall have the authority to limit the hours of outdoor runs and exercise areas, as a condition of approval.
- E. The use shall comply with State laws and regulations regarding kennels.
- F. Minimum lot area - 2 acres.
- G. A use meeting the requirements for a Kennel may also offer "Dog Day Care."
- H. A landscaped buffer yard shall be provided between the Kennel building and any outdoor runs or exercise areas and any adjacent dwelling.

§ 215-25.34 Live Work Unit

- A. A Live Work Unit is one building space that is used both for residential and for business space, such as for an

office or an artist's studio. The business use shall be a use that is listed as permitted by right in the Zoning District. The unit shall be treated as a dwelling unit, except for allowed signs and minimum parking requirements for the portion of the space that is used for commercial purposes that may involve non-resident employees or customer traffic

- B. If allowed in a Residential District, a minimum of 50 percent of the unit floor area shall be primarily used for residential purposes and a maximum of 3 persons shall work in the unit who do not reside within the unit.
- C. The operator of the business in the unit shall also be a permanent resident of the unit.

§ 215-25.35 Livestock and Poultry, Raising.

(Includes standards for Concentrated Animal Feeding Operations)

- A. Minimum lot area - 3 acres, except a minimum of 25 acres in a contiguous tract for a Concentrated Animal Feeding Operation. See also Pets, Keeping of in this Section.
- B. Fencing shall be used as necessary and practical to prevent livestock from entering streets or unauthorized property.
- C. Buildings used for the raising of livestock or poultry shall:
 - 1. not be located within 100 feet of a perennial stream, river, spring, lake, pond or reservoir, and
 - 2. not be located within 300 feet of an active public water supply drinking well or an active intake for a public water supply.
- D. The applicant shall describe in writing or on site plans the methods that will be used to address water pollution and insect and odor nuisances.
- E. If a setback applies for manure management facilities under State regulations, that setback shall apply. Otherwise, manure management facilities shall be setback a minimum of 100 feet from all lot lines.
- F. Except for a Concentrated Animal Feeding Operation, any building or concentrated feeding areas for the raising of livestock or poultry shall be located at a minimum:
 - 1. 300 feet from a lot in residential district,
 - 2. 200 feet from an existing dwelling that is not within a residential district, and
 - 3. 50 feet from all other exterior lot lines.
- G. For a Concentrated Animal Feeding Operation, any building or concentrated feeding areas for the raising of livestock or poultry shall be located a minimum of:
 - 1. 600 feet from a lot in a residential district,
 - 2. 200 feet from an existing dwelling that is not within a residential district, and
 - 3. 100 feet from all other exterior lot lines.
- H. As a conditional use, the Board of Supervisors may approve a smaller setback for the expansion of facilities that existed prior to the adoption of this Section where the applicant proves that there is no reasonable and feasible alternative and where the applicant proves that the lesser distance would not be detrimental to public health or safety or create significant hazards or nuisances.
- I. The setbacks from property lines provided in this Section for this use shall not apply from dwellings or lots owned by:

1. the operator or owner of the livestock use, or
 2. affected property-owners providing a written notarized letter waiving such setback.
- J.** For a new or expanded raising of livestock or poultry use, evidence shall be provided by the operator/applicant to the Township to show that there will be compliance with procedures and requirements of the State Nutrient Management Act and accompanying State regulations. This shall include the applicant providing proof that any required Nutrient Management Plan will be submitted to the required agency(ies) and need approval if required under State regulations, as a condition of issuance of the zoning permit.
- K.** For manure storage facilities that are specifically required to have a setback from lot lines under the State Nutrient Management regulations, that State setback shall apply. For any other manure storage facilities, a 100 feet minimum setback shall apply from all lot lines.
- L.** The following additional requirements shall apply to a Concentrated Animal Feeding Operation:
1. The applicant shall provide a soil and erosion control plan to the County Conservation District for review and pay their review fees.
 2. The applicant shall describe in writing or on-site plans methods that will be used to address water pollution and insect and odor nuisances. The applicant may meet this requirement by stating that there will be compliance with specified standards in applicable sections of the Pennsylvania Soil and Water Conservation Technical Guide as published by the U.S. Department of Agriculture and the State Department of Environmental Protection's Manure Management Manual for Environmental Protection, or their successor publications, or other recognized written industry standards.
 3. The location of the facility is requested to consider prevailing wind patterns as they may affect the nearest existing dwellings.
 4. An area shall be provided for trucks to turn around on the property that avoids the need to back out onto a public road.

§ 215-25.36 Manufactured Homes and Manufactured Home Parks.

Manufactured Homes and Manufactured Home Parks shall be permitted by right in allowed Districts if it meets the requirements set forth in §215-30 Yard Regulations. See Chapter 142 of the Code of the Township of Loyalsock "Mobile Homes and Mobile Home Parks."

§ 215-25.37 Medical Marijuana Dispensary.

- A.** The use shall be setback a minimum of:
1. 1,000 feet from the property line of a primary or secondary school or any child day care center,
 2. 500 feet from a public park or playground, and
 3. 250 feet from a residential district or an existing dwelling.
- B.** The use shall not have any outdoor activities, such as outdoor seating.
- C.** The use shall not be open for business beyond the maximum hours of 8 AM and 8 PM.
- D.** The use shall meet all other zoning requirements that would apply to a Retail Store.
- E.** The use shall prove to the Zoning Officer that there will be sufficient security measures.

§ 215-25.38 Medical Marijuana Grower/ Processor.

- A. The use shall prove to the Zoning Hearing Board that there will be sufficient security measures.
- B. The use shall be setback a minimum of:
 - 1. 1,000 feet from the property line of a primary or secondary school or any child day care center,
 - 2. 1,000 feet from a public park or playground, and
 - 3. 1,000 feet from a residential district.
- C. The use also shall meet all of the same zoning requirements that would apply to a manufacturing use.
- D. The use shall be within a completely enclosed building, unless the applicant proves to the satisfaction of the Zoning Hearing Board that there will be sufficient odor controls without such an enclosure. The applicant shall in writing describe measures that will be used to prevent unpleasant odors from being detected on other lots.

§ 215-25.39 Membership Club.

- A. See definition in §215-7.
- B. Any active outdoor play area shall be setback at least 25 feet from any abutting "residential lot line."
- C. This use shall not include an "After Hours Club."

§ 215-25.40 Mineral Extraction.

- A. The following additional requirements shall be met:
 - 1. Preliminary information shall be submitted regarding the intended land reclamation and reuse plan of the area to be excavated. However, it is recognized that the Township does not have the authority to mandate particular types of reclamation.
 - 2. Prior to the initiation of mining activities, the applicant shall provide to the Zoning Officer a copy of the plan for reclamation that has been approved as part of the DEP mining permit, and any future revisions to that reclamation plan shall also be submitted to the Zoning Officer.
 - 3. A 50 feet wide yard covered by natural vegetative ground cover (except at approved driveway crossings) shall be required along all exterior lot lines and street rights-of-way (including a highway) that are within 500 feet of an area of excavation. This 50-foot wide yard shall include an average of one evergreen tree for each 50 feet of distance along the lot lines. Such trees shall be planted outside of any berm and any fence. New trees shall not be required where preserved trees will serve the same purpose.
 - 4. The following minimum setbacks shall apply for the excavated area of a mineral extraction use from property that is not owned by the owner or operator of the mineral extraction use:
 - a. 100 feet from the existing right-of-way of public streets and from all exterior lot lines of the property,
 - b. 150 feet from a non-residential principal building, unless the owner of the building provides a written waiver,
 - c. 300 feet from the lot line of a dwelling, a Residential district, a public park, or State Game Lands.

Where a setback is required by this subsection 4., it may extend into another zoning district. Where a setback required by this subsection 4. is within a zoning district that allows mineral

extraction, then the setback area may be used for a berm, storage, retail sales and parking, provided there is compliance with the 50 feet vegetated yard required in subsection 3. above.

5. All mineral extraction activities shall be setback a minimum of 100 feet from the average waterline of a perennial creek, except at an approved driveway crossing.
6. Fencing. Application should include plans for secure fencing around active mining areas in locations where needed to protect public safety. Also, warning signs shall be placed around the outer edge of the use.
7. Hours of Operation. The Board of Supervisors, as a condition of special exception use approval, may reasonably limit late night hours of operation of the use and of related trucking operations if the activities could conflict with residential areas.
8. The applicant shall describe measures that will be used to control dust, consistent with DEP regulations. The applicant shall describe safeguards that will be used to minimize health and safety hazards to residents.
9. Prior to the initiation of mining activities in any area, the applicant shall provide proof to the Zoning Officer of having obtained all required permits and approvals, including a DEP mining permit and a NPDES permit, as applicable.
10. The applicant shall provide a professional traffic impact study with the special exception application. Such study shall address the ability of the public road surfaces to handle the truck traffic, in addition to congestion, sight distance and safety issues.
11. A concrete plant or a concrete products manufacturing use (such as precast concrete or concrete pavers) or an asphalt plant or an asphalt products manufacturing use may be located on the same lot as a mineral extraction use or on an adjacent lot, provided such manufacturing uses are designed to allow materials to be moved between the mining use and the manufacturing use without using a public collector or arterial road. Each such manufacturing use shall also need special exception use approval.
12. Mechanical equipment and silos to serve a use allowed under this subsection shall have a maximum total height of 120 feet, provided that portions of the facility over 50 feet in height shall not be intended for routine occupancy by humans.
13. A maximum of 100 total acres shall be disturbed at one time as part of the actual mining activities, other than areas that are actively being reclaimed.

§ 215-25.41 Manufactured Home.

See §215-25.36.

§ 215-25.42 Motor Vehicle Racetrack.

- A. The racetrack and all areas used for the testing, repair, maintenance and warming up of vehicles shall be setback a minimum of 300 feet from any residential district or existing dwelling.
- B. Each vehicle shall have a properly functioning muffler to reduce noise.

§ 215-25.43 Nightclub

This use is effectively prohibited by State Act 219 of 1990, as amended (Section 7327 of Title 18 of the Pennsylvania Statutes). If the use is determined to be allowed under State law, then the applicant shall be a special exception use

that is only allowed in the GIC district. In such case, the applicant shall prove to the satisfaction of the Board of Supervisors that there will be adequate security and noise control measures.

§ 215-25.44 Nursing Home, Personal Care Home, Assisted Living Center or Hospice.

- A. Licensing - See definitions in §215-7.
- B. A minimum of 10 percent of the lot shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas, gardens and/or pedestrian walks.
- C. No building or structure shall be located within 50 feet of a property line. See §215-31, §215-32 and §215-33 for additional requirements.
- D. The fifty-foot yard shall be maintained with lawn and planting except where crossed by access drives not more than 35 feet in width. The angle of the road crossing the lot line and yard shall be as close to 90° as possible.
- E. Screen planting shall be provided when a building is constructed within 100 feet of a property line of a parcel of land that has an existing residential use on it, unless waved by the governing body.

§ 215-25.45 Outdoor Storage and Display.

The provisions listed for this use under §215-26.18 shall apply.

§ 215-25.46 Prison or Similar Correctional Institution

See §215-25.48

§ 215-25.47 Place of Worship.

- A. Minimum lot area- 35,000 square feet in a Residential District, unless a larger lot area is required by the applicable Zoning District. In any other District, a place of worship shall meet the normal minimum lot area for that District.
- B. A primary or secondary school may be approved on the same lot as a place of worship provided the requirements for such uses are also met. Other uses shall only be allowed if all of the requirements for such uses are also met, including being permitted in the applicable District.
- C. A maximum of one dwelling unit may be accessory to a place of worship on the same lot, to house employees of the place of worship and/or an employee and his/her family.
- D. A child or adult day care center shall be allowed as an accessory use.

§ 215-25.48 Prison or Similar Correctional Institution or Juvenile Detention Center.

- A. The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures to protect public safety. If any applicable County, State, Federal or professional association standards provide guidance on the type of supervision that is needed, the proposed supervision shall be compared to such standards. The Board of Supervisors may engage an expert to assess the suitability of such proposed measures and to propose reasonable conditions upon the approval, with the reasonable costs of such expert review paid by the applicant.
- B. The Board of Supervisors may place conditions upon the use to protect public safety, such as conditions on the types of residents and security measures.

C. The use shall be set back a minimum of:

1. 1,000 feet from the property line of a primary or secondary school or any child day care center,
2. 1,000 feet from a public park or playground, and
3. 1,000 feet from a residential lot line.
4. A minimum fifty-foot-wide perimeter buffer yard shall be provided and landscaped as required by the Board of Supervisors as part of the conditional use approval.

§ 215-25.49 Recreation, Outdoor.

- A. All buildings, pavilions and areas used for nighttime activities shall be a minimum of 100 feet from an existing dwelling on another lot.
- B. This term shall not include Publicly-Owned Recreation or a Motor Vehicle Racetrack.
- C. See provisions for a non-household swimming pool in this Section.
- D. Lighting, noise and glare control - See §215-45.7.
- E. A 20 feet wide buffer yard in accordance with §215-31 shall be required adjacent to an existing dwelling on another lot.

§ 215-25.50 Recycling Collection Center.

- A. This use shall not be bound by the requirements of a Solid Waste Disposal Facility.
- B. All materials shall be kept in appropriate containers, with appropriate sanitary measures and frequent enough emptying to prevent the attraction of insects or rodents and to avoid fire hazards.
- C. Adequate provision shall be made for movement of trucks if needed and for off-street parking.
- D. A 20 feet wide buffer yard with screening as described in §215-31 shall be provided between this use and any abutting "residential lot line."
- E. This use may be a principal or accessory use, including being an accessory use to a commercial use, college, an industrial use, a public or private primary or secondary school, a place of worship or a Township-owned use, subject to the limitations of this section.
- F. Materials to be collected shall be of the same character as the following materials: paper, fabric, cardboard, plastic, metal, aluminum and glass. No garbage shall be stored as part of the use, except for that generated onsite and that accidentally collected with the recyclables. Only materials clearly being actively collected for recycling may be stored on site.
- G. The use shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as baling of cardboard.
- H. The use shall not include the collection or processing of pieces of metal that have a weight greater than 50 pounds, except within an Industrial District.
- I. Donated items are prohibited. The use of Donation Collection Bins is prohibited at recycling collection centers.
- J. Discarded rubbish and junk items dumped at a recycling center become the property and responsibility of the property owner and must be cleaned up and removed from the premises on a regular basis or become subject to a property maintenance violation.

§ 215-25.51 Residential Conversions.

See "Conversions of an Existing Building" within this Section.

§ 215-25.52 Residential Storage or Non-Dwelling Agriculture Buildings as Principal Use.

- A. A building or structure located on a lot without a principal dwelling, used exclusively for agricultural purposes. No residence occupation, commercial operations or business activity is allowed. Such structures shall not be permitted on a lot without a principal dwelling for any use other than agricultural.
- B. To allow landowners in the R-3 district to construct non-commercial storage structures on parcels that are not a principal residence or short-term habitation, provided that this use remains agricultural or residential in nature and does not perform any commercial activity.
- C. Minimum lot size - 1 Acres shall be required
- D. Setbacks and height requirements shall comply with Dimensional standards of the district in which it is located.
- E. Permitted Uses:
 - 1. Storage of farm equipment, feed, or other agricultural materials.
 - 2. Shelter for livestock or agricultural supplies.
 - 3. Storage of household personal property, vehicles, and similar items.
 - 4. Temporary shelter for recreational use (e.g., storing RVs, boats), with no overnight habitation.
- F. All lots containing a non-commercial agricultural or residential storage building must have direct access to a public road or an approved private road or must have legal access via a deeded easement or right-of-way recorded with the County Recorder of Deeds.
- G. All driveway standards in Article 10 must be followed.

§ 215-25.53 Restaurant.

- A. Screening of Dumpster and Waste Containers - See §215-32.
- B. See "Drive-Through" service in §215-26.7.
- C. Drive-through service shall only be provided where specifically permitted in the applicable District regulations.
- D. This use shall not include a "Tavern" or a "Nightclub", unless the requirements for such use(s) are also met.

§ 215-25.54 School, Public or Private, Primary or Secondary.

- A. Minimum lot area
 - 1. 1 acre in a Residential District.
 - 2. In any other District, the use shall meet the standard minimum lot area requirement for that District
- B. No children's play equipment, basketball courts or illuminated recreation facilities shall be within 50 feet of a residential lot line.
- C. The use shall not include a dormitory unless specifically permitted in the District.

§ 215-25.55 Self-Storage Development.

- A. All storage units shall be of fire-resistant construction.

- B. Outdoor storage shall be limited to vehicles, boats and trailers. No "Junk Vehicles" shall be stored within view of a public street or a dwelling.
- C. Trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins, or similar items shall not be stored.
- D. Designated spots may be used for outdoor parking of motor vehicles or trailers. Nothing shall be stored in interior traffic aisles or accessways that would interfere with emergency vehicle access or within required off-street parking areas.
- E. The use shall not include a commercial Auto Repair Garage, unless the requirements for that use are also met.
- F. Adequate lighting shall be provided for security, but it shall be directed away or shielded from any adjacent residential uses.
- G. See §215-31 concerning buffer yards. In addition, any outdoor storage or garage doors within 200 feet of a street right-of-way and visible from the street shall be screened from that street by a buffer yard meeting §215-31. Any fencing shall be placed on the inside of the plantings.
- H. Minimum separation between buildings- 20 feet. Maximum length of any building - 300 feet.

§ 215-25.56 Solar Energy System, Principal.

See Chapter 213 of the Code of Township of Loyalsock, "Solar Energy Systems".

§ 215-25.57 Solid Waste Transfer Facility, Solid Waste Landfill or Waste to Energy Facility.

- A. All solid waste storage, disposal, incineration or processing shall be at least 300 feet from the following: public street right-of-way, exterior lot line of lot that is not controlled by the operator of the facility, floodplain regulated under the Floodplain Ordinance, edge of a surface water body (including a water filled quarry), or wetland of more than 1/2 acre in area.
- B. All solid waste storage, disposal, incineration or processing shall be a minimum of 500 feet from any residential district, perennial creek, publicly-owned park or any existing occupied dwelling that the applicant does not have an agreement to purchase. Any solid waste landfill disposal area shall be setback a minimum of 1,320 feet from any public water supply.
- C. The use shall be served by a minimum of 2 paved access roads, each with a minimum cartway width of 24 feet. One of these roads may be restricted to use by emergency vehicles.
- D. The applicant shall prove to the satisfaction of the Board of Supervisors that the street network can handle additional truck traffic, in a manner that minimizes negative impacts upon residentially zoned neighborhoods. The routes to be used by waste trucks to access the site shall need approval from the Board of Supervisors and shall be enforced by the operator. A professional traffic study shall be submitted with the zoning application, which shall address turning radii, congestion, safety issues and compatibility with dwellings. The Board of Supervisors may establish reasonable conditional use conditions regarding truck routes, which shall then be enforceable by the Zoning Officer or his/her designee.
- E. The applicant shall prove to the satisfaction of the Board of Supervisors that the use will include the best available methods to minimize noxious odors off of the tract.
- F. A chain-link or other approved fence with a minimum height of 8 feet shall surround the use, unless the applicant proves to the satisfaction of the Board of Supervisors that this is unnecessary.
- G. Minimum lot area - 5 acres.

- H. The applicant shall provide evidence to the Board of Supervisors that sufficient measures will be put into place to minimize the attraction, harborage or breeding of insects, rodents or vectors.
- I. Attendant. An attendant shall be present during all periods of operation or dumping.
- J. Gates. Secure gates, fences, earth mounds and/or dense vegetation shall prevent unauthorized access.
- K. Emergency Access. The operator of the use shall cooperate fully with local emergency services. This should include allowing practice exercises on the site and the provision of all information needed by the emergency services to determine potential hazards. Adequate means of emergency access shall be provided.
- L. Litter. The operator shall regularly police the area of the facility and surrounding streets to collect litter that may escape from the facility or trucks.
- M. Dangerous Materials. No radioactive, hazardous, chemotherapeutic or infectious materials may be stored, processed, disposed of, or incinerated.
- N. Except for a landfill, all loading and unloading and processing of solid waste shall only occur within an enclosed building, and over an impervious surface drain to a holding tank that is then adequately treated, or similar methods pre-approved by the Board of Supervisors. Leachate shall be contained and treated in compliance with DEP regulations.
- O. The landfill shall be considered to be a structure for the purposes of complying with the maximum height requirements of the zoning district.
- P. Putrescent waste shall not be stored outdoors. Putrescent waste on a landfill site shall be regularly covered as provided in the State permit and regulations.
- Q. The applicant shall describe in writing measures that will be used to contain, control and treat any leachate.

§ 215-25.58 Stable, Non-household.

(Includes riding academies; **See also "Keeping of Pets"** in the following section)

- A. Minimum lot area - 2 acres, plus 20,000 square feet for each horse or similar animal greater than two.
- B. Any horse barn, manure storage area or stable shall be a minimum of 100 feet from any lot line of an adjacent dwelling.
- C. Manure shall be regularly collected and disposed of in a sanitary manner that avoids nuisances to neighbors. Manure shall be managed in a manner that prevents it from being carried off by runoff into a creek or a neighboring property. Manure shall not be stored within 100 feet of a perennial waterway or a residential lot line.

§ 215-25.59 Swimming Pool, Non-Household.

- A. The water surface and any building shall be setback of at least 100 feet from any residential lot line.
- B. Minimum lot area - 20,000 square feet.
- C. The use shall be separated from any abutting dwelling by a buffer yard meeting §215-31.
- D. The water surface shall be surrounded by a secure, well-maintained fence at least 6 feet in height.
- E. Drainage. A proper method shall be provided for drainage of the water from the pool that will not flood other property.

§ 215-25.60 Target Range

- A.** All target ranges shall have a barrier behind the target area which is of sufficient height and thickness to adequately protect the public safety.
- B.** The following provisions shall not apply to a target range that is only used by residents or owners of a lot and their occasional guests:
 - 1. The design of the outdoor firearms target range shall be compared by the applicant with applicable published guidelines of the National Rifle Association. The Zoning Hearing Board may consider such guidelines to be the generally accepted standard for the safety of these facilities.
 - 2. An outdoor firearms target range and any firing stations shall be located a minimum of 450 feet from the nearest occupied building on another lot, unless all firing would occur within a completely enclosed sound-resistant building. Clay pigeon shooting shall be directed away from homes and streets.
 - 3. An outdoor firearms target range shall be properly posted. The Zoning Hearing Board may require fencing as necessary.
 - 4. An indoor firearms target range shall be adequately ventilated and/or air conditioned to allow the building to remain completely enclosed.
 - 5. A target range shall only be used for types of firearms or other weapons for which it was specifically designed.
 - 6. An outdoor target range shall not be used during nighttime hours. Maximum hours and days of operation may be established as a condition of the zoning approval.
 - 7. Minimum lot area for an outdoor firearms target range - 10 acres, unless a more restrictive provision is established by another provision of this Ordinance.
 - 8. Wherever woods exist adjacent to an exterior lot line of an outdoor firearms target range, such woods shall be preserved within at least 100 feet of each such lot line, except for approved driveway, utility and trail crossings.

§ 215-25.61 Temporary Shelter.

- A.** The applicant shall provide a written description of all conditions that will cause persons to occupy the use during the life of the permit. Any future additions to this list shall require an additional special exception use approval.
- B.** The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures. If any applicable County, State, Federal or professional association standards provide guidance on the type of supervision that is needed, the proposed supervision shall be compared to such standards.
- C.** The Board of Supervisors may place conditions upon the use to protect public safety, and to minimize conflicts with nearby residents.
- D.** The applicant shall describe the maximum number of residents who will be served, which may include a higher stated number on days of extreme cold weather.

§ 215-25.62 Tiny Homes or Miniature Housing Units.

All tiny homes must be certified by Housing and Urban Development (HUD). Where permitted by special exception, Tiny Homes are subject to the following additional criteria:

- A. Tiny homes can be considered single-family detached dwellings if, in addition to the requirements listed for all dwellings, they are permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the frost line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting, or settling unevenly, due to frost action. Tiny Home as a single-family detached dwelling shall be considered a principal use. No more than one (1) tiny home shall be constructed on a lot.
- B. Tiny homes utilized as any use other than single family detached dwellings shall require conditional use approval as set forth in Articles 3.
- C. Tiny homes must meet the International Residential Code (IRC) as adopted by the Pennsylvania Uniform Construction Code.
- D. Tiny homes shall have a minimum floor area of 150 S.F. and a maximum floor area of 400 S.F.
- E. For the purpose of this Ordinance, a Tiny Home on wheels is considered a recreational vehicle and shall be located only in the allowed districts.

§ 215-25.63 Townhouses and Apartments.

- A. Maximum number of townhouses in any attached grouping - 8.
- B. Paved Area Setback - All off-street parking spaces, except spaces on driveways immediately in front of a carport or garage entrance, shall be set back a minimum of 10 feet from any dwelling.
- C. Garages. It is strongly recommended that all Townhouses be designed so that garages and/or carports are not an overly prominent part of the view from public streets. For this reason, parking courts, common garage or carport structures or garages at the rear of dwellings are encouraged instead of individual garages opening onto the front of the building, especially for narrow townhouse units.
- D. Mailboxes. Any mailboxes provided within the street right-of-way should be clustered together in an orderly and attractive arrangement or structure. Individual freestanding mailboxes of non-coordinated types at the curbside are specifically discouraged.
- E. Access. Vehicular access points onto all arterial and collector streets shall be minimized to the lowest reasonable number. No townhouse dwelling within a tract of 5 or more dwelling units shall have its own driveway entering an arterial or collector street.

§ 215-25.64 Treatment Center.

- A. See definition in §215-7. This use shall not include a Criminal Halfway House or Day Reporting Center, unless the requirements for all uses are fully met.
- B. The applicant shall provide a written description of all conditions (such as alcohol addiction) that will cause persons to occupy the use during the life of the permit. Any future additions to this list shall require an additional special exception use approval.
- C. The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures to protect public safety. If any applicable County, State, Federal or professional association standards provide guidance on the type of supervision that is needed, the proposed supervision shall be compared to such standards.
- D. The Board of Supervisors may place conditions upon the use to protect public safety, such as conditions on the types of residents and security measures.

§ 215-25.65 Trucking Company Terminal

The requirements for “Warehousing, Storage or Distribution Center as the Principal Use of the Lot, or Trucking Company Terminal” in this Section shall apply.

§ 215-25.66 Veterinarian Office.

(includes Animal Hospital)

- A. Any structure in which animals are treated or housed shall be a minimum of 30 feet from any lot line of an existing dwelling. Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be perceived within any adjacent dwellings.
- B. Animals undergoing treatment may be kept as an accessory use. Birds, rabbits, gerbils and similar animals may also be boarded. However, a commercial kennel involving healthy dogs shall only be allowed if a kennel is permitted in that District and if the applicable requirements are met.

§ 215-25.67 Warehousing or Storage or Distribution Center as the Principal Use of the Lot, or Trucking Company Terminal.

- A. Where conditional use is required, then as a condition of conditional use approval, the Board of Supervisors may require additional earth berming, setbacks, sound walls, landscaping and lighting controls as they determine to be necessary to provide compatibility with adjacent dwellings. These measures shall be designed to minimum glare, noise, soot, dust, air pollutants and other nuisances upon dwellings. Outdoor lighting shall be properly directed and shielded to shine downward and away from dwellings.
- B. The subject property shall have vehicle access that allows trucks to reach an arterial street or expressway, without using a local residential street.
- C. The facility shall provide sufficiently long stacking lanes and on-site loading and unloading areas, so that trucks waiting to be loaded and unloaded will not back up onto a public road.
- D. Any gates or other barriers should be set back and arranged to prevent vehicle backups onto adjacent streets during peak arrival periods.
- E. Major truck repair and truck fueling shall not be allowed, unless the uses are separately approved and the requirements for each use are met. Accessory forklift repair is allowed.
- F. The outdoor storage of vehicles or trailers that do not display a current state license is prohibited.
- G. Any outdoor loudspeaker system shall be designed and operated so that the noise is not heard at residential properties.
- H. The operator of the facility shall enforce State regulations on maximum idling time limit for trucks.
- I. If the property will be abutting or across a street or creek from an existing dwelling or a residential district, then the following planting requirements shall apply in place of other Township requirements along that side of the property. The buffering shall be designed to achieve within 2 years a minimum opacity of 80% in both the winter and the summer, at a minimum height of 8 feet. The plantings shall include staggered rows of plantings including evergreen trees with an average spacing of 10 feet apart on center and deciduous trees with an average spacing of 25 feet apart on center. The deciduous trees shall be a species with a minimum mature height of 15 feet. A minimum of 75 percent of the plantings shall be evergreens.
- J. Any on-site vehicle fueling facilities shall be reviewed in advance by a Township Fire Official, and the applicant

shall provide evidence of compliance with Federal and State environmental protection regulations for the facilities prior to receiving a Construction Permit. Sufficient containment measures shall be used to contain an accidental fuel spill, such as fuel facilities being located over an impervious surface that drains to a containment tank.

- K. Any traffic impact study shall consider the cumulative impact of all proposed and planned industrial uses in the vicinity.
- L. A truck parking area shall be provided that allows trucks to wait on the lot until they are directed to unload, and that allows truck drivers that are serving the facility to stop if they need a mandatory rest period. The drivers shall be provided with access to a restroom with flush toilets, sinks and trash receptacles.
- M. A warehouse or distribution center building and any related tractor-trailer truck or trailer parking shall be setback a minimum of 250 feet from the lot line of an existing principal dwelling in a residential district.

§ 215-25.68 Wind Energy Facilities

See Chapter 212 of the Code of the Township of Loyalsock “Wind Energy Facilities for additional information”.

§ 215-26. Additional Requirements: Accessory Uses.

- A. General. Accessory buildings, structures or uses that are clearly customary and incidental to a permitted by right, special exception, or special exception use are permitted by right, except as is provided for in this Ordinance. A business shall only be conducted as an accessory to a dwelling if specifically permitted by this Ordinance.
- B. Accessory Setbacks. The accessory setback requirements of the applicable District shall apply to every accessory building, structure or use unless a standard includes language that explicitly states the it is meant to be more restrictive or less restrictive in this Article for a particular accessory use. Accessory structure setback requirements shall not apply to permitted surface parking lots, fences or permitted accessory signs.
- C. Front Yard. No accessory structure, use or building shall be permitted in a required front yard in any District, unless specifically permitted by this Ordinance.
- D. Additional Standards. Each accessory use shall comply with all of the following standards listed for that use:

§ 215-26.1 Antenna, Standard. (includes amateur radio antenna)

- A. Height. No standard antenna, including its supporting structure, shall have a total height above the average surrounding ground level of greater than 75 feet.
- B. Anchoring. An antenna shall be properly anchored to resist high speed winds, and an antenna of greater than 25 feet high above a building shall meet the Township engineer’s approval.

§ 215-26.2 Bus Passenger Shelter.

- A. A small, roofed structure, having from one to three walls, located near a street, and designed primarily for the protection and convenience of bus passengers.
- B. Bus shelters shall be setback a minimum of five feet from any access easement, travel way, driveway, or private right-of-way. The Department of Public Works and the Department of Public Safety are required to review and approve the location and confirm there are no negative impacts to public safety and meet all sight distance

requirements.

- C. The applicant shall prove that a well-established entity is responsible for the cleaning, maintenance and repair of the shelter. If the shelter is not being properly maintained or falls into disrepair, and the entity does not correct the problem within 72 hours, then the Zoning Officer may order that the shelter be removed within 7 days.
- D. Except within the R-1 and R-2 district, the shelter may include an advertising sign of up to 40 square feet on each of the two sides, which may be illuminated. The sign shall not flash, move or be animated or electronically change. Any shelter may also include transit informational signs.
- E. Bus shelters on properties zoned C-1, C-2, C-3 and I-1 shall comply with the overall appearance of each district.
- F. The shelter shall only be allowed at the stop of regularly scheduled public bus service, with the location having been approved by the provider of the service.
- G. If located within a State right-of-way, approval is also needed from PennDOT. The location of the shelter shall also need approval by the motion of the Board of Supervisors.
- H. The shelter design shall be of durable construction and shall be mostly transparent along the sides.

§ 215-26.3 Clean Fill.

- A. Fill shall only be allowed to be placed on land within the Township if it is not contaminated above the DEP maximum contaminate levels for the final intended use. Demolition wastes, putrescent wastes, materials dredged from a river, or wastes resulting from industrial operations shall not be allowed to be used as fill in the Township and shall not be considered to be “clean fill,” except that:
 - 1. recycled asphalt may be used within a street right-of-way or under parking areas and
 - 2. crushed used concrete may be used as clean fill.
- B. Fill shall only be used to re-grade a site or fill in mines or quarry holes if it meets the State DEP’s requirements for “clean fill” or otherwise is approved under a DEP permit that authorizes the deposit of the materials. Note - As of enactment date of this Ordinance, such provisions were in 25 PA. Code Chapters 250, 271 and 287, and defined “Clean Fill” as “Uncontaminated, non-water soluble non-decomposable inert solid material. The term includes soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that are separate from other waste and recognizable as such. (25 Pa. Code §§ 271.101 and 287.101) The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized.” See also the DEP policy document “Management of Fill.”
- C. If more than 250 tons of fill material are being brought onto a lot from outside of Loyalsock Township, then the Zoning Officer shall require that the owner of the property or the entity depositing the fill provide to the Township a written analysis of the materials. Such analysis shall be completed by an independent environmental laboratory that has federal or state certifications to complete such testing and shall use completely random samples taken by the laboratory staff from various loads. A sample shall be tested from the equivalent of 5 percent of truck loads. The landowner shall be responsible for the costs of the testing, unless the entity conducting the fill operations agrees to pay the costs.
- D. If more than 100 tons of fill material are being deposited on the site, the owner of the property or the entity depositing the fill shall provide a written statement to the Township listing the sources of the material.
- E. If the material was originally contaminated, but was cleaned to become clean fill, information must be provided regarding the type of treatment and the entity that performed the treatment.

- F. Any placement of fill shall also comply with the Township Floodplain Ordinance and the Township Stormwater Ordinance. Any placement of a total of more than 5 tons of fill shall be setback a minimum of 50 feet from the centerline of any perennial creek and 75 feet from the top of the primary bank of the Loyalsock Creek, the West Branch of the Susquehanna River or Lycoming Creek.

§ 215-26.4 Commercial forestry.

Commercial forestry is permitted by right in all zoning districts subject to the following criteria:

- A. All commercial forestry operations shall be done only by the applicant or a logger under contract to the applicant and in accordance with a forest management plan prepared by a qualified forester, which plan has been approved by the Township. A copy of the forest management plan shall be filed with the Township prior to the start of any site work. The applicant or logger shall first obtain a permit from the Zoning Officer. All forestry operations shall only be conducted in accordance with the approved forest management plan.
- B. Any building construction activities on a lot that is the subject of a commercial forestry operation shall be conditioned upon the lot being in compliance with the conditions on the permit for the commercial forestry operation. All commercial forestry operations will be conducted only in accordance with this chapter and the approved forest management plan, and the landowner of record and the forestry operator shall each sign the zoning permit application and agree that all operations will be completed in compliance with the approved permit.
- C. Each application, each forest management plan, and the commercial forestry operation itself shall comply with each of the following requirements:
1. The applicant must be the owner of the land on which the commercial forestry operation is proposed.
 2. It is recognized that an essential element of any forest management plan which includes a commercial forestry operation is to allow the area to become reforested over time, and it is understood that the reforestation process after a commercial forestry operation may take a number of years, depending upon the principal variety or varieties of trees cut and to be reforested, as well as other factors. The forest management plan submitted in support of a proposed commercial forestry operation shall identify the principal variety or varieties of trees intended to be cut and identify, as part of the forest management plan, the reforestation process or processes to be employed and specifically identify, with respect to each principal variety of tree to be reforested, the method or methods of reforestation to be employed and the recommended reforestation period in terms of years. The intent of this portion of this chapter is that when commercial forestry is the proposed intended use of a tract or tracts of land it must be understood by the landowner(s) that, with respect to commercial forestry operations undertaken as part of a forest management plan, the appropriate reforestation period is deemed to be an essential part of any such forest management plan and, therefore, the commercial forestry use will be deemed to be a continuing use until the completion of the reforestation period set forth therein.
 3. The commercial forestry operation shall be by the selection method. Clear-cutting is prohibited except in areas where a proposed building, parking area, septic system or other use has been approved.
 4. An erosion and sedimentation control plan designed to prevent erosion and sedimentation during and after the commercial forestry operation shall be submitted to and approved by the Lycoming County Conservation District. The approval of this erosion and sedimentation control plan by the LCCD is a condition of any Zoning Permit.
 5. All cutting, removing, skidding, and transporting of trees shall be planned and performed in such manner as to minimize the disturbance of or damage to other trees and vegetation and the land itself.

6. Roads and trails shall be constructed, maintained, and abandoned in such manner as to prevent soil erosion and damage to soil and waterways.
 7. Roads and trails shall be only wide enough to accommodate the type of equipment used and grades shall be kept as mild as possible.
 8. Where possible, stream crossings shall be avoided. However, where deemed necessary, crossing shall be made at right angles utilizing suitable culverts or bridges.
 9. Skidding across perennial or intermittent streams is prohibited, except across bridges or culverts.
 10. No-logging buffer Districts of 25 feet shall be maintained along all streams or historic or scenic trails and around the perimeter of all springs. Except for the construction and use of roads and trails described in the approved forest management plan, no trees shall be cut, removed, skidded, or transported within a no-logging buffer District.
 11. No-logging buffer Districts of 10 feet shall be maintained along both sides of any natural or man-made swale or drainage ditch. Except for the construction and use of roads and trails described in the approved forest management plan, no trees shall be cut, removed, skidded, or transported within a no-logging buffer District.
 12. Everything practicable shall be done to prevent damage or injury to young growth and trees not designated for cutting.
 13. All limbs and stubs shall be removed from felled trees prior to skidding.
 14. All trees bent or held down by felled trees shall be released promptly.
 15. No trees shall be left lodged in the process of felling. Damage to remaining trees shall be minimized.
 16. Felling or skidding on or across property of others is prohibited without the express written consent of the owners of such property. Felling or skidding on or across any public street is prohibited without the express written consent on the Township in the case of Township streets or the PennDOT in the case of commonwealth streets.
 17. No tops or slash shall be left within 50 feet of any public street or adjoining property, within 25 feet of any stream or historic or scenic trail, or within 10 feet of any natural or man-made drainage ditch.
 18. The stumps of all felled trees shall be permitted to remain in the soil for stabilization purposes.
 19. During periods of abnormal forest fire danger, as determined by the Loyalsock Township Fire Chief, the Township shall have the right to order a suspension of all commercial forestry operations until the danger subsides.
 20. Littering is prohibited. During and upon completion of a commercial forestry operation, all cans, bottles, paper, garbage, and other litter of any type shall be removed from the property and properly disposed of.
 21. Upon completion of a commercial forestry operation, all roads shall be graded to eliminate all wheel ruts, and access to such roads from any public street, by motor vehicles of any kind, shall be effectively blocked.
- D.** Before any permitted commercial forestry operation begins, all trees which are to be felled in connection therewith shall be clearly marked on the trunk and the stump so that the same may be easily identified both before and after a tree has been felled. No tree shall be felled which has not been designated for removal on the forest management plan as finally approved by the Township.

- E. The holder of a zoning permit to conduct a commercial forestry operation shall notify the Township, in writing, not less than 48 hours before the cutting of any trees is to begin in connection with the construction of roads or trails.
- F. The holder of a zoning permit to conduct a commercial forestry operation shall notify the Township, in writing, not less than 48 hours before the cutting of trees for removal from the site is to begin.
- G. The holder of a zoning permit to conduct a commercial forestry operation shall notify the Township, in writing, at least one week in advance of the expected completion date of the commercial forestry operation and shall notify the Township, in writing, immediately upon said operation's completion.
- H. The Township may, by its own personnel or outside persons hired for the purpose, go upon the site of any commercial forestry operation during daylight hours after an application to conduct such operation has been filed for the purpose of reviewing the plans for the proposed operation and thereafter recommending or opposing the proposed operation or recommending or requiring changes or modifications thereto.
- I. After a zoning permit for a commercial forestry operation has been issued, the Township shall have the right, by utilizing its own personnel or outside persons hired for that purpose, to go upon the site before, during, and immediately after the commercial forestry operation during daylight hours to ensure and require compliance with the plans for said operation as finally approved and all other terms and provisions of this chapter.

§ 215-26.5 Day Care as accessory to a Dwelling.

- A. See Articles 3 and 4 under Accessory Uses and the definitions in §215-7 concerning the number of children who can be cared for in different Zoning Districts.
- B. The care of 4 or more children (other than children or grandchildren of the on-site caregiver) shall only be allowed where specifically permitted under Articles 3 and 4 in the applicable Zoning District.
- C. The dwelling shall retain a residential appearance.
- D. The use shall be actively operated by a permanent resident of the dwelling.
- E. If 4 to 12 children are cared for who are not children or grandchildren of the on-site caregiver, then a minimum of 300 square feet of exterior play area shall be available, surrounded by a 4 feet minimum height secure fence. Seven to 12 children shall not be cared for in a dwelling unit that is attached to another dwelling unit, and provided that number of children are allowed in the zoning district.
- F. See also "Day Care Center, Child" as a principal use in this Section. Day Care is also allowed accessory use for a Place of Worship.
- G. The use shall comply with any applicable state and federal regulations, including having an appropriate State Department of Human Services registration certificate or license, if required by such an agency.
- H. Steps shall be properly secured to limit access by children. At least one fire extinguisher shall be provided, as well as emergency indoor lighting.
- I. The applicant shall describe in writing any provisions that will be made for the safe loading and unloading of children from vehicles.

§ 215-26.6 Donation Bins, Outdoor.

Donation bins must be placed in well-lit areas on paved driveways or parking areas, and at least 20 feet from the curbline or edge of the pavement.

§ 215-26.7 Drive-through Facilities.

- A. The proposed traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
- B. On-lot traffic circulation and parking areas shall be clearly marked.
- C. Drive-through use shall be designed with space for an adequate number of waiting vehicles while avoiding conflicts with traffic onto, around and off of the site. Any drive-through facilities shall be designed to minimize conflicts with pedestrian traffic.
- D. To the maximum extent feasible, a drive-through window shall not be placed on the front facade of a building.
- E. The design of the drive-through facilities shall be subject to review by Township officials.
- F. An area used for outdoor ordering by customers shall be setback a minimum of 100 feet from a dwelling on another lot. The use shall include use of acoustic barriers or controls on the volume of loudspeakers so that the loudspeaker cannot be heard from a dwelling.
- G. To the maximum extent feasible, access to a drive-through shall use a rear alley or side street, unless such access would be adjacent to dwellings.

§ 215-26.9 Electric Vehicle Recharging.

Electric vehicle recharging stations shall be considered to be customary accessory uses, except for the following:

- A. the stations shall not be located in a manner that obstructs proper vehicle circulation on the lot,
- B. no more than 3 vehicle recharging stations that are open to the general public shall be allowed on a lot in an R-1 or R-2 district, and
- C. a vehicle recharging station that is open to the public shall be setback a minimum of 50 feet from all of the following: any lot line, any building, any tank of explosive fuel, and any fill point of an explosive fuel tank.

§ 215-26.10 Fences and Walls.

- A. Fences and walls are permitted by right in all Districts. Any fence or wall shall be durably constructed and well-maintained. Fences that have deteriorated shall be replaced or removed. A fence shall not be required to comply with minimum setbacks for accessory structures.
- B. No fence, wall or hedge shall obstruct the sight distance as required by Section 190-19 of The Code of the Township of Loyalsock and defined in **§215-7**. (Note - The sight distance provisions typically regulate features over 3 feet in height.) A fence that is at least 75 percent transparent may be placed in a sight distance triangle.
- C. Fences
 - 1. Front Yard. Any fence located in the required minimum front yard of a lot in a Residential District shall not exceed 4 feet in height.
 - a. The required minimum front yard shall mean the portion of the front yard that is within the minimum setback. For example, if a building is setback 40 feet from the street right-of-way, but the minimum setback is 25 feet, then these front yard restrictions shall only apply to the first 25 feet.
 - b. If a building has an existing front yard setback that is smaller than the minimum setback, then these front yard restrictions shall only apply to the existing front yard setback.
 - c. Fences in the front yard of a dwelling shall be an open-type of fence (such as picket, chain link,

wrought iron, vinyl post, or split rail) with a minimum ratio of 1:1 of open to structural areas. Mostly transparent wire mesh may be placed on the inside of such a front yard fence.

- d. A fence or detached wall that is not in a residential district and that is within 15 feet from the right-of-way of a public street, or a dwelling shall have a maximum height of 8 feet, except that a taller height shall be allowed by special exception where the applicant proves to the Zoning Hearing Board that a taller height is necessary.
2. On a corner lot, in a Residential District, a fence or wall shall meet the same height requirements along both streets as would apply within a minimum front yard. However, a fence that only extends behind the rear of a dwelling or other principal building may have a maximum height of 6.5 feet along one of the streets, other than the street that is along the front of the dwelling.
3. Height. A fence located in a Residential District in a location other than a required front yard shall have a maximum height of 6.5 feet.
4. A taller fence height may be approved where the applicant proves to the Zoning Officer that such taller height is necessary to protect public safety around a specific hazard (such as an electric substation or to prevent baseballs from entering into a street).
5. Setbacks. No fence shall be built within an existing street right-of-way, public utility right-of-way, or designated private alley way. A fence may be constructed up to a lot line, except as follows:
 - a. a fence may be constructed on the lot line with mutual consent of the adjacent property owner, and
 - b. a fence shall be located on the inside of any buffer plantings required by **Section §215-31 and §215-32**.
6. Fence materials. Electrically charged above-ground fences shall only be used to contain farm animals and shall be of such low intensity that they will not permanently injure humans. Under-ground fences to contain animals are not regulated by this Ordinance. No fence or wall shall be constructed out of fabric, junk, junk vehicles, appliances, drums or barrels. If a fence has one side that is more finished than the other side, the more finished side shall face towards any abutting dwelling. Fence supports should be placed on the inside of a fence.

D. Walls

1. Engineered retaining walls necessary to hold back slopes are exempted from setback regulations and the regulations of this section and are permitted by right as needed in all Districts.
2. Other than a necessary retaining wall, no wall of greater than 3 feet height shall be located in the minimum front yard in a Residential District, except as a backing for a permitted sign as permitted in Article 11.
3. A wall in a Residential District shall have a maximum height of 3 feet if it is within the minimum side or rear accessory structure setback.

- E.** All fences and walls 3 feet in height shall need a zoning permit, regardless of whether a construction permit is also needed.

§ 215-26.11 Farm-Based Business

Where allowed by the zoning district regulations, farm-based businesses may be permitted subject to the following standards:

- A. The applicant must demonstrate that the proposed use supports local agricultural operations and is appropriately scaled to primarily serve local farmers. The business should focus on providing goods and services essential to farm operation, not on distributing goods produced on the farm. Allowable farm-based businesses (if appropriately sized) include, but are not limited to:
 - 1. Sales or repair of agricultural equipment,
 - 2. Blacksmith shops, farriers,
 - 3. Butcher shops,
 - 4. Grain mills,
 - 5. Processing of locally produced agricultural products,
 - 6. Veterinary offices which primarily treat farm animals, stables, kennels,
 - 7. Feed supply, fuel, and fertilizer distributors,
 - 8. Composting and other farm waste storage facilities,
 - 9. Welding shops
- B. A minimum lot size of one (1) acre. A farm-based business shall occupy no more than three (3) acres.
- C. No part of a farm-based business shall be within 200 feet of any land within a residential zone. A minimum 300 feet setback is required from any existing dwelling unit, except on the home premises;
- D. The site must have access to a road of sufficient classification to handle the expected type and volume of traffic generated by the proposed use;
- E. The length of any on-site access drive(s) shall be sufficient to allow the stacking of delivery and/or customer vehicles. Furthermore, any use that potentially involves the movement of vehicles through mud and/or manure shall provide a paved apron of at least 50 feet from the street right-of-way. In addition, another 50-foot gravel section shall be located just beyond the paved apron.
- F. Any outdoor storage of supplies, materials, and products shall be screened from adjoining roads and properties. The display of farm equipment for sale shall be excluded from this provision;
- G. One (1) sign shall be permitted for a farm related business;
- H. Vegetative screening must be provided when a farm-based business abuts any property used principally for residential purposes. Certain pieces of apparatus used for farm-based business, which create noxious dust, odor, light or noise, shall require greater setbacks and vegetative screening, as determined by the Board of Supervisors;
- I. Any building constructed for use by the farm-based business (unless uniquely suited to that business), shall be of a type so that it can be converted to agricultural use, in the event the farm-based business is discontinued (e.g., barn or shed).

§ 215-26.12 Food Trucks.

(This term includes Food Trailers.)

- A. See provisions in Article 4 regarding where food trucks are allowed. If a food truck operates at a site for more

than 15 minutes per day it shall meet all of the following requirements:

1. it shall be setback a minimum of 30 feet away from a dwelling on another lot, and shall not obstruct safe sight distances at intersections and driveways;
 2. it shall meet all requirements for signs that would apply to a building, other than signs that are part of the vehicle;
 3. it shall not be open to customers between 8 PM and 9 AM (Township Code Chapter 154);
 4. it shall not be located within a public right-of-way, except where approved as part of a Township-recognized special event or festival;
 5. it shall provide a regularly emptied sanitary outdoor waste container, and litter shall be regularly collected;
 6. it shall meet all health regulations; and
 7. it shall only operate with written permission of the property-owner.
- B.** A food truck shall not occupy a public on-street or Township-owned off-street parking space while serving food or beverages.
- C.** The Township Staff may authorize written temporary exceptions to these provisions during a special event, parade or festival or within a public park.
- D.** Commercial sales shall only be allowed within a Township Park with written permission of the Township, other than occasional visits of less than 15 minutes by a truck or cart offering snacks and beverages.
- E.** A maximum of one food truck shall be allowed per lot, except during a Township-recognized special event or festival.
- F.** The food truck or trailer shall display a current State vehicle license and safety inspection sticker and have current vehicle registration.
- G.** See also provisions for “Sidewalk Cafes and Food Carts” in this section.
- H.** Electric generators that generate noise heard inside a building and tanks of explosive substances shall not be placed within 100 feet of a dwelling.
- I.** See also Chapter 154 regarding food trucks.

§ 215-26.13 Furnace, Outdoor.

Such as wood-burning boilers and other building heating devices that are exterior to a principal building.

- A.** See provisions in Township Code Section 94-8 “Outdoor furnaces.”
- B.** See provisions Chapter 94 “Burning” Of the Code of the Township of Loyalsock.
- C.** See also provisions for fire pits and outdoor barbeques, which are separately addressed in Article 9

§ 215-26.14 Garage Sale (includes Yard Sale, Moving Sale, Estate Sale and Porch Sale).

- A.** Within any district, an owner and/or occupant may conduct no more than three garage/yard sales events per calendar year. Each garage or yard sale shall be limited to a maximum of three total days. Such sales may offer for sale personal possessions; but shall not typically include new items that are kept in an inventory.
- B.** Only five six-square-foot signs advertising the garage/yard sale shall be permitted, maximum. Such signs shall

be permitted no more than two days prior to the sale and shall be removed promptly upon the completion of the sale.

- C. In no case shall any aspect of the garage/ yard sale be conducted in a street right-of-way, except that parking may occur where permitted. The conduct of garage sales beyond the extent described herein represents a commercial business and requires appropriate zoning authorization. No separate permit shall be required for garage/yard sales conducted in accordance with the restrictions contained herein.

§ 215-26.15 Greenhouses and Plant Nurseries

Where allowed by the district regulations, commercial greenhouses and plant nurseries and the sale of nursery and garden materials shall be subject to the following criteria:

- A. Access: All nurseries and greenhouses shall have direct vehicular access to a designated arterial or collector roadway as defined in the local transportation plan.
- B. Sales of Off-Site Goods: The display and retail sale of items not grown or produced on the premises shall be clearly incidental to the primary nursery or greenhouse operation.
 - 1. The total display area for off-site items shall not exceed 25% of the total gross display and sales area of the property.
 - 2. The sale, display, or repair of motorized equipment, including lawnmowers, tractors, or similar machinery, shall be prohibited.
- C. Outdoor Display Setback: All outdoor display areas shall be setback a minimum of 25 feet from any street right-of-way line.
- D. Screening Requirements: All structural improvements – including buildings, parking areas, and loading spaces, but excluding any permitted freestanding signage – shall be adequately screened from adjoining residentially zoned properties through the use of landscaping, fencing, or other approved buffering methods in accordance with the screening standards of this ordinance.
- E. Signage: One (1) freestanding or building-attached sign shall be permitted to advertise the business.
 - 1. The sign shall not exceed 12 square feet in total area and must be set back a minimum of 15 feet from all property lines. Signage must conform to all applicable sign regulations of this ordinance.

§ 215-26.16 Heliport.

See under principal uses in the previous subsection.

§ 215-26.17 Home Occupations.

A. Classification

- 1. There are three types of Home Occupations:
 - a. “No Impact Home-Based Businesses”, which are permitted by right.
 - b. “Minor Home Occupations”, which require approval by the Board of Supervisors.
 - c. “Major Home Occupations”, which would require special exception approval.

B. General Standards for All Home Occupations

- 1. All Home Occupations must meet the following requirements:

- a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- b. The business may not involve any illegal activity.
- c. Occupancy – The use shall be conducted only by one or more permanent residents of the dwelling. A maximum of one non-resident employee shall be permitted for a Minor Home Occupation. Up to two non-resident employees may be permitted for a Major Home Occupation, subject to Zoning Hearing Board approval.
- d. Location and Visibility – The use shall occur entirely indoors, within the principal dwelling and/or an accessory building. No goods shall be displayed to be visible from the exterior, and no changes to the exterior shall reduce the residential appearance of the structure from the street.
- e. Size Limitation – The use shall not exceed 25% of the floor area of the principal dwelling unit. The use must clearly remain secondary to the residential function.
- f. Parking – In addition to the required residential parking, at least one off-street space per expected patron on-site at any one time shall be provided, unless the Zoning Hearing Board determines alternative arrangements are acceptable.
- g. Deliveries – The use shall not routinely require delivery by tractor-trailer trucks.
 - 1) Equipment Parking – The regulations of Article 10 regarding truck parking shall apply. No excavating equipment or commercial vehicles shall be parked overnight on a residential lot or on adjacent streets as part of a home occupation.
- h. Machinery and Hazardous Substances
 - 1) Only equipment customarily used for domestic, or hobby purposes shall be permitted. No equipment or activity shall generate noise, odor, vibration, glare, or interference detectable off-site. Hazardous, flammable, or toxic materials beyond normal residential quantities are prohibited.
 - 2) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood
- i. Hours of Operation – A home occupation shall not operate in a manner perceptible to others between the hours of 9:00 p.m. and 7:30 a.m.
- j. Prohibited Medical Uses - The main office of a medical doctor, chiropractor, or dentist is not permitted as a home occupation.
- k. Sales and Manufacturing
 - 1) No manufacturing shall occur other than that associated with customary hobbies, crafts, or sewing. Commercial vehicle or equipment repair is prohibited.
 - 2) There shall be no display of retail goods and no stockpiling or inventory of a substantial nature. Sales may occur via telephone, mail order, or electronic means.
 - 3) On-site retail sales are prohibited, except for items produced on-site or products accessory to a permitted service-based home occupation.
- l. Review and Permitting
 - 1) A zoning permit is issued by the Zoning Officer for No Impact Home Occupations.

Major Home Occupations shall also require special exception approval and potentially a variance if deemed necessary.

- 2) Minor Home Occupations shall require Board of Supervisors approval at a public meeting.
- 3) The Zoning Hearing Board shall deny a Major Home Occupation application or limit its intensity through conditions if the use is determined to be incompatible with the neighborhood. In making such determination, the Board may consider anticipated traffic, nature and frequency of deliveries (if applicable), operational characteristics and nuisances, density and character of the neighborhood, adjacency to other dwellings and setbacks

m. Multiple Home Occupations

- 1) More than one home occupation may be permitted per dwelling, provided the total use does not exceed permitted area limits and all standards are met. The aggregate impact shall be evaluated for compliance.

C. Additional Standards for "No Impact Home-Based Businesses"

1. In addition to the standards above, the following requirements shall apply:
 - a. The use shall not routinely involve daily visits to the property by customers or employees, other than the non-resident employees.
 - b. The use must meet the definition of "No Impact Home Occupation" as defined in **Article 1**.

§ 215-26.18 Outdoor Storage and Display.

Commercial or Industrial as a Principal or Accessory Use.

- A. Location. Outdoor storage or display shall not occupy any part of any of the following: the existing or future street right-of-way, required buffer yard, sidewalk or other area intended or designed for pedestrian use or required parking area.
- B. No such storage or display shall occur on areas with a slope in excess of 25% or within the 100-year floodplain, except that pre-existing parking areas can continue to be used for parking of operable motor vehicles.
- C. Screening. See §215-33.
- D. Outdoor storage of 50 or more used tires. The following regulations shall apply unless a more restrictive standard is established by a Fire Code or other applicable regulation:
 1. This storage shall only be allowed as part of a Township-approved junkyard, tire retreading manufacturing facility or tire store. Where allowed, any storage of used tires shall involve stacks with a maximum height of 10 feet, and that cover a maximum of 400 square feet. Each stack of tires shall be separated from other stacks of tires or flammable materials by 40 feet of width of clear area. Each stack of tires shall be separated from a lot line or a building by 50 feet of width, with room for access by fire trucks. If the same set of tires is stored on a lot for more than 6 months, they shall be stored within a building or trailer. Outdoor burning shall not be allowed on the site, and no welding, acetylene torches, outdoor heating devices or other equipment that could cause a fire hazard shall be operated within 100 feet from a tire pile.
 2. The operator of a lot involving tire storage shall prove that the tires are stored in a manner that

minimizes public health hazards from the breeding of vectors in accumulated water and/or that the site is regularly sprayed to minimize vectors.

§ 215-26.19 Pets, Keeping of.

- A. Also includes Accessory Keeping of Miscellaneous Animals
- B. Fowl are prohibited as pets in the R-1 and R-4, and all Commercial Districts. They are permitted as pets in the R-2, R-3, INS, and I-1 Districts. See also Chapter 88 of the Codified Ordinances of the Township, which regulates animals.
- C. No use shall involve the keeping of animals or fowl in such a manner or of such types of animals that it creates a serious nuisance (including noise or odor), a health hazard or a public safety hazard. The owner of the animals shall be responsible for collecting and properly disposing of all fecal matter from pets. No dangerous animals shall be kept outdoors in a Residential District, except within a secure, completely enclosed cage or fenced area of sufficient height and on a chain. Animals shall be kept on the property of the owner, except when they are on a leash.
- D. A maximum combined total of 5 dogs and cats shall be permitted to be kept by residents of each dwelling unit on their residential premises.
 - 1. Such limits shall only apply to dogs or cats over 5 months in age and shall not apply to bona fide working service animals.
 - 2. Any greater number of dogs and/or cats shall need approval as a "kennel".
- E. Pigeons, chickens, ducks, geese and/or similar fowl shall only be kept on a lot if the shelter and area occupied by the animals are setback a minimum of 35 feet from any residential lot line and shall not be allowed if a dwelling unit is attached to another dwelling unit. A maximum of 5 such animals shall be allowed on a residential lot of less than 2 acres. Such animals shall not be kept in a minimum front yard area. Such animals shall be contained by a fence or structure, so they do not stray on neighbors' properties or streets. Roosters are limited to R-2 and R-3 districts and shall not be kept on a lot of less than 3 acres in the R-2 district.
- F. Horses: See §215-26.26 "Stable (Household or Non-Household)."
- G. See the definition of "Domestic Pets" in Article 1. Only those pets that are domesticated and are compatible with a residential character shall be permitted as "Keeping of Pets." Examples of permitted pets include dogs, cats, rabbits, fish, gerbils, hamsters and lizards.
- H. The following animals shall not be allowed to be kept within the Township: bears, wolves, wolf-dog hybrids, alligators, tigers, lions, venomous snakes that could be toxic to humans, or constrictor snakes that could be dangerous to humans. The keeping of any "exotic wildlife" shall also comply with the Pennsylvania Game & Wildlife Code regulations.
- I. The keeping of cows, sheep, goats, hogs and similarly sized animals shall require a minimum lot area of 3 acres. An additional acre of land shall be required for each hog or cow after the first animal, unless the use is approved as a principal "Keeping of Livestock or Poultry Use." This shall not be permitted in the Neighborhood Residential and Mixed-Use Residential Districts.
- J. In addition, a maximum of one miniature pig, pygmy goat or similar domesticated animal of similar size may be kept as accessory to a single-family detached dwelling, provided that only one such animal shall be kept per lot. Such animal shall be kept within a fenced-in yard when outside of a building.

§ 215-26.20 Recreational Vehicle Parking.

See under Residential Accessory Structure or Use in this Section.

§ 215-26.21 Residential Accessory Structure or Use.

- A. See "Accessory Use" definition
- B. Accessory structures and uses (other than fences) shall not be located within the required accessory use setback, unless specifically exempted by this Ordinance. Accessory structures shall not be located within a front yard, nor within any yard required to be equal in width to a front yard along a street on a corner lot.
- C. Height. See **§215-28**
- D. Parking of Commercial Trucks and Buses. The overnight outdoor parking of commercial trucks, commercial buses or excavating equipment or the trailer from a tractor-trailer combination on a principal residential lot of less than 5 acres in a Residential District is prohibited, except that the parking of a maximum of one vehicle with a gross vehicle weight of up to 13,000 pounds and a maximum of two axles shall be allowed if such vehicle(s) is used by residents of the dwelling to travel to and from work. The parking for more than one hour per day of trucks carrying gasoline or similar hazardous or explosive materials or that are used to carry putrescent garbage is prohibited in a Residential District.
- E. Repairs. Repairs of a truck with an aggregate gross vehicle weight of over 13,000 pounds shall not occur on a residential lot. Repairs of motor vehicles that are not owned or leased by a resident of the lot or his/her "relative" shall not occur on a residential lot. Note – "relative" is defined to not include cousins. Work on motor vehicles on a residential lot shall not be conducted as a commercial business. Work on motor vehicles on a residential lot shall not include the replacement of an engine or transmission, body work, frame work, or spray painting.
- F. See setback exceptions per tables in **§215-12**.
- G. See the requirements of the Township Property Maintenance Code.
- H. Recreational Vehicles and Boats. Vehicles and boats shall be maintained to prevent the leakage of fuels and mechanical fluids onto the ground. A recreational vehicle or boat with a length of greater than 20 feet shall not be kept in the front yard of a dwelling in a residential district for more than 3 days in any 7-day period. Measurement of length shall be the entire length of the trailer, measured from the trailer hitch to rear bumper.
- I. A maximum of one motor vehicle or boat shall be displayed or offered for sale on a residential lot in a Residential District if a temporary storage permit is obtained from the Zoning Officer.
- J. Additional parking for the accessory unit is not required if the applicant proves that the resident(s) of the accessory unit will not operate their own vehicle.
- K. A recreational vehicle shall not be used as a residence for more than 5 days in any 30-day period.
- L. Farm Dwelling.
 - 1. In permitted districts, a secondary farm dwelling shall be allowed as an accessory use to a principal agricultural use intended to support active farm operations. No more than one (1) accessory farm dwelling shall be permitted on a farm. The accessory use shall be permitted on parcels with a minimum size of 10 acres;
 - 2. The minimum lot area and building setback requirements of the respective district shall be applicable to the principal and accessory farm dwelling. Maximum size of the dwelling shall not exceed 50% of the principal dwelling's floor area. The accessory farm dwelling shall be located behind or to the side

of principal dwelling unless otherwise approved by the Zoning Hearing Board

3. The off-street parking requirements of this Ordinance shall apply to both the principal and the accessory farm dwelling;
4. Exterior appearances should be compatible with the principal residence and character of the district and must also conform to the requirements of the Subdivision and Land Development Ordinance;
5. All water supply and sewage disposal facilities shall be approved by the appropriate agencies prior to the issuance of a building permit for farm dwelling. The dwelling shall also have adequate vehicular access and be accessible to Emergency vehicles.
6. Secondary farm dwelling shall not be subdivided or sold separately from the principal dwelling or farm property
7. Special exceptions may be provided for Undersized lots

§ 215-26.22 Satellite dish antennas.

- A. Satellite dish antennas of three (3) feet or less diameter that are used to receive television or other electronic signals are not regulated by this Ordinance. Other satellite dish antennas that are more than three (3) feet in diameter are subject to all accessory use standards and this section. Furthermore, any satellite dish antenna located within the R-1, R-2, R-3 or C-1 District shall be used only to receive signals, not transmit them.
- B. All ground-mounted satellite dish antennas located within the C-2, C-3 or I-1 District that are used to transmit video format data shall be completely enclosed by an eight-foot-high non-climbable fence that includes signage warning of electronic, electrical or radiation hazards. Any gates within the fence shall be locked when unattended.

§ 215-26.23 Intermodal shipping containers.

A. Definitions.

- a. Intermodal shipping container (shipping container). A standardized, reusable steel cargo container designed and manufactured primarily for the transportation of goods in international or domestic commerce by two or more modes of transportation, including ship, rail, and truck, without unloading or repacking the cargo. Such containers are constructed to meet applicable International Organization for Standardization (ISO) standards, including ISO 668 or successor standards, and are equipped with standardized corner casting and fittings for secure handling and transport.
- b. Intermodal shipping containers are commonly known as shipping containers, sea containers, sea cans, C-cans, cargo containers, freight containers, ISO containers, or CONEX boxes.
- c. Standard containers sizes include, but are not limited to:
 - i. Twenty-foot (20') containers (TEU)
 - ii. Forty-foot (40') containers (FEU)
 - iii. Forty-foot (40') high cube containers
- d. For purposes of this Ordinance, the term "shipping container" shall mean an intermodal shipping container as defined herein, whether new or previously used for freight transportation.

B. Residential districts.

- a. Shipping containers shall not be permitted as permanent principal or accessory structures on any property located within a residential zoning district or on any property where the principal use is

residential.

- b. Temporary placement of one (1) shipping container shall be permitted only for:
 - i. Moving household goods;
 - ii. Property renovations, remodeling, or repairs;
 - iii. Active construction authorized by a valid building permit; or
 - iv. Emergency situations, including fire, flood, storm damage, or other disasters
- c. A temporary shipping container may remain on the property for no more than thirty (30) consecutive days. The Zoning Officer may grant one extension of up to thirty (30) additional days upon written demonstration of good cause.
- d. No more than one (1) shipping container shall be located on a residential property at any one time.
- e. Shipping containers shall not be used for residential occupancy, sleeping quarters, or the storage of hazardous materials except as permitted by applicable federal, state, and local regulations.
- f. Shipping containers shall not be used as permanent storage for commercial equipment, inventory, materials, or supplies on property located within a residential zoning district.

C. Commercial and industrial districts.

- a. Shipping containers may be permitted as accessory structures on property located within commercial and industrial zoning districts when clearly incidental and subordinate to a lawful principal use.
- b. Shipping containers may be used for storage inventory, equipment, shipping and receiving operations, seasonal storage, and other customary accessory business purposes.
- c. Shipping containers intended to remain on a property for more than one hundred eighty (180) days shall require a zoning permit and shall comply with the following standards:
 - i. Not be placed within required setback areas and shall comply with all applicable dimensional and area standards.
 - ii. Not obstruct required parking spaces, drive aisles, loading areas, fire lanes, utilities, or emergency access.
 - iii. Be maintained in good structural condition and free of excessive rust, holes, graffiti, peeling paint, or other visible deterioration.
 - iv. Not be stacked unless specifically approved as part of the zoning permit.
 - v. Comply with all applicable building, fire, property maintenance, and other applicable codes.
- d. Shipping containers associated with an active construction project may remain on the site for the duration of construction authorized by a valid building permit and shall be removed within thirty (30) days after completion of the project unless otherwise approved by the Township.

D. Prohibited uses.

- a. Shipping containers shall not be used:
 - i. As a principal building or structure unless specifically authorized elsewhere in this Ordinance;
 - ii. For residential occupancy or human habitation;

- iii. For the storage of junk, solid waste, or hazardous materials except as permitted by applicable federal, state, and local regulations;
- iv. In a manner that creates a nuisance or poses a threat to public health, safety, or welfare; or
- v. In a residential zoning district except as expressly permitted under Subsection B.

§ 215-26.24 Short-Term Rental of a Dwelling Unit.

- A. This provision shall apply to a rental of a dwelling unit or portions of a dwelling unit for periods of time of less than 30 days. Any lawful dwelling unit may be rented for periods of 30 days or more without being regulated by this subsection (E-H). These restrictions on short-term rentals shall not apply in a district where hotels or motels are allowed.
- B. A permanent resident of a dwelling unit may share a dwelling unit with others for any period of time, provided that:
 - 1. the dwelling unit does not exceed the total maximum number of unrelated persons allowed based upon the definition of “Family,” and
 - 2. at least one permanent resident is currently living in the dwelling and is overseeing the rental. The Township may require proof of permanent residency for this purpose, such as driver’s license, voting or tax address.
- C. When at least one permanent resident is temporarily not currently living in the dwelling and overseeing the rental, then the dwelling unit may only be rented for periods of less than 30 days if the total time periods of all such rentals does not exceed 30 days per calendar year. This provision is intended to allow for short-term rentals while the permanent resident is away on vacation.
- D. In a residential district, any rental of a dwelling unit for periods of less than 30 days shall be limited to only a single person or one group of friends or relatives who are renting the space using a single rental contract.
- E. The following are examples of how this subsection is intended to work:
 - 1. A permanent resident may share a dwelling with up to 3 other unrelated persons for periods of time of 30 consecutive days or more (which is not regulated by this Section);
 - 2. While a permanent resident is away on vacation, the dwelling unit may be rented for 15 days once a year and then a maximum of another 15 days during the same year;
 - 3. A permanent resident may rent out a bedroom to two visitors to the area every weekend, provided the permanent resident is still living in the dwelling and overseeing the rental; and
 - 4. An entire dwelling unit may be rented for time periods of 30 days or more.
- F. The following are examples of what is not allowed:
 - 1. A person shall not rent out the dwelling for 7 days at a time during 5 different weeks in a year, while the dwelling is not occupied by a permanent resident who is responsible for overseeing the rental; and
 - 2. A person shall not rent out dwelling space to 3 individuals for periods of less than 30 days, unless those 3 persons are under a single rental contract.

§ 215-26.25 Sidewalk Cafes and Food Carts

Where a lawful permanent commercial business is actively in operation in a Commercial Zoning District, and a restaurant is allowed in the Zoning District, a portion of the sidewalk within the public right-of-way immediately in

front of that business may be used for a portable food cart and/or movable customer seating and tables for the consumption of food or beverages, provided that all of the following additional conditions are met:

- A. The café or food cart is required to have the same owner or operator as the adjacent indoor business. Indoor restrooms shall be available for customers of the sidewalk business.
- B. A continuous 5 feet minimum unobstructed hard-surface sidewalk width shall be maintained that is accessible by wheelchairs. Such access shall also be provided to all ADA ramps and street intersections.
- C. A sanitary outdoor trash receptacle shall be provided for customers, which shall be regularly emptied with proper disposal. Litter shall be regularly collected.
- D. The outdoor use shall not operate between Midnight and 6 AM, except it shall not operate after 10 pm if it is within 250 feet of a dwelling on another lot.
- E. Any umbrellas or canopies shall maintain an 8 feet high minimum vertical clearance over a public sidewalk. The space within the right-of-way shall not be enclosed by walls or solid materials, except that the Township may approve decorative planters.
- F. The applicant shall be required to provide a valid insurance certificate to the Township that holds the Township harmless resulting from any claim involving the use of the right-of-way, and that names the Township as an additional insured. Such a certificate shall be regularly updated and presented to the Zoning Officer to prove that it remains valid during the life of the use. Such a certificate shall be in a form that is acceptable to the Township and shall provide a minimum of \$100,000 of insurance coverage, which shall be increased to \$500,000 if alcohol is consumed within the public right-of-way.
- G. The cart and all of the sidewalk café features shall be required to be completely removed from the public right-of-way within 24 hours if the applicant is provided a written notice of violation of a Township ordinance (such as failure to meet the insurance requirements) or if the café, food cart or the adjacent business is no longer in active use.
- H. This subsection shall not limit a lawful restaurant from using part of the same or an adjacent privately-owned lot for accessory outdoor seating.
- I. See also "Food trucks".
- J. The Township may authorize written temporary exceptions to these provisions during a Township-authorized

§ 215-26.26 Stable (Household or Non-Household)

- A. Minimum lot area: 2 acres for one animal; 20,000 square feet for each additional animal up to 4 maximum animals for household stables.
- B. A manure management plan is required and a minimum setback of 100 feet from any lot line for manure storage.
- C. Household stables that would exceed 4 animals shall be submitted for review by the Planning Commission and action by the Board of Supervisors.
- D. Plans clearly showing the location and type of buildings, fences and yards as well as the type and spacing of plants shall be submitted for review of the Planning Commission and approval of the Board of Supervisors.

§ 215-26.27 Solar Energy System, Accessory.

See Chapter 213 of the Code of Township of Loyalsock, "Solar Energy Systems".

§ 215-26.28 Swimming Pool, Household.

Referred hereafter as "pool". Following regulations shall apply:

- A. All pools shall be fenced in compliance with the standards in the Construction Code.
- B. The water surface of a swimming pool shall be setback a minimum of 15 feet from side and rear lot lines. A swimming pool shall not be located in a front yard.
- C. Drainage. A proper method shall be provided for drainage of the water from the pool that will not flood other property, cause any erosion issues to neighboring properties or harm the water quality of creeks.

§ 215-26.29 Temporary Commercial Uses.

Temporary use permits are required for temporary commercial uses. It is recognized that it may be in accordance with the purpose of this chapter to permit temporary activities for a limited period of time, which activities may be prohibited by other provisions of this chapter. If such uses are of such a nature and are so located that, at the time of petition for special exception, they will in no way exert a detrimental effect upon the uses of land and activities normally permitted in the District, or they will contribute materially to the welfare of the Township, particularly in a state of emergency, under conditions peculiar to the time and place involved, then the Board of Supervisors may direct the Zoning Officer to issue a permit for a period not to exceed six months. Such permits may be extended for a time to be determined at the discretion of the Board of Supervisors. All extension requests are to be in writing and must be submitted at least 1 month prior to the expiration of the initial permit approval.

§ 215-26.30 Tennis and Pickleball Courts.

All tennis courts shall include an open-mesh permanent fence 10 feet in height behind each baseline. Such fence shall extend parallel to said baseline at least 10 feet beyond the court's playing surface unless the entire court is enclosed. Any lighting fixtures shall be arranged to prevent objectionable glare on adjoining property. Additionally, lighting for courts shall be controlled by an automatic timer and shall be extinguished no later than 10.00 pm (or at another hour, at the discretion of the Board). No play shall occur on any outdoor tennis or pickle ball court between 10.00 pm and 7.00 am.

§ 215-26.31 Unit, Accessory Dwelling

- A. The use shall meet the definition in **Article 1 §215-7**.
- B. The accessory unit shall be occupied by a maximum of two persons, who shall be "relatives" of the permanent residents of the principal dwelling unit. At least one resident of the accessory unit shall need such accommodations because of an illness, old age, or disability.
- C. The applicant shall prove to the Zoning Officer that the accessory unit has been designed and constructed so that it can be easily re-converted into part of the principal dwelling unit after the relative no longer resides within the unit. Such accessory unit may be converted into an additional bedroom(s), permitted home occupation area or similar use.
- D. The applicant shall establish a legally binding mechanism (such as a deed restriction) in a form acceptable to the Township that will prohibit the use of the accessory unit as a separate dwelling unit after the relative no longer resides within the unit. Such mechanism shall also be binding upon future owners.
- E. At any time, the Zoning Officer may require that the owner of the property provide evidence that a relative of the occupants of the principal dwelling unit continues to reside within the accessory unit and is in need of such arrangement.
- F. Such accessory unit shall not decrease the one family residential appearance of a one family dwelling, as viewed

from exterior property lines. The accessory unit shall be attached to the principal dwelling unit.

- G.** Additional parking for the accessory unit is not required if the applicant proves that the resident(s) of the accessory unit will not operate their own vehicle.
- H.** A minimum floor area shall not apply to the Accessory Dwelling Unit.
- I.** The township reserves the right to require a written and signed statement shall be provided by a Medical Doctor or closely similar medical professional stating that the unit is needed for the care and supervision of a person because of illness, disability or old age. The type of illness or disability does not need to be disclosed.

§ 215-26.32 Wind turbines, One Per Lot as Accessory Use.

See Chapter 212 of the Code of the Township of Loyalsock “Wind Energy Facilities for additional information”.

Article 6 – Design Standards and Guidelines

§ 215-27. Recommended Design Guidelines in all Districts.

The following recommended guidelines should be considered in the design of new construction, additions and exterior alterations. Some of these features may be required by other sections of this Ordinance in specific cases. The term “shall” is mandatory, while the term “should” is a recommendation.

A. Site Compatibility.

1. See buffer yard requirements in §215-31, including provisions addressing eye-level views through plantings for security purposes along a street. Landscaping shall be located where it will not cause problems for neighboring property owners.
2. Vehicle parking and any garage doors should be placed to the rear of buildings as opposed to between buildings and the street. A rear or side alley should be used for garage or parking access when it is feasible for dwellings. Where rear parking is not practical, then parking should be provided to the side of a building. Where a residential driveway needs to enter from the front, the garage should be setback further from the street than the front facade of a principal residential building, and the driveway should be as narrow as practical through the front yard. If a residential driveway is necessary in the front of a lot, the curb cut should be a maximum of 10 feet wide, except 20 feet may be necessary for a driveway serving multiple units or that serves side-by-side parking spaces.
3. Shared parking among property owners and businesses is encouraged where adequate parking spaces exist for shared usage.
4. Landscaping, low walls that have the appearance of brick, or similar features should be used to buffer parking lots from streets, provided that there is still sufficient views into the parking area at eye level (approximately 4 to 5 feet) for security purposes.
5. Various signs on a property should be coordinated. Internally illuminated signs of box-type construction with a plastic face should be avoided (and are restricted in the C-1 district). Signs should not cover architectural details. Awnings that extend at a straight angle from a building are encouraged to provide continuity along a block front and weather protection. Awnings should be used to reduce the visibility of roll-down security gate mechanisms. The front panel of an awning may be used for a sign, but the sign image should be integrated with the awning, and the awning should have the appearance of a fabric-type material.
6. Adequate lighting shall be provided for security, but in a manner that does not generate glare. In historic areas, traditional styles of light poles should be used, with a maximum height of 20 feet. An unfiltered luminaire of a floodlight should not be directly visible from a street or sidewalk.
7. Chain-link metal fences should be avoided in the primary front yard along a street. Picket or ornamental fences are encouraged. Solid wooden or vinyl plank fences should be placed in rear and side yards only. Highway-style metal guide rails should not be used.
8. New utilities should be placed underground. Where that is not practical, they should be placed in less visible parts of the site. For example, new utility lines should be extended from the rear of the property instead of the front. New utility meters should be hidden from view from the street frontage.
9. See trash dumpsters screening and location standards in §215-33.
10. Where new sidewalks are constructed, consideration should be given to using pervious pavers between the main concrete sidewalk and the curb.

B. Building Compatibility.

1. New construction should have a front yard setback that is similar to adjacent older buildings, where there is a predominant setback of less than 30 feet from the street.
2. Awnings should be used to add visual interest and to provide cover during rainy weather.
3. Modern additions and features should be placed towards the rear of a historic building.
4. New construction should have rooflines that are similar to adjacent older buildings. Flat roofs should be avoided, except when a decorative cornice is used. Where a pitched roof is not practical, then the roof should at least appear to have angles and a pitch when viewed from the street.
5. Where existing older buildings have a certain spacing of windows and doors, similar spacing, and similar sizes of windows and doors, should be continued in new construction. Blank walls without door and window openings should be avoided along a street.
6. Particularly where most buildings along a block have front porches, a front porch should be incorporated into new construction. Existing older front porches should be maintained and not be enclosed.
7. Where it is allowed, tractor-trailer truck loading docks are discouraged from being visible from a street. Instead, loading docks should face onto another industrial lot where it exists, or be screened by walls or landscaping from the street.
8. Where allowed by the Township, an applicant should consider offering the option in a building of a "Live Work Unit," such as a building that encourages a person to work on the first floor and live in the upper stories.
9. Standard "franchise brand" facades should be modified in such a way as to become compatible with the character of historic areas.
10. Every effort should be made to rehabilitate and reuse older buildings that have historic architecture. If a building cannot feasibly be reused, then consideration should be given to building a new building behind a significantly restored facade.
11. Along streets in other Districts where two or more story buildings are common, single-story buildings should be avoided, unless they have the appearance of a two-story building when viewed from the front along the street.
12. Overly garish or day-glow colors should be avoided on commercial buildings. Colors should highlight architectural details and character and be compatible with the neighborhood context.
13. Buildings should avoid long, monotonous, uninterrupted walls. Instead, there should be variations in a front facade, such as changes in building setbacks, colors, details, materials or rooflines.
14. Commercial HVAC systems should be screened from view from the front of a lot using walls, fencing, roof elements or landscaping.
15. Noisy or odor-producing ventilation equipment (such as fast-food restaurant exhaust fans) should be placed as far away from dwellings and should not be placed on the front building facade, as is feasible.

C. Pedestrian Safety and Orientation.

1. Pedestrian crosswalks should be provided along arterial street corridors using materials and colors that visually distinguish the crosswalk from the street surface and that include some texture. A method should be used that is durable, instead of simply being adhered to the top of the asphalt.
2. Pedestrian traffic should be separated from major vehicle routes. Developments should be designed in such a way as to be inviting for pedestrian traffic and to provide convenient walking routes from any public transit stops.
3. Individual buildings and pedestrian entrances and parking areas should be laid out to promote pedestrian access among different uses, and to provide pedestrian connections towards bus stops.
4. Pedestrian-related uses and features providing visual interest and vitality for pedestrians are encouraged along main streets. Storefronts, pedestrian entrances and display windows should relate to the street, rather than be focused directly towards a parking lot. Large parking lots, blank building faces and non-pedestrian-related uses are discouraged along major pedestrian streets.
5. Concrete sidewalks should be used for the main route used by wheelchairs and most un-motored pedestrians. Pervious pavers should be used to add decorative elements along the curb, and to allow water and air to reach street trees.
6. Sight distance requirements are addressed in **Section 190-19** of The Code of the Township of Loyalsock and defined in **§215-7**. Signs should also be considered to warn pedestrians and motorists of areas where there are limited sight distances.

D. Restoration of Conforming buildings and Uses.

A conforming building, or a building occupied by a conforming use, which is damaged or destroyed by fire, explosion, or act of God, may be repaired, reconstructed, or rebuilt and used for the same purpose under the following conditions:

1. A completed application for a building permit submitted to the Township within one year from the date of the damage or destruction.
2. Reconstruction is commenced within one year from the date of the damage or destruction and is completed within two years from the same date.
 - a. The Zoning Officer may grant a single extension of not more than six months upon showing good cause, such as insurance settlement delays, supply chain disruptions or contractor availability
3. The structure is rebuilt within the same footprint existing prior to the damage or destruction, provided that a conforming structure may be rebuilt to a different footprint, height or configuration so long as the rebuilt structures complies with all applicable dimensional standards for the Zoning District at the time the building permit is issued.
4. All reconstruction shall comply with the applicable building, fire, and safety codes in effect at the time of rebuilding, regardless of the codes in effect at the time of original construction.
5. Prior to the issuance of a building permit the applicant shall obtain approvals from the Zoning Officer and the Township Building Code Official confirming the compliance.
6. A permit issued for reconstruction for a conforming use cannot be used to change the parcel, building or structure to a different use, or to permit a increase in density or intensity of use beyond what was

lawfully existing prior to the damage or destruction, without otherwise complying with the applicable provisions.

§ 215-28. Height Regulations.

- A. The height of any building may exceed the maximum permitted height by one foot for each two additional feet by which the width of each yard exceeds the minimum yard regulations for the distance in which the building is located.
- B. Height regulations shall not apply to any of the following, provided the use is not for human occupancy or specifically limited in height by any section of this chapter: spires, belfries, cupolas, antennas, telecommunications antennas, penthouses, domes, chimneys, ventilators, skylights, water tanks, bulkheads, utility poles and towers, communications poles and towers, silos and ornamental or necessary mechanical appurtenances.

[Amended 5-28-2002 by Ord. No. 290]

- 1. All structures or projections listed herein shall be set back a horizontal distance from any property line that is at least equal to their height, unless otherwise specified.
- C. For all residential uses, accessory buildings shall not exceed 20 feet in height in the R-1 District and 24 feet in the R-2, R-3, and R-4 Districts. Refer to the dimensional chart for each individual district's maximum height requirements for both residential and non-residential accessory buildings.

[Amended 3-27-2012 by Ord. No. 347]

- D. No structure for which exemption from the maximum height regulations is claimed shall have an area, at its base, in excess of 10% of the lot area. No advertising sign or device shall be inscribed upon or attached to such structure.
- E. Parapet walls or cornices used solely for ornamental, or screening purposes are permitted up to five feet above the roofline.

§ 215-29. Area and access regulations.

The area, width and depth of lots shall provide adequate open space for off-street loading, unloading, and/or parking space and yards. In all cases where public sewers are not available, the lot areas shall be of sufficient size to provide open areas, exclusive of parking area or other paved areas for an approvable on-lot waste water disposal system. In the Agricultural and Suburban Residential districts, all lots shall be large enough to support two septic drainfields. Subdivision of lots where septic systems are required will require two approved septic test sites so that a replacement may be installed if one drainfield fails. No building or structure shall be placed in the replacement drainfield area.

§ 215-30. Yard regulations.

Yards shall be provided in accordance with the provisions set forth herein and shall be planted with grass, sod, ground cover or other vegetative covering, excepting cases where walks, access drives, off-street parking lots, patios or other types of surfaces are permitted by this chapter. All yards shall be maintained and kept free of all debris and rubbish.

- A. Setbacks. See District Requirements.
- B. Adjustments to meet existing setbacks in front yards.
 - 1. When an unimproved lot is situated between two improved lots, each having a principal building which extends into the required front yard and has been so maintained since the effective date of this chapter, the front yard of such unimproved lot may be the same depth of the front yards of such two adjacent

improved lots, notwithstanding the yard requirements of the district in which it is located.

2. Where an unimproved lot adjoins only one improved lot having thereon a principal building, within 25 feet of the common side lot line, which extends into the required front yard of such improved lot and which extension existed at the effective date of this chapter, the front yard depth of such unimproved lot may be the average depth of the front yard of such adjacent improved lot and the front yard required for the district in which such unimproved lot is located, notwithstanding the yard requirements for such district. However, the second unimproved lot from the original improved lot must have at least the minimum front-yard depth required in the district.
- C. Side yards for corner lots. On a corner lot, the side yard abutting the street shall have a width equal to the depth of the front yard required in the district.
- D. Projections in yards.
1. Cornices, eaves, gutters, bay windows and chimneys may project into the front, side or rear yard of a lot not more than 24 inches.
 2. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into any yard. Except that a screened porch may be erected in the side yard of a nonconforming lot, provided that it shall not be less than five feet from the side lot line.
 3. Uncovered patios, driveways, walks, parking areas, stairs, window wells and such other similar structures customarily supplementary to the main building may project into front, side or rear yards of a lot, provided that the height shall be not more than 12 inches above the yard grade.
 4. Uncovered steps and entrance canopies not greater than four feet in depth, and eight feet in width may project into the required front and rear yard.
 5. Exterior access ramps, not otherwise permissible under this subsection, may be permitted within any yard upon review and approval of the Board of Supervisors.
 6. Entry Stoop must remain open on all sides, must remain accessory to the entry, 1st story access only, 5 feet maximum projection in front and rear yard, 2 feet maximum projection in side yard, maximum width 6 feet. If stoop is to project into the required minimum setback and will be covered, then roof cover must comply with #4 of this same section.
- E. Fences and walls. No fence or wall (except a retaining wall or a wall of a building permitted under the terms of this chapter) over six and one half feet in height shall be erected within any of the open spaces required by this chapter.
- F. Obstructions to vision.
1. No walk, fence, sign or other structure shall be erected or altered, and no hedge, trees, shrubs or other growth shall be maintained or permitted which may cause danger to traffic on a street or public road by obscuring the view.
 2. At all intersections of streets, private roads and/or access drives, a clear sight triangle shall be maintained.
 3. In the case of commercial or industrial uses, this shall not prohibit the erection of signs, provided that the signs are in compliance with the sign section of this chapter.
 4. The clear sight triangle shall be as follows when measured from the point of intersection of:

- a. Two street lines: equal to the required depth of the building setback from the street line in the district where located.
 - b. A street line and an access drive or private road: equal to the required depth of the building setback from the street line in the district where located and equal to the width of the access drive or private road.
- G. On-lot storage. In the R-1, R-2 and R-4 Zoning Districts, no truck, mobile equipment, trailer, truck tractor, tractor, manufactured home, boat, bus, motor home, recreational vehicle or any similar vehicle or equipment shall be parked or stored except as follows:
 - 1. Storage or parking is within an enclosed structure.
 - 2. All storage of any of the above vehicles or equipment is allowed in the rear of the property or alongside the dwelling or building at least five feet from any side lot line. This storage will be allowed under the following conditions:
 - a. At no time shall any vehicles or equipment be used as permanent or temporary living quarters.
 - b. If the vehicles or equipment are not on a concrete or macadam parking pad, they must be kept clear of weeds and high grass.
 - 3. If the lot on which the storage is taking place is a corner lot, the storage must be:
 - a. Behind a solid fence six feet in height; or
 - b. The vehicle or equipment must be stored or parked at least 30 feet from the property line abutting the side street.
 - 4. The above vehicles or equipment shall not be parked or stored in the front yard of any property (area between the street and the dwelling unit or building and extending from side lot line to side lot line), unless specifically exempted by this section, otherwise are exempt as follows:
 - a. Such vehicles or equipment may be stored in the front yard driveway for a period of no more than 48 hours for the purposes of cleaning up after use or packing for use.
 - b. Such vehicles or equipment may be stored for no more than 30 days on a temporary basis in any calendar year if the property owner makes a written request to the Township Codes Department and the Codes Department grants permission prior to the storage. Said permission document will require the payment of a fee set by Resolution by the Board of Supervisors for processing the paperwork.
 - 5. General exceptions to storage:
 - a. A truck having no more than one rear axle, and no more than one tire per side upon the rear axle, may be parked and stored in the driveway on any private property.
 - b. A contractor's truck, trailer or equipment may be stored in the front yard area of a property while the contractor is doing work on the dwelling or building on the property. Such truck, trailer or equipment must be removed immediately upon completion of the work or as ordered by the Township Codes Department.
 - c. One unlicensed and/or uninspected vehicle may be stored in any zoning district, provided the vehicle is not damaged or in a state of major disrepair, or considered a junk vehicle as defined in §215-7, and it is stored in a manner consistent with §215-30.G(1) through (3).

- d. One registered utility trailer less than 20 feet in length, carrying jet skis, all-terrain vehicles, or small boats, is permitted in driveways.

§ 215-31. Buffer yards.

Where buffer yards are required under the terms of this chapter they shall be provided in accordance with the following standards:

- A. All buffer yards shall be planted with grass, sod, ground cover or such other material as approved by the Board of Supervisors and where specified, a dense screen planting as herein specified. Buffer yards shall be maintained and kept free of debris and rubbish.
- B. No structure, manufacturing or processing activity or storage of materials shall be permitted in buffer yards; however, access drives may cross the buffer yard.
- C. Article 5 provides additional information of buffer yard requirements for specific use types. In the case that the Board deems a buffer or screening is necessary for a specific use with no distinct buffering or screening requirements, the board and/or zoning officer may decide an appropriate size and distance for a buffer or screening.
- D. Where a commercial use adjoins a residential district (R-1, R-2, R-3 and R-4), the Board of Supervisors reserves the right to require the installation of a buffer yard (§215-31) of at least eight (8) feet in depth, which may be part of the required setback, and/or screen planting (§215-32)
- E. Where an office, commercial and/or apartment use abuts a residential district (R-1 and R-2), the Board of Supervisors reserves the right to require the installation of a buffer yard of at least 30 feet in width and extending the full length of that yard of the lot which abuts the district. This area may be a part of the setback area in a building of four or more stories in height No structure, parking or loading shall be permitted in the buffer yard. Buffer yards and Screening shall be planted in accordance with accordance with this section.
- F. Institutional and Recreation uses shall have a 30 foot buffer yard and a planting screen shall be provided unless waived by the governing body.

§ 215-32. Screen planting.

Where screen plantings are required under the terms of this chapter, they shall consist of trees, shrubs and other plant materials or a combination of plant material and wood, masonry or other material arranged in a manner to serve as a barrier to visibility, airborne particles, glare and noise. All material and arrangements are subject to the approval of the Planning Commission and Township Supervisors. The screen planting shall be in accordance with the following requirements unless otherwise authorized by the governing body.

- A. Plant materials used in the screen planting shall be comprised of not less than 50% evergreen material and shall be not less than six feet in height.
- B. The screen planting shall be permanently maintained.
- C. The screen planting shall be so placed that at maturity it will be no closer than five feet from any street or property line.
- D. A clear sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets.
- E. The screen planting may be broken at points of vehicular or pedestrian access and at other points where a barrier is not necessary, provided that no outdoor processing or manufacturing activity and no outdoor storage of

materials shall be so located to be visible from an adjacent residential district.

- F. Screen Planting shall be required for Public Utilities and Vital services. This shall be maintained in conformity to the district in which the facility is located. The board and/or zoning officer may decide an appropriate distance for screen planting.
- G. Prior to the approval of any Land Development Plan or issuance of any building or zoning permits, complete plans showing the arrangement of all buffer yards and the placement, species and size of all plant materials to be placed in such buffer yard shall be reviewed by the Planning Commission and approved by the Board of Supervisors.

§ 215-33. Screening.

An alternative visual barrier shall be a six-foot-high opaque fence or wall with plantings of trees, shrubs and/or vines along the outside surfaces of the fence or wall.

Dumpsters and waste receptacles for nonresidential uses and multifamily dwelling uses shall be completely enclosed and shall be screened from any adjoining public rights-of-way and/or properties by a fence, wall or plant screen at least as high as the container.

§ 215-34. Minimum habitable floor area.

The minimum habitable floor area of a dwelling unit or any building or structure hereafter erected or used for living purposes shall be 600 square feet. In case of apartment houses and conversion apartments, the minimum habitable floor area shall be not less than 500 square feet per apartment, except those apartments designed for and occupied exclusively by one person, which apartments shall each contain not less than 300 square feet of habitable floor area. In the case of tiny homes, the minimum habitable floor area shall be 150 square feet.

§ 215-35. Waste and sewage disposal.

All methods and plans for the on-lot disposal of sewage or wastes shall be designed in accordance with all

Applicable regulations or ordinances pertaining to the treatment and disposal of sewage and wastes. A certificate or statement of adequacy from the appropriate agency shall be a prerequisite to the issuance of a zoning permit.

§ 215-36. Prohibited uses.

The following uses are prohibited as a result of the need to protect and promote the safety and general welfare of the township's residents:

- A. Dwellings are prohibited in the Commercial and Industrial Districts. Hereafter, a building shall not be erected or converted in any Commercial or Industrial District established on the Zoning Map for use as a dwelling, unless the dwelling use is incidental and accessory to the principal use of the premises.
- B. Individual manufactured homes are prohibited in the R-2, R-4, C-1 and R-1 Districts.
[Amended 10-23-2001 by Ord. No. 287]
- C. The following uses are prohibited in all districts throughout the township:
 - 1. The incineration (not including individual home incinerators), reduction, storage or transfer of garbage, offal, animals, fish or refuse, unless by the authority of, or under the supervision of, the township.
 - 2. Dumps and dumping of any kind, unless by the authority of, or under the supervision of, the township.
 - 3. The grading of land other than the grading of a lot preparatory to the construction of a building or use

for which a zoning permit has been issued or when incidental to the expansion or operation of a lawfully permitted use except where permission has been granted by the Planning Commission following a meeting with the land owner to assure that drainage and excessive soil erosion, stormwater runoff or other hazardous conditions will not be created as a result of the contemplated grading operation. When deemed necessary by the Planning Commission cross-sections and profiles of the proposed grading may be required.

4. The use or conversion of a detached residential accessory structure/building on the same lot as an accessory dwelling.
- D.** The following uses are prohibited in all districts except the General Industrial District. Said uses must be reviewed by the Township Planning Commission and approved by the governing body.
1. Steel plants, rolling mills and industrial chemical plants.
 2. The tanning or storage of rawhides or skins and fat rendering.
 3. Manufacture of gunpowder, fireworks or other explosives.
 4. Slaughterhouses, stockyards and fertilizer plants.
 5. Sexually oriented businesses.

[Added 12-18-2007 by Ord. No. 321]

§ 215-37. Slope regulations.

- A.** No development of any sloped lot shall be permitted in violation of any federal, state or local statutes, regulations or ordinances.
- B.** No building, driveway, roadway or other excavation shall occur in any area having slopes in excess of 25% unless detailed construction plans have been approved by the governing body prior to the commencement of construction. The plans submitted to the governing body shall include at least the following:
1. Planned excavation.
 2. Planned location of all driveways.
 3. Drainage plan.
 4. Location of all buildings.
 5. Construction plans for all buildings.
 6. A soil erosion and sedimentation control plan, complete with review by the Lycoming County Conservation District.
- C.** At least 30 days prior to consideration of sloped lot construction plans, the governing body shall submit the plans to the Township Planning Commission and to the Codes Enforcement Officer for consideration and comment. The governing body shall consider the comments of the Planning Commission and the Codes Enforcement Officer in determining whether to approve or disapprove the planned development. In the event that the Planning Commission or the Codes Enforcement Officer fail to provide comments within 30 days of referral of the plans, the governing body may act without comment.

§ 215-37.1 Severed lots.

[Added 6-14-2016 by Ord. No. 377]

Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter or amendment thereto, the Zoning Officer may permit the extension of the regulations for either zone into the remaining portion of the lot for a distance not to exceed 50 feet beyond the district line, providing that the Zoning Officer determines that such an extension is consistent with the purpose of this chapter, including a determination that such an extension complies with all floodplain management regulations, minimum yard requirements, required buffer yards and screen planting requirements, or any other applicable provisions of chapter. Within the sole discretion of the Zoning Officer, whether to allow such an extension may be referred for action to the Zoning Hearing Board in the event the Zoning Officer determines that the request or application for such an extension requires a public hearing before the Zoning Hearing Board to determine whether it is consistent with the purpose of this chapter. When acting on an application for such an extension, the Zoning Officer and/or the Zoning Hearing Board may attach conditions to the approval which are designed to further the purpose of this chapter. In order to seek relief under this section, the portion of the severed lot for which the extension is sought must be more than 50% of the total lot area, and any proposed use for the extended area shall be compatible with any existing use of the lot.

§ 215-38. Common open space requirements.

In those instances where common open space is required elsewhere in this chapter, or when an applicant proposes the use of common open space, such common open space shall comply with the following regulations:

- A. Proposed common open spaces shall be designed and arranged to achieve at least one of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:
 1. The protection of important natural resources (such as streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas);
 2. Protection of important historical sites;
 3. Provision of usable play and recreation areas that are conveniently accessible to residents within the development and the Township; and
 4. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools, or other similar features.
- B. An essential element of the use of common open space is a written description and plan for the disposition of ownership of common open space land designating those areas to be offered for dedication or to be owned by the specific form of organization proposed. The common open space(s) shall be accomplished through one of the following:
 1. An offer of dedication to the Township. The Township shall not be obligated to accept dedication of the common open space;
 2. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the preservation of common open space land and/or natural resources. The organization shall be a bona fide conservation organization. Any such conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land or if the organization shall cease to exist, and the organization must enter into a maintenance agreement with the Township; or

3. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners' associations found in the Pennsylvania Uniform Condominium Act or the Pennsylvania Uniform Planned Community Act. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
 - a. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township, unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this chapter;
 - b. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code¹ relating to maintenance of deteriorating common open space by municipalities; and
 - c. The Township may require the establishment of a reserve fund to provide for the maintenance of, or capital improvements to, the common open space.

§ 215-39. Corner lot.

- A. A front yard, as provided for in each of the zoning districts, shall be required along one street on which a corner lot abuts; the other frontage shall be a side yard with street designation, and the requirement for the side yard with street will be no less than the front yard requirement for the lot.
- B. On any corner lot, no wall, fence, or other structure shall be erected, altered, or maintained and no hedge, tree, or other growth shall be planted or maintained which may cause danger to traffic on a street by obscuring the view. For driveway sight triangles, **see Section 190-19** of The Code of the Township of Loyalsock and definition in §215-7.

§ 215-40. Erection of more than one principal use per lot.

No more than one principal use shall be permitted on a lot within any agricultural or residential zoning district (R-1, R-2, R-3 and R-4). More than one principal use may be permitted on a single lot within the commercial, industrial and institutional Districts (C-1, C-2, C-3, I-1, I-2, INS), provided that all lot and yard requirements, standards and other requirements of this chapter shall be met for each structure as though it were on an individual lot. In addition, each use must receive Township approval and provide for approved methods of sewage disposal.

§ 215-41. Flag Lots.

- A. A flag lot is a lot typified by having a narrow "pole" portion connecting to a public street which expands to a width equal to or greater than the minimum lot width along the majority of the lot and which meets the requirements for the zoning district in which the premises are located.
- B. A flag lot shall be utilized solely for the construction of one single-family detached dwelling and no other principal use.
- C. The width of the pole (meaning the narrow portion of the lot connecting the street to that portion of the lot which complies with the minimum lot frontage), measured along the right-of-way line, shall be not less than 20 feet.

¹. Editor's Note: See 53 P.S. § 10101 et seq.

- D. The length of the pole portion of the lot shall not be longer than 300 feet.
- E. No portion of the lot, beyond the pole, shall have a width, measured as the shortest straight line between side lot lines, less than the minimum required lot width for the zoning district in which the premises are located.
- F. The front building setback shall be measured from the lot line closest to the street to which the pole connects and which defines an edge of the flag, or buildable, portion of the lot. The space between this front building setback line and the line from which it is measured shall serve as the front yard of the lot.
- G. The area of the pole portion of the lot shall not be included in minimum required lot area.
- H. No more than one flag lot shall be permitted within a distance of 500 feet from any other flag lot, whether existing or proposed. This limitation shall apply to the pole portions of such lots which are located on either side of the same street.
- I. In a major subdivision, one flag lot may be permitted within 15 lots, two flag lots may be permitted within a thirty-lot subdivision, and so on in incremental steps of one flag lot per 15 lots. The five-hundred-foot isolation distance between flag lots may be waived by the Board of Supervisors, upon recommendation of the Planning Commission, in this particular circumstance.
- J. Flag lots are strictly prohibited from having direct vehicle access within the turnaround or bulb portion of a cul-de-sac street or roadway.

§ 215-42. Nonconforming Building and Uses.

Nonconforming buildings or uses are existing structures built before the existing standards were established.

§ 215-42.1 Applicability of regulations.

All lawful uses of land or of a building, sign or other structure existing on the effective date of this chapter may be continued or maintained subject to conditions set forth in this article.

§ 215-42.2 Registration of nonconforming uses and structures, process.

- A. The Zoning Officer shall identify and register nonconforming uses and nonconforming structures. Evidence of such registration, upon request, shall be provided to the owner of record of any nonconforming use or nonconforming structure in the form of a certificate of nonconformance issued by the municipality. The nature of the nonconformity shall be described and made a matter of public record.
- B. Nonconforming business identification signs on existing nonconforming uses may be continued and maintained, provided that such signs shall conform to **Article 11**, General regulations for all signs.

§ 215-42.3 Registration of nonconforming uses and structures.

- A. Repairs and structural alterations may be made to a nonconforming building or a building occupied by a nonconforming use.
- B. A nonconforming building which is damaged by fire, explosion or act of God, may be rebuilt and used for the same purpose, provided that:
 - 1. The reconstruction of the building is commenced within one year from the date of the destroying of the building and is carried to completion without undue delay.
 - 2. Reconstruction shall not increase the degree of nonconformity with regard to setbacks, height, lot coverage, or other applicable standards.

3. The structure may be rebuilt within the same footprint and to dimensions not exceeding those existing prior to the damage or destruction.
4. The nonconforming use may be reestablished, provided it is not changed to a use of lesser restriction, unless otherwise permitted.

§ 215-42.4 Extensions or enlargements.

A. The Board of Supervisors may authorize as a conditional use the following types of extensions and enlargement for nonconforming uses and buildings existing on the effective date of this chapter:

1. The extension of a nonconforming use of land upon a lot occupied by such use.
2. The extension or enlargement of a conforming building occupied by a nonconforming use.
3. The extension or enlargement of a nonconforming building occupied by a nonconforming use.
4. The extension or enlargement of a nonconforming building occupied by a conforming use.

B. The foregoing extensions or enlargements shall be subject to the following conditions:

1. The extension or enlargement shall conform to the height and yard regulations of the district in which it is located.
2. The extension or enlargement of the building or use shall be provided with off-street parking and loading spaces as required by **Article 10, Off-Street Parking**.
3. The extension or enlargement does not replace a conforming use.

§ 215-42.5 Changes of use.

The Zoning Hearing Board may authorize a nonconforming use to be changed to another nonconforming use of the same or more restricted classification or to a conforming use. Such use shall not hereafter be changed to a use of less restricted classification.

“More restrictive” land use classifications refer to uses with lower intensity and impact, typically involving less traffic, fewer occupants, shorter hours of operation, and minimal noise, light, or environmental effects. In contrast, “less restrictive” classifications involve higher intensity and greater potential impact, such as increased traffic, activity, density, noise, and operational scale.

In general, the distinction is based on the relative intensity, density, and external impacts of a use on surrounding properties, with more restrictive uses being more compatible with sensitive areas like residential neighborhoods.

§ 215-42.6 Abandonment and discontinuance.

If a nonconforming use of a building or land ceases or is discontinued for continuous period of 90 days or more, subsequent use of such building or land shall be in conformity with the provisions of this chapter, except when the discontinuance is due to a death and the settling of the estate. In such cases the discontinuance shall not be presumed to start until the estate is settled or a court order concerning the disposition of the estate has been entered.

§ 215-42.7 Nonconforming lots.

On a lot of record existing at the effective date of this chapter which does not meet the regulations for a minimum lot width and area for the district in which it is located, a building may be erected, altered or used, provided that:

- A. On lots of less than 70 feet in width at the building line, construction or alterations may be permitted with Board of Supervisors authorization where there is compliance with yard and coverage requirements for the district

where the construction or alteration is being done.

- B.** On lots of less than 70 feet in width at the building line, the Zoning Officer has the authority to issue permits for utility or storage sheds, private swimming pools and private garages, provided that they comply with **§ 215-26.21), Residential Accessory Structure or Use.**
- C.** On lots of 70 or more feet in width at the building line, construction or alterations may be permitted without the Board of Supervisors authorization where there is compliance with yard and coverage requirements for the district where the construction or alteration is being done.
- D.** An existing building located in either the (C-3) Neighborhood Commercial or (C-1) Central Business District on a corner lot that is nonconforming as to front and side yards, contrary to the requirements of §215-39, where the lot is one-half acre or smaller in size, may be demolished in order to construct a new building that would maintain the same nonconforming front and side yards as the demolished nonconforming building (meaning the location of the proposed new building could be no closer to the property line than the existing nonconforming building to be demolished) provided that the new building otherwise complies with the use and area regulations of the district in which it is located and it does not limit or otherwise negatively impact traffic visibility. The construction of the new building shall be commenced within one year from the date of the demolition of the existing nonconforming building and shall be carried to completion without undue delay. The provisions of this **§215-42.7** may apply to full or partial demolition provided all requirements of this Subsection are satisfied.

Article 7 - Additional Provisions for Commercial Districts

§215-43. Purposes of this Article.

- A. Encourage appropriate redevelopment and reuse of underutilized sites.
- B. Improve the appearance of the Township's downtown and commercial areas.
- C. Enhance economic investment for businesses and property owners.
- D. Protect and conserve neighborhood architectural character.
- E. Enhance pedestrian safety and the quality of the pedestrian experience.
- F. Serve the purposes of the Traditional Neighborhood Development provisions of the MPC, and utilize the authority provided under those provisions.
- G. As noted in §215-7, the word "shall" means a provision is mandatory, while "should" means a provision is recommended.

§215-44. Additional Requirements in the C-1 District.

- A. Building Compatibility.
 - 1. See the minimum building setbacks per the tables in C-1 (§215-12.5).
 - 2. Where it is feasible to use an existing alley to provide access to a new garage door or parking area, such an alley shall be used instead of creating a new curb cut onto a street across a sidewalk.
 - 3. A new principal building over 150 feet in length along a street shall include variations in the front facade in rooflines, overhangs, architectural details, setbacks, colors and/or facade materials and/or use canopies, porches and awnings to provide variation. A long new principal building should have the appearance of smaller connected buildings.
 - 4. Blank walls without at least one pedestrian door and one window are not permitted to face the front facade along a public street.
 - 5. The applicant for a new principal building in the C-1 District shall submit a preliminary architectural elevation or sketch of the front facade and a description of proposed front facade materials to the Zoning Officer. The Zoning Officer shall offer the submittal to the Township Planning Commission or other Township staff or boards for review and comment.
 - 6. New exterior fire escapes shall not be constructed on the front facade of a building facing onto a public street, unless the applicant proves to the Zoning Officer that there are no feasible alternatives.
 - 7. Solid metal security gates over first floor doors and windows that face onto a public street and that are within 50 feet of a public sidewalk are prohibited. Instead, any security gates shall be mostly transparent, such as using a metal grill.
 - 8. A portion of new building occupied by a retail store shall have a minimum of 15 percent of each building side that faces onto a public street comprised of windows or transparent doors. This provision shall only apply to the street level of a building up to a height of 12 feet above the ground level. Such windows do not necessarily need to be opened to the interior of the building, if there are security issues, but instead can be enclosed display windows.
 - 9. For the C-1 district, see sign guidelines in Article 11.

B. Site Compatibility.

1. To the maximum extent feasible, new surface off-street parking shall be located to the rear or side of principal buildings, as opposed to being newly placed between the front lot line along a street and the front wall of a new principal building. This provision shall not limit rearrangement of spaces within existing parking areas. This provision shall not prohibit vehicle parking to the side of a principal building adjacent to a street. If such lot is adjacent to two or more streets, this restriction shall only apply to the one street that is the most heavily traveled by vehicles.
2. Chain-link exposed metal fencing shall not be placed in the predominant front yard facing a public street. Picket or ornamental fences are encouraged, or chain link that is coated in dark colored plastic. Highway-style metal guide rails should not be used on private property if visible from a street.
3. See street trees, parking lot trees and other landscaping provisions in Chapter 199 of The Code of the Township of Loyalsock and **§215-47, General Regulations for Off-Street Parking.**

C. Pedestrian Orientation and Safety.

1. Pedestrian traffic shall be carefully considered in all drive-through designs, particularly to make sure there are adequate sight distances.
2. Business buildings shall have their main pedestrian entrance facing a street or a pedestrian walkway/plaza where dimensions permit.

- D.** Where the term “front facade” is used in this Article, and a lot is adjacent to two or more streets, the front facade shall be considered the building side that faces onto the more heavily traveled street.

Article 8 - Floodplain Regulations (Overlay District)

See the Township Floodplain regulations (Chapter 120 of the Code of Loyalsock Township) and the Official Federal Floodplain Maps. All zoning permits and approvals are conditioned upon meeting such regulations, if applicable.

Article 9 - Environmental Protection

§ 215-45. Erosion and Stormwater Control.

As an automatic condition of any zoning approval, compliance will be required as applicable under the Erosion and sedimentation control regulations sections under this article, the Township Stormwater Management (Chapter 183) and the Subdivision and Land Development Ordinance (Chapter 190).

(Note - As of 2024, an NPDES Permit is typically required whenever all phases of earth disturbance total one acre or more.) The Zoning Officer may require that evidence of compliance with State regulations be submitted to the Township.

§ 215-45.1 Earthmoving activities; Soil erosion and sedimentation control

The landowner, person and/or entity performing any earthmoving (as defined by this chapter) shall comply with the following requirements:

- A. Where top soil is removed, sufficient arable top soil shall be set aside for respreading over the affected area. Upon the completion of operations, such top soil shall be respread over the affected area to a minimum thickness of two inches or in conformance with an approved soil rehabilitation plan which specifies the proposed thickness of the respread layer of top soil.
- B. Stripping of vegetation, regrading or other earthmoving shall be done in such a way that will minimize erosion. The earthmoving performed shall preserve salient natural features, keep cut and fill operations to a minimum and ensure conformity with existing topography so as to create the least erosion potential and to handle adequately the volume and velocity of surface water runoff.
- C. Wherever feasible, natural vegetation (other than noxious weeds) shall be retained, protected and supplemented.
- D. The disturbed land area and the duration of exposure shall be kept to a practical minimum.
- E. Temporary vegetation or mulching shall be used to protect exposed critical areas during the earthmoving process. Critical areas shall generally include slopes over 15%, wetlands and areas within 50 feet of a bank of a waterway.
- F. Permanent vegetation and all erosion control and drainage measures shall be installed as soon as practical in the earthmoving area.
- G. Provisions shall be made to accommodate effectively the increased runoff caused by changed soil and surface conditions during and after the performance of the earthmoving. Where necessary, the rate of surface water runoff shall be structurally retarded.
- H. Sediment in the runoff water shall be trapped until the disturbed land area is stabilized by the use of debris basins, sediment basins, silt traps or other similar measures. Refer to stabilization requirements of the Pennsylvania Department of Environmental Protection, Lycoming County Conservation District, and standards in the Erosion and Sedimentation Pollution Control Manual.
- I. The deposit or tracking of any mud, soils, detritus or other debris in or on any surrounding properties, public or private streets, sewers, water systems (public, private or on lot), watercourses, or wetlands attributable to any earthmoving activity is hereby prohibited.
- J. All earthmoving shall comply with the erosion and sediment pollution control regulations of Title 25, Chapter 102, of the Pennsylvania Code.

- K.** No earthmoving activity regulated by this chapter shall take place unless one of the following has occurred:
1. The Township Engineer has reviewed and approved an adequate erosion and sediment pollution control plan;
 2. The Lycoming County Conservation District (or successor agency) has reviewed and approved an adequate erosion and sediment pollution control plan;
 3. The Zoning Officer has determined that an erosion and sediment pollution control plan is not required.
- L.** Each of the following earthmoving activities shall require the approval of an adequate erosion and sedimentation control plan from the Lycoming County Conservation District:
1. Earthmoving activities with a limit of disturbance of 25,000 square feet or greater.
 2. Earthmoving activities with a limit of disturbance of 5,000 square feet or greater, but less than 25,000 square feet that have the potential to affect or are adjacent to sensitive environmental or topographic features as determined by the Township Zoning Officer.
 3. Earthmoving within, involving or affecting any wetlands or watercourses as defined by this chapter.
 4. Earthmoving involving or affecting the one-hundred-year floodplain, as depicted on Flood Hazard Boundary Maps (latest revision) prepared by the Federal Emergency Management Agency, Federal Insurance Administration.
 5. Earthmoving within, involving or affecting any dam or natural or man-made waterway or watercourse.
 6. Commercial forestry, other than routine thinning of woods.
- M.** Any earthmoving that causes a plan to be required and to be submitted to the Lycoming County Conservation District shall be subject to the following requirements:
1. The landowner and/or person or entity performing the earthmoving shall be solely responsible for timely submission to the County Conservation District, including payment of any required fees, completing required application forms, addressing review comments and resubmitting revisions as necessary for adequacy.
 2. Earthmoving activities shall comply with all requirements of Title 25, Chapter 102, of the Pennsylvania Code as well as comments or guidelines issued by the Lycoming County Conservation District, and the approved erosion and sediment pollution control plan.
 3. The Zoning Officer or designated Township official may delay or suspend the issuance of a building permit, zoning permit, occupancy permit, sewage facilities permit, driveway permit or any other Township permit until a landowner, person and/or entity performing any earthmoving is in compliance with this chapter. All Township permits shall be issued with the condition that all earthmoving regulations and plans have been complied with.
 4. The following approvals/permits may also be applicable where earthmoving activities are conducted:
 - a. NPDES permits for stormwater discharges from construction activities.
 - b. Erosion and sedimentation control plan (such as plans for a subdivision).
 - c. DEP surface mining permit.
 - d. State or federal statutes, regulations or laws that clearly and specifically preempt this section.

- e. Routine agricultural activities subject to compliance with a soil conservation plan.
- 5. Slopes that pose a threat of instability, in the opinion of the Township Engineer, shall not be created. The Zoning Officer may require that the applicant provide certification from a professional engineer that finished slopes greater than 4:1 will be stable.
- 6. The ground adjacent to any building shall be graded so that surface water will be drained away from the structure. Drainage shall be directed and controlled only as indicated on drainage plans approved by the Township.
- 7. No grading shall be conducted that leaves soils, rocks or other debris in an unsightly condition.
- 8. Materials used for fill as a future base for construction shall be nonbiodegradable and well compacted and provide a suitable and secure base. The Zoning Officer may require the submission of an approved erosion and sedimentation control plan prior to any earth fill operations.
- 9. Outdoor disposal or burial of junk or solid waste is prohibited, except as is specifically permitted as part of an approved solid waste disposal facility, composting facility or junkyard.
- 10. Stormwater management facilities shall comply with Chapter 183, Stormwater Management, which was adopted pursuant to Act 167 of 1978.2

§ 215-45.2 Nuisances and Hazards to Public Safety.

- A. No landowner, tenant, nor lessee shall use, or allow use of, any land or structures in a way that results or threatens to result in any of the following conditions:
 - 1. Transmission of communicable disease, including conditions that may encourage the breeding of insects or rodents.
 - 2. A significant physical hazard to the public, or a significant physical hazard that could be an attractive nuisance that would be accessible by children.
 - 3. Significant risks to public health and safety, such as, but not limited to, explosion, fire or biological hazards.

B. Additional Information.

If the Zoning Officer has reason to believe that the proposed use may have difficulty complying with the standards of this Ordinance, then the Zoning Officer may require an applicant to provide written descriptions of proposed machinery, hazardous substances, operations and safeguards.

§ 215-45.3 Steep Slopes.

A. Purposes.

The following provisions are primarily intended to avoid erosion, sedimentation, stormwater management and winter driving hazards, in addition to serving the overall purposes of this Ordinance.

B. Regrading; Small Areas.

Non-man-made slopes of over 25 percent shall not be re-graded after the adoption of this Ordinance in such a manner that circumvents the requirements of this Ordinance. This Section shall not regulate slopes that were

² Editor's Note: See 32 P.S. § 680.1 et seq.

clearly man-made prior to the adoption of this Ordinance.

1. If areas of 25 percent or more slopes are only present on less than 1,000 square feet of land area on a lot, then this Section shall not apply.

C. Slopes Over 25 Percent.

A new building shall not be located on an area with a slope greater than 25 percent. Where A maximum of 20 percent of areas on a lot with a slope of over 25% shall be disturbed. This maximum may be applied across a subdivision or land development, as opposed to each lot, provided the overall disturbance is enforced through notes on the plan.

D. Site Plan.

A site and grading plan shall be submitted to the Zoning Officer to show compliance with this Ordinance when more than 1,000 square feet of land area with slopes of 15 percent or greater are proposed to be disturbed or regraded. The site and grading plan shall also show the maximum land areas that are proposed to be disturbed, regraded and cleared of existing trees and vegetation. The site and grading plan shall also designate areas of woodland that will be maintained and show measures that will be used (such as temporary fencing) to protect the branches and root systems of trees during construction.

1. The Zoning Officer may ask for reviews of the plan by the Township Engineer, Planning Commission or County Conservation District. If a review is determined to be needed by the Township Engineer or County Conservation District, the applicant shall be responsible for paying the costs of such review.

§ 215-45.4 Creek Setbacks and Wetlands.

- A. Wetland Studies. It shall be the responsibility of each applicant to determine whether land areas proposed for alteration meet the Federal or State definition of a wetland. Such determination shall be made prior to submittal of development plans to the Township. If the Zoning Officer has reason to believe that wetlands may be present on a site proposed for development or subdivision, the Zoning Officer may require that the applicant provide a suitable wetland delineation study prepared by a qualified professional. Where disturbance is proposed in an area that may be wetlands, the Zoning Officer may place a condition on a zoning permit to require that the applicant submit evidence that a wetland delineation has been officially confirmed under U.S. Army of Engineers-approved procedures.
- B. Creek Setbacks. The following setbacks shall apply unless a more restrictive setback or riparian buffer is required under another Township or State requirement: No new or expanded building, vehicle parking area or business storage area shall be located within the area: 1) 100 feet from the top of the primary streambank of the West Branch of the Susquehanna River, and/or 2) 50 feet from the top of the primary streambank of the Loyalsock Creek, Lycoming Creek and any other perennial creek. This setback shall not apply to open-sided public recreation structures, such as picnic pavilions. U.S. Geological Survey topographic mapping shall be used to determine whether a creek is considered perennial or not.

§ 215-45.5 Noise.

- A. Noise shall mean any sound which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons, or which causes injury to animal life or damage to property or business.

§ 215-45.6 Odors, Dust and Smoke.

- A. No use shall generate odors or dust that are offensive to persons of average sensitivities beyond the boundaries of the subject lot.

- B. Toxic or hazardous substances shall not be burned without a DEP Air Quality Permit allowing such activity.
- C. See DEP regulations on types of materials that may be burned and the Township Burning Ordinance Chapter 94.
- D. Outdoor fireplaces or recreational outdoor fire pits or barbeques that generate smoke shall be setback a minimum of 25 feet from any building on another lot, unless a stricter requirement is established by another Township (See Chapter 94 "Burning") or State regulation.

§ 215-45.7 Control of Outdoor Lighting and Glare.

This section shall only regulate exterior lighting that spills across lot lines or onto public streets.

A. Street Lighting Exempted. This section shall not apply to:

- 1. street lighting that is owned, financed or maintained by the Township or the State, or
- 2. an individual light of less than 10 feet total height in a front yard or attached to the front of a building.

B. General Regulations

- 1. Height of Lights. No luminary that is within 150 feet of a lot line of an existing dwelling, and which can be seen from the dwelling, shall be placed at a height exceeding 30 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety nor lights intended solely to illuminate an architectural feature of a building, or lighting of outdoor public recreation facilities.
- 2. Diffused. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover and/or shielded to prevent exposed lighting elements from being directly visible from streets, public sidewalks, dwellings or adjacent lots.
- 3. Shielding. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists.
- 4. Flickering. Flashing, flickering or strobe lighting are prohibited, except for non-advertising seasonal lights between October 1st and January 31st.
- 5. Lighting of Horizontal Surfaces. For the lighting of predominantly horizontal surfaces (such as parking areas and vehicle sales areas), lighting fixtures shall be aimed downward and shall include cut-off measures as needed to properly direct the light to the intended locations, with no uplighting.
- 6. Off-Premises Signs (Billboards). Any new exterior lighting of an off-premises sign shall be attached to the top of the off-premises sign, be shielded as needed to avoid direct views of the luminaire from streets or buildings, and project downward.
- 7. Spillover. Lighting of a commercial or industrial property or a sign shall not cause the illumination level on a principal residential lot in a residential district to exceed 0.3 footcandle at night.

C. Purpose. To Require and set minimum standards for outdoor lighting to:

- 1. Provide for and control lighting in outdoor public places where public health, safety and welfare are potential concerns
- 2. Protect drivers and pedestrians from the glare of non-vehicular light sources

3. Protect neighbors, the environment and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained or shielded light sources
4. Promote energy efficient lighting design and operation
5. Protect and retain the intended visual character of Loyalsock Township

D. Applicability

1. All uses within Loyalsock where there is interior or exterior lighting that creates a nuisance or hazard as viewed from outside, or exterior lighting that creates a nuisance when viewed from inside, including but not limited to, residential, commercial, industrial, public and private recreational/sports and institutional uses, and sign, billboard, architectural and landscape lighting.
2. Loyalsock may require lighting be incorporated for other uses, applications and locations or may restrict lighting in any of the above uses or applications when health, safety and welfare are issues.
3. The glare-control requirements herein contained apply to lighting in all uses, applications and locations.
4. Temporary seasonal decorative lighting is exempt from all but the glare-control requirements of this Ordinance.
5. Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency as described in NFPA 75 and NFPA 101, are exempt from the requirements of this Ordinance.

E. Definitions

1. BUG - An IES rating system of the Backlight, Uplight and Glare light distribution of a luminaire.
2. Footcandle – Unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), and measurable with an illuminance meter, a.k.a. light meter.
3. Full Cutoff – Attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light-emitting portion of the luminaire and no more than 10% of the lamp's intensity is emitted at or above an angle 10° below that horizontal plane, at all lateral angles around the luminaire. A full-cutoff luminaire, by definition, also is “fully shielded.”
4. Fully Shielded – Attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light-emitting portion of the luminaire.
5. Glare – Excessive brightness in the field of view that is sufficiently greater than that to which the eyes are adapted, to cause annoyance or loss in visual performance and visibility, so as to jeopardize health, safety or welfare
6. Illuminance – Quantity of incident light, measured in footcandles
7. Light Trespass – Light emitted by a luminaire or lighting installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.
8. Lumen – As used in the context of this Ordinance, the light-output rating of a lamp (light bulb).
9. Luminaire - A complete lighting fixture assembly consisting of ballast, lamp(s), lamp holder, electrical components, light directing devices and lens or diffuser.
10. Nits - A unit of measure of the luminance or brightness of the light emitted or reflected from a surface, e.g., sign face. Also referred to as candelas per square meter (cd/m²).

11. Shielded – The attribute of a luminaire from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts or visors

F. Criteria

1. Illumination Levels – Lighting, where required by this Ordinance, or otherwise required or allowed by the municipality or other applicable jurisdiction, shall have illuminances, uniformities and glare control in accordance with the latest edition of the IES Lighting Handbook or current Recommended Practices of the Illuminating Engineering Society of North America (IES). Future amendments to said Lighting Handbook and Recommended Practices shall become a part of this Ordinance without further action by the Municipality.
2. Luminaire Design
 - a. Luminaires shall be of a type and design appropriate to the lighting application and shall be aesthetically acceptable to Loyalsock.
 - b. For the lighting of predominantly horizontal surfaces such as, but not limited to parking areas, roadways, vehicular and pedestrian passage areas, merchandising and storage areas, automotive-fuel dispensing facilities, automotive sales areas, loading docks, cul-de-sacs, active and passive recreational areas, building entrances, sidewalks, bicycle and pedestrian paths, and site entrances, luminaires shall be aimed straight down, have no uplight and shall meet IESNA full-cutoff/fully shielded criteria. Except as may be specified elsewhere in this Ordinance, luminaires shall have a rating of B1-U0-G1 Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED or 10-watt compact fluorescent lamp, are exempt from the requirements of this paragraph. In the case of decorative street lighting luminaires, Loyalsock may approve the use of luminaires with an uplight component not exceeding 1%.
 - c. For the lighting of predominantly non-horizontal tasks or surfaces such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, when their use is specifically permitted by Loyalsock, luminaires shall be shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from the requirements of this paragraph.
3. Lighting Control
 - a. All lighting shall be aimed, located, designed, fitted, shielded and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
 - b. Directional luminaires such as floodlights and spotlights, when their use is specifically approved by Loyalsock, shall be so shielded, installed, and aimed that they do not project their output onto the properties of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway or pedestrian way. Floodlights installed above

- grade on residential properties, except when motion-sensor actuated, shall not be aimed out more than 45° from straight down. When a floodlight creates glare as viewed from an adjacent residential property, the floodlight shall be required to be re-aimed 3 and/or fitted with a shielding device to block the view of the glare source from that property.
- c. Illumination for signs, billboards, building facades and/or surrounding landscapes for decorative, advertising or aesthetic purposes is prohibited between 11:00 p.m. and dawn, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until no more than one-half hour after closing.
 - d. "Barn lights," aka "dusk-to-dawn lights," when judged by Loyalsock to be a source of glare as viewed from an adjacent residential use or roadway, shall not be permitted unless effectively shielded as viewed from the adjacent property.
 - e. The use of floodlights and wall-mounted luminaires (wall packs) to illuminate parking areas, shall not be permitted unless it can be proven to the satisfaction of Loyalsock that the employment of no other acceptable means of lighting is possible.
 - f. Lighting for parking areas and vehicular and pedestrian traffic ways for commercial, industrial and institutional uses shall be automatically extinguished nightly within 1/2 hour of the close of the facility. On/off control shall be by astronomic programmable controller with battery or capacitor power-outage reset. When after-hours site safety/security lighting is proposed, such lighting shall not be in excess of twenty-five (25) percent of the number of fixtures required or permitted for illumination during regular business hours. The use of greater than 25% of the normal lighting for all-night safety/security lighting shall require Loyalsock approval, based on the unique nature of the use or elevated area crime justification. Alternatively, where there is reduced but continued onsite activity throughout the night that requires site-wide even illumination, the use of dimming circuitry to lower illumination levels by at least 50% after 11:00 p.m. or after normal business hours, or the use of motion-sensor control, shall be permitted.
 - g. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle and luminaire placement.
 - h. The illumination projected from any use onto a residential use shall at no time exceed 0.1 footcandle, measured line-of-sight and from any point on the receiving residential property. The illumination projected from any property onto a non-residential use shall at no time exceed 1.0 initial footcandle, measured line-of-sight from any point on the receiving property.
 - i. Except as permitted for certain recreational lighting and permitted elsewhere in this paragraph, luminaires shall not be mounted in excess of twenty (20) feet above finished grade of the surface being illuminated. Luminaires not meeting full-cutoff criteria, when their use is specifically allowed by Loyalsock, shall not be mounted in excess of 16' AFG. Mounting height shall be defined as the distance from the finished grade of the surface being illuminated to the optical center of the luminaire. Where proposed parking lots consist of 100 or more contiguous spaces, Loyalsock may, at its sole discretion, based partially on mitigation of potential off-site impacts, allow a luminaire mounting height not to exceed 25' AFG.

- j. Only the United States and the state flag shall be permitted to be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 7,000 aggregate lamp lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag and shall be shielded so the light source (lamp and reflector) is not visible at normal viewing angles.
- k. Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, fast-food/bank/drugstore drive-ups, shall be accomplished using flat-lens full-cutoff luminaires aimed straight down and shielded in such a manner that the lowest opaque edge of the luminaire shall be below the light source and its light-directing surfaces, at all lateral angles around the luminaire. The average maintained illumination in the area directly below the canopy shall not exceed 20 initial footcandles, with no value exceeding 30 initial footcandles.

4. Installation

- a. Electrical feeds for lighting standards shall be run underground, not overhead and shall be in accordance with the NEC Handbook.
 - b. Poles supporting luminaires for the illumination of parking areas and located within the parking area or directly behind parking spaces, or where they could be hit by snow plows or wide-swinging vehicles, shall be suitably protected by being placed a minimum of five (5) feet outside paved area or tire stops, or placed on concrete pedestals at least thirty (30) inches high above the pavement or suitably shielded by steel bollards or suitably protected by other Municipality-approved means.
 - c. Pole mounted luminaires for lighting horizontal tasks shall be aimed straight down and poles shall be plumb.
 - d. Poles and brackets for supporting luminaires shall be those specifically manufactured for that purpose and shall be designed and rated for the luminaire and mounting accessory weights and wind loads involved.
 - e. Pole foundations shall be designed consistently with manufacturer's wind load requirements and local soil conditions involved and shall be approved by a qualified civil/structural engineer.
 - f. Any employed shielding elements shall be permanently affixed to luminaire.
5. Maintenance – Luminaires and ancillary equipment shall be maintained so as to always meet the requirements of this Ordinance.
- a. Billboards and Signs – The lighting of new or relighting of existing billboards and signs, whether from an internal or external lighting source, shall require a Building Permit, which shall be granted only when the township is satisfied that excessive illumination, light pollution, glare and light trespass have been adequately mitigated, and shall be subject to the following requirements:
 - b. Externally-illuminated billboards and signs shall have luminaires mounted at the top of the billboard or sign and aimed downward. The luminaires shall be designed, fitted, and aimed at shielding the lamp and its reflective surfaces from direct off-site view and to place the light output onto and not beyond the sign or billboard. Lighting shall be by linear fluorescent unless it can be demonstrated to the satisfaction of the township that equal or superior results with respect to glare, light trespass and light pollution control can be achieved with an alternative source.

- c. Internally illuminated signs shall have a dark field and light message. The aggregate output of the light sources shall not exceed 500 initial lamp lumens per square foot of sign face per side.
- d. Channel letter signs shall have dimming capability to allow adjustment of sign brightness when required by the township to accommodate local ambient conditions.
- e. Illumination of billboards shall be limited to commercial and industrial zoning districts and the illumination of billboards whose illuminated surface is visible from a residential use within 400' of it shall not be permitted.
- f. Signs and billboards shall not resemble or simulate any warning or danger signal or any official traffic control device, sign or light.
- g. Off-premises billboards and signs shall be extinguished automatically by a programmable controller, with astronomical and semiannual time-change control and spring or battery power-outage reset, by no later than 11:00 each evening until dawn, except that signs for establishments (not companies) that operate or remain open past 11:00 p.m. may remain lighted no later than ½ hour past the time of the close of the establishment.
- h. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
- i. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.
- j. LED. electronic/digital billboard and sign lighting shall only be permitted in commercial and industrial districts, shall not be allowed to operate between 11:00 p.m. and dawn when located where the sign face or its light output is visible from a residential district or use. On limited access highways, sign shall not be located within 1,000 feet of an approaching interchange or traffic-merging lanes. Except for time and weather signs, digital message shall not be permitted to change more than once each 60 seconds. From 30 minutes after sunset to 30 minutes before sunrise, the LED output shall be automatically reduced to a level that does not exceed 100 nits. Where located in an area with existing high-ambient light levels but not visible from a residential use, a sign-face brightness not exceeding 200 nits may be permitted. The sign or billboard nighttime light output shall be capable of being further dimmed if Loyalsock so requires when the lighting is judged to create a nuisance or hazard.

G. Plan Submission. Where site lighting is required by this Ordinance, is otherwise required by the township or is proposed by Applicant, lighting plans shall be submitted for Municipality review and approval for Subdivision & Land Development, Conditional Use, Variance, Building Permit and Special Exception applications. The submitted information shall include the following:

- 1. A plan or plans of the site, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed trees, and adjacent uses that might be adversely impacted by the lighting. The lighting plan shall contain a layout of all proposed and existing luminaires, including but not limited to area, architectural, building entrance, canopy, soffit, landscape, flag, sign, etc., by location, orientation, aiming direction, mounting height, lamp, photometry and type.
- 2. A 10'x10' illuminance grid (point-by-point) plot of maintained horizontal footcandles overlaid on the site plan, plotted out to 0.0 footcandles, which demonstrates compliance with the light trespass, illuminance and uniformity requirements as set forth in this Ordinance or as otherwise required by the

Municipality. When the scale of the plan, as judged by the township, makes a 10'x10' grid plot illegible, a more legible grid spacing may be permitted.

3. Light-loss factors, IES candela test-filename, BUG rating, initial lamp-lumen ratings and specific lamp manufacturer's lamp ordering nomenclature, used in calculating the plotted illuminance levels
4. Description of the proposed equipment, including luminaire catalog cuts, photometrics, glare reduction devices, lamps, lamp color temperature, on/off control devices, mounting heights, pole foundation details, pole protection means and mounting methods.
5. Landscaping plans shall contain luminaire locations, demonstrating that the site lighting and landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity
6. When requested by the township, Applicant shall also submit a visual-impact plan that demonstrates appropriate steps have been taken to mitigate potential consequences of on-site and off-site glare and to retain the intended character of the township. This plan may require the inclusion of initial vertical footcandle values at specific off-site venues, e.g., bedroom windows of adjacent residential uses.
7. Plan Notes – The following notes shall appear on the Lighting Plan:
 - a. Post-approval alterations to lighting plans or intended substitutions for specified lighting equipment on the approved plan shall be submitted to the Municipality for review and approval prior to installation. Requests for substitutions shall be accompanied by catalog cuts of the proposed equipment that demonstrate the proposed substitution is equal to or exceeds the optical quality and maintainability of the specified luminaires; and accompanied by a lighting plan, including a point-by-point plot, which demonstrates that proposed substitutions will result in a lighting design that equals or exceeds the quality of the lighting on the approved plan.
 - b. The township reserves the right to conduct post-installation inspections to verify compliance with Ordinance requirements and approved Lighting Plan commitments, and if deemed appropriate by the township, to require remedial action at no expense to the Municipality.
 - c. All exterior lighting, including building-mounted lighting, shall meet IESNA full-cut off or fully-shielded criteria unless otherwise specifically approved by the township.
 - d. Installer shall notify the township to arrange for inspection and approval of all exterior lighting, including building-mounted lighting, prior to its installation.

H. Compliance Monitoring

1. Safety Hazards
 - a. If the township judges a lighting installation creates a safety hazard, the person(s) responsible for the lighting shall be notified and required to take remedial action without undue delay.
 - b. If appropriate corrective action has not been effected within fifteen (15) days of notification, the township may initiate appropriate legal action.
2. Nuisance Glare and Inadequate Illumination Levels
 - a. When the township judges an installation produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, the township may cause notification of the person(s) responsible for the lighting

and require appropriate remedial action.

- b. If the infraction so warrants, the township may act to have the problem corrected as in H.1.b. above.

I. Nonconforming Lighting – Any luminaire or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance, shall be considered as a lawful nonconformance.

1. A nonconforming luminaire or lighting installation shall be made to conform with the requirements of this Ordinance when:
 - a. Minor corrective action, such as re-aiming or shielding can achieve conformity with the applicable requirements of this Ordinance
 - b. It is deemed by the township to create a safety hazard
 - c. It is replaced by another luminaire or luminaires or abandoned or relocated
 - d. The number of existing luminaires is increased by 30% or more
 - e. There is a change in use
2. Regardless of the requirements of Section I.1. above, when requested by the Municipality, nonconforming luminaires and lighting installations shall be made to conform with the requirements of this Ordinance or removed within three (5) years from the effective date of this Ordinance.

§ 215-45.8 Vibration.

- A. The provisions of this Section shall not apply to the following:
 1. temporary activities that are necessary to construct buildings, roads or utilities,
 2. blasting activities occurring in compliance with a DEP permit, in situations where municipal regulation of vibration impacts is pre-empted under State law, or
 3. vehicles on public roads, trains or aircraft.
- B. No specific use shall generate earth-shaking vibrations that extend onto another lot upon which the vibration is perceptible by a human without the aid of an instrument.

Article 10 - Off-Street Parking and Loading

§ 215-46. Required Number of Off-Street Parking Spaces.

- A. Off-street parking facilities shall be provided to lessen congestion on the streets. The facilities required herein shall be available to patrons and employees throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.
- B. All parking spaces shall be ample in size for the vehicles for which use is intended. The net parking space per vehicle shall not be less than nine feet wide when measured at right angles to the edge of the parking area and 18 feet long. Parking spaces, and the approaches thereto, shall be paved. Parking and loading areas shall be graded to dispose of all surface water and shall be maintained in good condition at all times. Outdoor parking space shall be deemed to be part of the open space of the lot on which it is located. Nothing contained herein shall be construed to modify paving requirements set forth elsewhere in this chapter.

C. Aisle width.

- 1. In order to ensure adequate space for backing out of a parking space, all parking lots must conform to the following standards for minimum aisle width:

Stall Angle	Minimum Aisle Width (feet)
90°	25
75°	22
60°	19
45°	14
30°	11

- 2. Minimum width of aisles providing access to stalls for two-way traffic shall be 25 feet.
- 3. Minimum width of aisles for one-way traffic shall be 12 feet.
- D. For commercial manufacturing developments with a gross floor area in excess of 100,000 square feet, parking areas may be designed using a sixty-one-foot module.
- E. A garage or carport may be located wholly or partly inside the walls of the principal building or attached to the outer walls. The garage may be constructed under a yard or court, provided that the level of such yard or court shall conform to the general level of the other yards or courts on the lot. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.
- F. Overall Requirements and Applicability.
 - 1. Number of Spaces. Except as provided below, each use or building that is newly developed, enlarged, significantly changed in type of use, or increased in number of establishments shall provide and maintain off-street parking spaces in accordance with the Table below and the regulations of this Article 10.
 - a. Rounding. Where a parking requirement would result in a fraction, the required number of spaces shall be rounded down if it is less than 0.5 and shall be rounded up to the next whole number if it is 0.5 or greater.

2. Uses Not Listed. Uses that are not specifically listed in the Table below shall comply with the requirements for the most similar use listed in the Table below, unless the applicant provides suitable evidence acceptable to the Zoning Officer, based upon actual counts of peak demand at similar facilities, that an alternative standard should be used for that use.
 3. Multiple Uses. Where a proposed lot contains or includes more than one type of use, the number of parking spaces required shall be the sum of the parking requirements for each separate use.
 4. The Board of Supervisors are able to authorize a reduction of the number of parking stalls required after Planning Commission review, if it should find that in a particular case appealed the peculiar nature of the use, or exceptional situation or condition can justify such action. The applicant must request a review of the required number of parking stalls and submit a parking study to justify his/her request. The study must be reviewed and commented on by the Planning Commission.
- G.** No part of the public right-of-way of any street or road shall be used in computing the required area for parking, however, parallel parking may be permitted along the curb or edge of an access drive or private road, provided that the spaces are not less than eight feet by 20 feet in addition to the required width for the circulation of vehicles.
- H.** All off-street parking facilities with a capacity for five or more vehicles must conform to the following standards.
1. Parking facilities must be set back from street right-of-way lines by at least five feet. [Amended 10-23-2001 by Ord. No. 287]
 2. A minimum of three feet of this setback area shall be developed as a planting strip. The design of said parking area and type of plants shall be approved by the Loyalsock Township Planning Commission. [Amended 10-23-2001 by Ord. No. 287]
 3. Entrances and exits should be located at least 50 feet away from nearby street intersections.
- I.** Loading and unloading space.
1. In addition to the off-street parking spaces required above, all commercial and industrial establishments, hospitals or sanitariums and other similar uses shall provide adequate off-street area for loading and unloading of supplies to and from vehicles.
 2. In no case where a building is erected, converted or enlarged, shall public rights-of-way be used for loading and unloading space.
- J.** Wheel stops or guard fence.
1. Where parking areas abut the right-of-way line or property line, the parking area shall be provided with concrete wheel stops, metal guard fence or other material as approved by the Loyalsock Township Planning Commission so that parked vehicles do not overhang any required setback.
- K.** Surfacing.
1. Parking and loading areas for more than five vehicles, with driveways, shall be paved to township specifications or as authorized by the Loyalsock Township Board of Supervisors.
 2. All driveways and internal traffic lanes servicing parking areas for more than five vehicles shall be paved to township specifications or as authorized by the Loyalsock Township Board of Supervisors.

Table of Off-Street Parking Requirements

USE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED	PLUS (1) OFF-STREET PARKING SPACE FOR EACH:
A. RESIDENTIAL USES		
1. Dwelling Unit, other than types listed separately in this table.	2 per dwelling unit, except: for a 2 bedroom multi-family dwelling unit and 1 per dwelling unit for a 1-bedroom or efficient multi-family dwelling unit. As part of a new subdivision, if a vehicle must be moved from one space in order to access the second space, then an additional parking space shall be available for each dwelling unit, such as on-street parking spaces on the same side of the street adjacent to the homes or an overflow parking lot.	N/A
2. Home Occupation	See §215-26.17	N.A.
3. Housing Permanently Restricted to Persons 55 Years and Older and/or the Physically Handicapped	1 per dwelling/rental unit, except 0.5 per dwelling/rental unit if the age limit is 62 and older	1.2 Non-Resident Employee, plus any needed parking for the largest van or bus that regularly services the property
4. Boarding House	1 per 2 adult residents	1.2 Non-Resident Employee
5. Group Home. A garage space or driveway space(s) may count towards this requirement, provided such spaces are kept available for parking and do not require the movement of one vehicle to park a second vehicle.	1 per 2 adult residents, unless the applicant proves the home will be limited to persons who will not be allowed to drive a vehicle from the property	Employee, plus any needed parking for the largest van or bus that regularly services the property
B. INSTITUTIONAL USES		
1. Assisted Living Facility, Personal Care Home, Hospice, or Similar Retirement Community	1 per 20 beds that are not within dwelling units, plus 0.3 for each dwelling unit	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
2. College or University	1 per 1.5 students not living on campus who attend class on-campus at peak times, plus one space for every 3 persons living in on-campus housing (other than students forbidden by the college from having a car in the Township).	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
3. Day Care Center	1 per 12 children, with spaces designed for safe and convenient drop-off and pick-up. The Township may, at its discretion, approve one or more short term on street parking spaces to meet this requirement	1. 2 Employees, plus any needed parking for the largest van or bus that regularly services the property.

USE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED	PLUS (1) OFF-STREET PARKING SPACE FOR EACH:
4. Hospital	1 per 4 in-patient or out-patient beds	1.2 Employees
5. Library, Community Center or Cultural Center or Museum	1 per 5 seats (or 1 per 300 sq. ft. of floor area accessible to patrons and/or users if seats are not typically provided).	1.2 Employees
6. Nursing Home	1 per 20 beds	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
7. Place of Worship (includes Church)	1 per 5 seats in room of largest capacity. For pews that are not individual seats, each 50 inches shall count as one seat. An accessory Day Care Center is not required to provide additional parking, unless the parking requirements for the Day Care Center would exceed the parking requirements for the Place of Worship.	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
8. Prison or similar correctional institution	1 per 60 incarcerated persons	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
9. School, Primary or Secondary	1 per 4 students aged 16 or older, plus 1 per 60 students under age 16, plus areas designated for the drop-off and pick-up of students	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
10. Swimming Pool, Non-Household	1 per 60 sq. ft. of water surface, other than wading pools	1.2 Employees
11. Temporary Shelter	1 per 10 adult residents	1.2 Employees
12. Treatment Center, Criminal Halfway House or Day Reporting Center	1 per 3 residents aged 16 years or older plus 1 per 2 non-residents intended to be treated on-site at peak times, except if the applicant proves that residents will not be allowed to operate a vehicle from the premises.	Non-Resident Employee, plus any needed parking for the largest van or bus that regularly services the property
13. Utility Facility	1 per vehicle routinely needed to service facility	N/A
C. COMMERCIAL USES		
All commercial uses, as applicable, shall provide additional parking or storage needed for the maximum number of vehicles stored, displayed, or based at the lot at any point in time. If these vehicles are only moved by employees and are actively offered for sale or rent, then these additional spaces are not required to meet the stall size and parking aisle width the requirements of this Ordinance.		
1. Adult Use	2. 1 per 50 sq. ft. of building floor area	3. 1.2 Employees

USE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED	PLUS (1) OFF-STREET PARKING SPACE FOR EACH:
4. Auto Service/Gas Station or Repair Garage	5 per repair/ service bay and 1/4 per fuel nozzle, with such spaces separated from accessways to pumps	Employee plus any parking needed for "retail sales". Access shall be provided through the site for emergency vehicles.
5. Auto, Boat, Recreational Vehicle or Manufactured Home Sales	1 customer space per 30 vehicles, boats, RVs or homes offered for sale or rent, plus spaces for each vehicle kept on the lot. See C above	1.2 Employees
6. Bed and Breakfast Use	1 per rental unit plus 2 for the operator's dwelling unit	1.2 Non-resident Employee
7. Bowling Alley or Pool Hall	2 per bowling lane plus 2 per pool table	1.2 Employees
8. Car Wash	Area for one car to wait for every two washing bays, or space for 2 cars to wait at an entrance to an automated wash entrance.	1.2 Employees
9. Exercise Club	1 per 300 sq. ft. of floor area accessible to customers	1.2 Employees
10. Financial Institution (includes bank)	1 per 300 sq. ft. of floor area accessible to customers, plus "office" parking for any administrative offices	1.2 Employees
11. Funeral Home	1 per 5 seats in rooms intended to be in use at one time for visitors, counting both permanent and temporary seating	1.2 Employees
12. Gaming Establishment	1 per 200 sq. ft. of floor area accessible to customers	1.2 Employees, plus any needed parking for the largest van or bus that regularly services the property
13. Golf, Miniature	½ per hole, plus space for any other outdoor recreation use	1.2 Employees
14. Haircutting/ Hairstyling	1 per 1.5 customer seats used for haircutting, hair styling, hair washing, manicuring or similar work	1.2 Employees
13. Hotel or Motel	1 per rental unit plus 1 per 5 seats in largest meeting room (plus as required for any restaurant)	1.2 Employees
14. Laundromat	1 per 4 washing machines	On-site Employee
15. Nightclub, Tavern or After-hours Club	1 per 4 persons of allowed building capacity under the Fire Code	1.2 Employees
16. Offices, primarily medical or dental	1 per 300 sq. ft. of total floor area, other than shared lobby space	N.A.

USE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED	PLUS (1) OFF-STREET PARKING SPACE FOR EACH:
17. Offices, other than above	1 per 400 sq. ft. of total floor area, other than shared lobby space	N.A.
18. Personal Service Use, other than haircutting/ hairstyling (min. of 2 per establishment) or Business Service Use	1 per 400 sq. ft. of floor area accessible to customers	1.2 Employees
19. Indoor Recreation (other than bowling alley), Membership Club or Exercise Club	1 per 5 persons of maximum capacity of all facilities	1.2 Employees
20. Outdoor Recreation (other than uses specifically listed in this table)	1 per 5 persons of capacity (50% may be on grass overflow areas with major driveways in gravel)	1.2 Employees
21. Restaurant	1 per 5 seats, or 3 total spaces for a use without customer seats.	1.2 Employees
22. Retail Sales (other than types separately listed and other than a shopping center)	1 per 300 sq. ft. of floor area of rooms accessible to customers.	N.A.
23. Retail Sales of Only Furniture, Lumber, Carpeting, Bedding, Floor Coverings or Similar Home Improvements	1 per 1,000 sq. ft. of floor area of rooms accessible to customers	N.A.
24. Shopping Center which includes multiple retail establishments on a lot, and which may also include restaurants.	1 per 300 square feet of total floor area, other than non-leasable space such as shared lobbies	N.A.
25. Stadium, Arena or Commercial Auditorium	1 per 5 seats, provided that spaces shared with other business uses that are not typically used on weekends or after 5 pm on weekdays may also be counted for these uses.	1.2 Employees
26. Theater	1 per 5 seats, provided that spaces shared with other business uses that are not typically used on weekends or after 5 pm on weekdays may also be counted for these uses.	1.2 Employees

USE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED	PLUS (1) OFF-STREET PARKING SPACE FOR EACH:
27. Trade/Hobby School	1 per 2 students on-site during peak use	1.2 Employees plus any needed parking for the largest van or bus that regularly services the property
28. Veterinarian Office	4 per veterinarian	1.2 Employees
D. INDUSTRIAL USES:		
All industrial uses (including warehousing, distribution and manufacturing)	In addition, parking shall be provided for the maximum number of vehicles stored, displayed or based at the lot at any point in time, which spaces are not required to meet the stall size and aisle width requirements of this Article. Also, spaces shall be provided as needed for loading, unloading and delivery. Space also shall be provided for trucks awaiting permission to load or unload. 1 per 1.2 employee, based upon the maximum number of employees on-site at peak period of times	For warehousing, distribution and trucking company terminals, see also §215-25.65. Parking shall also be provided as needed for visitors, such as for job applicants and vendors.
Self-Storage Development	Two, plus room in aisles for temporary parking that allows a second vehicle to pass a parked vehicle	1.2 Employee

§ 215-47. General Regulations for Off-Street Parking and Loading.

- A.** Design standards. Whenever required or provided under the provisions of this chapter, all parking and loading areas and access drives shall be designed according to the following standards:
1. Except in the case of single- and two-family dwellings, the general layout shall be such that there will be no need for motorists to back over public rights-of-way.
 2. Access drives shall be paved from the edge of the cartway to a point 50 feet from the center line of the public road with a material equal or better than the cartway paving in accordance with Township requirements. Any portion of an access drive beyond the 50 feet shall be improved with a surface capable of year-round use and shall be maintained dust- and mud-free. Access drives for single- and two-family dwellings shall not exceed 22 feet in width for one- or two-car garages. Access drives for all other uses shall not exceed 35 feet in width, measured at right angles to the center line of the drive, within 12 feet of the street right-of-way line, excepting as increased by permissible curb return radii. [Amended 3-27-2012 by Ord. No. 347]
 3. The number of access drives shall not exceed two per lot on any one street frontage. The Loyalsock Township Planning Commission may grant permission for additional access drives where required to meet exceptional circumstances and where frontage of unusual length exists.
 4. Access drives shall not cross the street right-of-way line:
 - a. Within 50 feet of the street right-of-way line of an intersecting street, and in no case less than

15 feet from the point of tangency when the intersecting street lines are joined by a curve. Notwithstanding the above, and when deemed reasonably necessary for safety by the governing body after review and recommendations of the Planning Commission, this dimension shall be increased for access drives to shopping centers and other commercial, industrial, public or institutional uses. Such access drives shall be located on major streets where practical, in a manner to permit safe ingress and egress.

- b. Within five feet of a fire hydrant, catch basin or drain inlet.
- c. Within 20 feet of an access drive.
- d. Within 10 feet of a property line in commercial and industrial uses.
- e. Within three feet of a property line in residential areas unless two adjoining owners mutually agree to a common access drive or agree to allow the adjoining property owner to place a driveway closer than three feet from his or her lot line.

[Amended 10-23-2001 by Ord. No. 287]

- 5. General safety requirement; sight distance. Driveways shall be located in a safe relationship to sight distance and barriers to vision and shall not exceed a slope of 10% within 12 feet of the street line. Where drives enter a bank through a cut, unless a retaining wall is used, the side slopes of the cut shall not be graded to more than 1/2 foot vertical to one foot horizontal within 10 feet of the point the drive intersects with the right-of-way line. The existing slope of the shoulder of the public road shall be maintained.
- 6. Submission of plans. A scaled drawing of proposed off-street parking and loading areas, access drives and walks shall be submitted as part of the required plot plan. Any plan requiring access onto a state highway shall be approved by the Pennsylvania Department of Transportation in addition to township approval.

B. Special permits for access drives and driveways.

- 1. A separate zoning permit is required prior to the construction, reconstruction or placement of an access drive or driveway.
 - a. A zoning fee shall be paid by the applicant for review by the Township Codes Enforcement Officer or Road Superintendent.
 - b. A fee shall be paid by the applicant to cover the cost of review by the Township Engineer if said review is deemed necessary by the Township Codes Enforcement Officer or Township Road Superintendent.
 - c. A state highway occupancy permit shall be required for construction of a private driveway or access drive that enters on to a state highway.
- 2. Application. The applicant shall provide the following drawings and information upon determination by the Township Codes Enforcement Officer or Township Road Superintendent that said drawings are necessary:
 - a. A site plan showing the driveway location in relation to buildings, property lines, right-of-way lines, other access roads, drainage swales, ditches and drain pipes.
 - b. A cross-section of the driveway showing:

- 1) Materials used to construct the driveway or access drive.
 - 2) Slope of driveway or access drive, crown and drainage swales.
 - 3) Width of cartway, berm, drainage swales or ditches.
 - c. A profile view of the driveway or access drive from its point of beginning to its end showing:
 - 1) Grade of slope for entire driveway or access drive.
 - 2) Height and depth of fill or cuts.
 - 3) Length of driveway or access drive for the full shoulder width.
 - d. A drainage plan showing:
 - 1) Size of drain pipes.
 - 2) Top and bottom elevation of pipes.
 - 3) Size, length and shape of drainage ditches or swales.
 - 4) Data on the drainage area contributing to the driveway, access drive or private road upon the request of the Township Engineer.
3. All access drives or driveways must meet requirements as listed in Article 10.
4. Access drives and driveway standards.
 - a. Approach angle:
 - 1) Single driveway: as near 90° as site conditions permit, but not less than 60°.
 - 2) Double driveway:
 - i. Two-way operation: same as for single driveway.
 - ii. One-way operation: between 45 and 60°.
 - b. Approach flares. Driveway approach flares shall be true arcs of circles and shall be tangent to the edge of pavement or curb.
 - c. Driveway slope:
 - 1) Driveways shall be constructed in such a manner as not to impair the drainage within the street right-of-way or the adjacent area.
 - 2) Where open shoulders occur, the driveway shall be sloped away from the pavement edge at a rate between 1/2 inch and one inch per foot.
 - 3) Where a drainage ditch exists, adequate drainage pipe (fifteen-inch minimum) shall be installed under the driveway at the property owner's expense and Township Engineer's approval.
 - 4) A leveling area must be provided at the intersection of any driveway or access drive and any road. Said leveling area shall extend from the edge of shoulder or curb to a point 30 feet from center line of existing thoroughfare. This leveling area may not exceed 7% unless recommended by the Township Engineer and approved by the Board of Supervisors. A leveling area at least 18 feet in length of the same percentage of slope must be maintained directly outside the garage.

- 5) A site distance of 250 feet in each direction along the private or public road must be maintained at the intersection of the access drive or driveway. This distance is measured from a point on the center line of the driveway or access drive and 10 feet from the edge of the cartway or pavement of a public or private road. Said distance may be reduced upon approval by the Board of Supervisors.
- d. Design review. Applications for private driveways, access drives or private roads shall be submitted to the Township Engineer by the Codes Enforcement Officer for review and recommendation if said review is deemed necessary by him. All designs must meet the requirements of Article 10 of this chapter and acceptable engineering practice. Special designs may be required for large traffic generators.

Article 11 – Signs

§ 215-48. Intent

The intent of the sign requirements of this chapter is to recognize the importance of signs in the community, both commercial and non-commercial in nature, and establish regulations to protect the public from damage or injury attributable to distractions and obstructions caused by poorly designed or improperly located signs. These regulations are also intended, in part, to stabilize or enhance the overall appearance of the community, and to protect property values. This chapter is intended to regulate the number, size, placement and physical characteristics of signs and sign structures. These regulations are not intended to restrict, limit, or control the content of any sign message.

§ 215-49. Purposes

The purpose of this article is to promote public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This article has also been adopted to:

- A. Set standards and provide uniform, non-discriminatory controls that permit reasonable use of signs and preserve the uniformity of the Township.
- B. Prohibit the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
- C. Avoid excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion.
- D. Establish a process for the review and approval of sign permit applications.
- E. Protect the public right-of-way from obstructions.
- F. Recognize free speech rights by regulating signs in a content-neutral manner.

§ 215-50. Regulations for All Signs.

- A. The sign regulations, controls, and provisions set forth in this section are made in accordance with an overall plan and program for the provision of public safety, land development, preservation of property values, and the general welfare of the Township of Loyalsock and are intended to:
 - 1. Aid in traffic control and traffic safety;
 - 2. Establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and development;
 - 3. Lessen congestion of land and air;
 - 4. Preserve and protect property values;
 - 5. Preserve the wholesome and attractive nature of the Township;
 - 6. Provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow;
 - 7. Recognize the rights of the public in roads, streets, highways, and the areas adjacent to those roads, streets, and highways; and
 - 8. Recognize that the general welfare includes a community that shall be beautiful as well as healthy, spacious as well as clean, and well-balanced in its growth and development.

B. General regulations for all signs.

1. Signs must be constructed of durable material and maintained in good condition.
2. No sign shall be maintained within the Township in such a state of disrepair as to have the appearance of complete neglect, which is rotting or falling down, which is illegible, or which has loose parts separated from original fastenings.
3. Whenever a sign becomes structurally unsafe, or endangers the safety of the building or premises, or endangers the public safety, the Zoning Officer may give written notice to the owner of the premises on which the sign is located that such sign must be made safe or removed within five days.
4. Advertising painted upon or displayed upon a barn or other building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply.
5. Each sign shall be removed when the circumstances leading to its erection no longer apply.
6. Signs may be interior lighted with non-glaring lights or may be illuminated by floodlights or spotlights that are shielded so there is no direct light transmitted to other properties or public rights-of-way.
7. Directly illuminated signs, designed to give forth artificial light directly or through transparent or translucent material from a source of light within each sign, including but not limited to neon, will be permitted, provided that the light being emitted from the sign shall not cause a glare or emit light onto the surrounding area.
8. All electrically illuminated signs shall meet the applicable Electrical Code.
9. Signs must be positioned so that they do not interfere with any clear-sight triangle.
10. No lewd, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including but not limited to:
 - a. Any graphic illustration pertaining to sexual activities and/or specified anatomical areas; and
 - b. Scenes wherein artificial devices are employed to depict, or drawings are employed to portray, any of the prohibited signs, photographs, or graphic representations described above.
11. No sign shall be erected or located so as to prevent free ingress or egress from any window, door, or fire escape.
12. No sign shall be placed in such a position as to obscure light or air from a building or which would create a traffic danger.
13. No sign shall be permitted which is permanently attached to public utility poles or trees which are within the right-of-way of any public or private street.
14. In the event that a symbol, trademark, or other such figure is used as a signpost or standard which could be construed to indicate or identify a particular use or business, that symbol, trademark, or figure is to be computed as part of the total allowable sign area.
15. Except in the case of off-premises signs, only those signs referring directly to services, materials, or products made, sold, or displayed on the premises shall be permitted.
16. No point of any sign, including trim, border, and supports, shall be located within 10 feet of any property line or street right-of-way line, with the exception of the standards set forth in **§215-51.B.6.c.**

17. Any sign attached to a building shall not be placed on a roof or be higher than the wall to which it is attached, except that, for multistory buildings, a sign may be attached to a first-level porch roof; provided, however, that all other restrictions related to obscuring of light and air and limiting of ingress and egress shall be complied with, and in no case shall the sign extend above the level of the highest roof of the building.
 18. No point of a wall projecting sign shall be located less than 8 1/2 feet above the grade directly below the sign.
- C. Determination of size of sign area. The area of a sign shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, including any border framing or decorative attachments, but not including any supporting framework or bracing incidental to the display itself. Where the sign consists of individual letters or symbols attached to a building, wall, or window, the area of the sign shall be considered to be that of the smallest rectangle which encompasses all of the letters and symbols. Where a sign has two or more faces, only one side shall be counted when determining the area of the sign.
- D. Nonconforming signs.
See §215-57. Nonconforming Signs.
- E. Prohibited signs.
See §215-54. Prohibited Signs.
- F. Sign permits.
See §215-56. Permit Requirements for Signs.
- G. Political/Issue Signs. A Political/Issue Sign is a sign that promotes or opposes a candidate for political office or a political party, or states a position on a referendum, bill, law, regulation, international dispute, matter of public policy or similar matter. Such signs are permitted by right in all districts, provided they meet the following requirements:
1. The sign shall only be placed on property with permission of the property owner or tenant,
 2. The sign shall not obstruct safe sight distances,
 3. The sign shall not be placed on property owned by the Township, except as may be allowed outside of a polling place on election day,
 4. A sign permit shall not be needed for signs that meet the requirements of this subsection G.,
 5. The sign shall not include a sign area of more than 32 square feet per sign and shall have a maximum total height of 10 feet, and
 6. If the sign pertains to a particular election, the sign shall be removed within 14 days after the election date.
 - a. In addition, any lawful sign may be used as a political/issue sign, in place of the otherwise intended purpose of the sign. For example, a lawful freestanding sign for a business may be used as a political/issue sign instead of being used to advertise the business.

H. Sign Lighting and Electronic Signs.

1. If a sign has an electronic sign area of more than 30 square feet per side, the sign face shall not change more frequently than once every 20 seconds, unless the sign only displays the time and temperature. An outdoor sign shall not display video or similar moving images.
2. The night-time illumination of a sign shall not result in a lighting level of more than 0.3 footcandles above the ambient light of the area without the sign illumination.
3. Default mechanism: all signs must be equipped with a properly functioning default mechanism that will stop the sign in one position should a malfunction occur.
4. Applicant shall be required to coordinate/permit message access for local, regional, State and National emergency services during emergency situations. Emergency messages are not required to conform to message standards listed.

§ 215-51. Regulations by Sign Type for Commercial Signs, Permanent

A. Locations Permitted: Signs bearing the name of the occupant, products manufactured, processed, sold, or displayed and services available may be erected and maintained on the premises in the C-1, C-2, C-3, I-1, I-2, R-4, and INS Districts.

B. Types of Signs Permitted and their Regulations:

1. Wall Signs

- a. Limited to 1 per wall of a building (includes all sides). A secondary wall sign on the same wall may be up to 50% of the primary wall sign. Two maximum wall signs per wall.
- b. No wall sign shall extend above the top of the attached building wall, nor beyond the left or right extremity of the wall to which it is attached, nor shall it extend or project more than 18 inches from the wall upon which it is attached.
- c. The aggregate area of all wall signs shall not exceed two (2) square feet for each lineal foot of width of the wall of the building, or portion of the building occupied by the business in which the sign is affixed to.
- d. Where a Wall Sign contains information for more than one commercial entity, an additional 10 square feet per tenant is permitted beyond the permitted maximum sign size, up to a maximum sign area of an additional 100 square feet. A second wall sign on the same wall as the main Wall Sign may be up to 50% of the size of the primary. Two maximum wall signs per each wall facing any Right-of-Way.

2. Awning Signs (aka Canopy Signs, Fascia Signs):

- a. Limited to 1 per window
- b. A canopy or awning without lettering (other than an address), or other advertising shall not be regulated as a sign.
- c. Lettering shall be limited to one (1) square foot per linear foot of canopy.
- d. Canopy or awning signs must be centered within or over architectural elements such as windows or doors.
- e. No awning or canopy sign shall be wider than the building wall or tenant space it identifies.

- f. Awning signs above the ground floor may be fixed, provided they do not project more than four (4) feet from the face of the building and the lowest point of the sign is no less than eight (8) feet above grade.

3. Sidewalk Sign (aka Portable Signs, Sandwich Board Signs):

- a. On existing lawful uses, nonilluminated movable ground signs advertising the product offered for sale on the premises may be erected and maintained. Such signs shall be limited to one double-faced sign per business.
- b. Such signs shall not be greater than twelve (12) square feet in area per side and shall not be more than six (6) feet in height above the ground.
- c. All portable signs shall be anchored, weighted, spring-loaded or otherwise designed to resist wind action, iv. All portable signs must be taken in during hours of non-operation of the business being advertised.
- d. No portable sign can block a public walkway or create a hazard to vehicles by obstructing the view.

4. Projecting Signs:

- a. No portion of a projecting sign shall project more than four (4) feet from the face of the building.
- b. The outermost portion of a projecting sign shall project no closer than ten (10) feet from the curb line or shoulder of any public street/road nor project any closer than five (5) feet from any other property line.
- c. No portion of the sign may project over any public sidewalk.
- d. The lowest edge of a projecting sign shall be at least eight (8) feet above the finished grade.
- e. No projecting sign shall be greater than twelve (12) square feet in area.

5. Under Canopy Hanging Signs:

- a. A sign may be placed entirely below and may be supported by an architectural projection of a building when such architectural projection is designed to carry the additional weight of such signs. Such signs shall not exceed six (6) feet in length or sixteen (16) inches in height. Such signs shall not project beyond the face of the architectural projection or more than ten (10) feet from the face of the building. Such signs shall be placed perpendicular to the face of the building and located only at the entrance thereto.

6. Freestanding Signs: (aka, Pole Signs or Pylon Signs)

- a. The maximum building height of the zoning district shall be limited to 20 feet within 10 feet of the front property line.
- b. A freestanding sign may be erected one (1) foot from the side property line in the C-1, C-2, I-1, I-2, and R-4 zoning districts if the abutting use is a commercial use. If not, the side yard requirement in the district must be respected.
- c. If the lowest edge of a freestanding pole sign has clearance over six (6) feet above grade, then the outermost edge of the sign can be up to the front property line as-long as no portion of the

sign overhangs a public sidewalk. Any freestanding sign with less than 6 feet of clearance must be a minimum of 10 feet back from a property line or 20 feet back from the edge of a street, whichever distance is less restrictive.

- d. No freestanding sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, right-of-way or other areas required to remain unobstructed.
- e. Not more than two (2) freestanding signs may be erected and maintained on any premises at any one time, except when a building is located on a corner lot and has a public entrance on one or more public ways; or when a building has both a front and rear public entrance, one (1) additional sign may be erected.
- f. Where a Freestanding Sign contains information for more than one commercial entity, an additional 10 square feet per tenant is permitted beyond the permitted maximum sign size, up to a maximum sign area of an additional 100 square feet.
 - a. A multi-tenant sign (3 or more individual businesses) shall not exceed 200 square feet and the individual business panels on said sign shall not exceed an aggregate area of 125 square feet, maximum of 5 panels. Individual panels may be up to 20 square feet each with anchor stores allowed up to 40 square feet.
 - b. A shopping center complex identification sign (6 or more individual businesses) shall not exceed 300 square feet and the individual business panels on said sign shall not exceed 300 square feet of aggregate area. A maximum of 10 panels are permitted; individual panels may be up to 20 square feet each with anchor stores allowed up to 40 square feet.

7. Ground Signs (aka Monument Signs):

- a. A Ground Sign may be erected one (1) foot from the side property line in the C-1, C-2, C-3, I-1, I-2, INS, and R-4 zoning districts if the abutting use is a commercial use. If not, the side yard requirement in the district must be respected.
- b. Not more than two (2) Ground Sign may be erected and maintained on any premises at any one time, except when a building is located on a corner lot and has a public entrance on one or more public ways; or when a building has both a front and rear public entrance, one (1) additional sign may be erected.
- c. One Monument sign allowed for each single office building, apartment or office-apartment combination unless it's a corner lot with more than one entrance then 1 more sign may be erected.
- d. One Monument sign for each office complex, or combination office complex and apartments unless it's a corner lot and has more than one entrance then 1 more sign may be erected.
- e. One monument sign is permitted for each occupant of an office building or office complex, or combination office complex and apartments, unless it is a corner lot and has more than one entrance in which case one (1) more sign is permitted.
- f. Each occupant of an office building or office complex may have one (1) wall sign not exceeding 25 square feet in area.
- g. No single Ground Sign shall exceed 150 sq. ft. in area per face.

- h. Ground Signs shall have a maximum height of ten (10) ft.
 - i. Where a Ground Sign contains information for more than one commercial entity, an additional 10 square feet per tenant is permitted beyond the permitted maximum sign size, up to a maximum sign area of an additional 100 square feet.
 - 8. Directory Signs (Monument or Pylon)
 - a. Directory Signs shall be a maximum of 100 sq. ft. in area.
 - b. Monument Directory Signs shall have a maximum height of ten (10) feet and Pylon Directory Signs shall have a maximum height of 25 feet.
 - 9. Real Estate Signs
 - a. Residential Real Estate Signs shall be a maximum of eight (8) square feet in size.
 - b. Commercial Real Estate Signs shall be a maximum of thirty-two (32) square feet in size.
 - 10. Digital Signs
 - a. Digital Signs shall only be permitted in the C-1, C-2, C-3, I-1, I-2 and INS Districts for all uses related to schools and places of worship.
 - b. Message change interval shall be a minimum of eight seconds and there shall be no animation, flashing, or scrolling.
 - c. For maximum sign area see §215-51.B.6.
 - 11. Residential Signs: The following signs shall be permitted in the R-1, R-2, R-3, AND R-4 Districts.
 - a. Home Occupation Signs
 - b. Home Occupation signs shall have a maximum permitted area of six (6) sq. ft. with a maximum of one (1) sign per property, at the discretion of the Board of Supervisors.
 - c. Subdivision/Residential Development Entrance Sign
 - 12. Subdivision/Residential Development Entrance Signs must be of monument style and shall have a maximum area of 32 sq. ft. and a maximum height of six (6) feet. Special Signs: Any sign not specifically addressed in this ordinance shall be generally prohibited, but may be permitted through the issuance of a Special Sign Permit by the Zoning Officer upon the sign meeting the general regulations for all signs, and meeting one (1) of the following criteria:
 - a. The sign is necessary for the preservation of substantial property rights in the property to which the sign is directed.
 - b. There is no provision in this section for the type of sign for which a Special Permit is required; or
 - c. The sign may be beneficial to a substantial number of people.
- C. Area of Signage allowed for non-residential uses.
- 1. Single non-residential use on one lot. The total sign area for a freestanding sign per premises shall not exceed four (4) square feet per one lineal foot of street property frontage.
 - 2. No single non-residential use on its own lot shall be limited to less than 32 square feet of total sign

area nor exceed more than 300 square feet of total sign area associated with the non-residential use.

3. More than one non-residential use on a single lot. The total sign area of a freestanding sign per business shall not exceed four (4) square feet per one linear foot of building frontage of the portion of the building occupied by the business.
 4. No single non-residential use where there is more than 1 business on the same lot shall be limited to no less than 32 square feet of total sign area nor exceed more than 200 square feet of total sign area associated with the non-residential use.
 5. Non-residential signs identifying commercial complexes or shopping centers accommodating multiple tenants shall not exceed 300 square feet in area. Signs identifying the individual commercial establishments within a commercial complex may be attached to the complex structure. Such identification signs shall not exceed an aggregate area of 300 square feet. A maximum of one (1) complex identification sign structures is allowed per premises.
- D. Apartment-office building and apartment-office complex, including office building and office complex signs shall conform to all general regulations applicable, and be limited to:**
1. One freestanding sign for each single office building, apartment or office apartment combination per street frontage, subject to the following:
 - a. Maximum sign area of 24 sq. ft. and a maximum height of four (4) feet,
 - b. The sign shall be set back a minimum of five (5) feet from the setback line.
 2. One freestanding sign for each office complex, or combination office complex and apartments per street frontage.
 - a. Maximum sign area of eight (8) feet width and six (6) feet in height,
 - b. The sign shall be set back a minimum of eight (8) feet from the setback line.
 3. Each occupant of an office building or an office complex may have one (1) wall sign or one (1) canopy sign not exceeding twenty-five (25) square feet in area.

§ 215-52. Regulations by Sign Type for Off-Premises Commercial Signs, Permanent

- A. Locations Permitted:** Off Premise Signs, typically Billboards, are permitted in the C-1, C-2, I-1 and I-2 zoning districts only.
- B. Sign Size:**
1. Such signs are not to exceed 300 square feet in area in a C-1 and C-2 Districts.
 2. Such signs are not to exceed 672 square feet in area in an I-1 and I-2 Districts.
 3. Such boards shall not exceed 12 feet in height nor 25 feet in length in the C-1 or C-2 District or 14 feet in height nor 48 feet in length in the I-1 and I-2 Districts, inclusive of all trim and border area but exclusive of bases, aprons, supports and other structural members.
- C. Height and Location of Sign.**
1. The lowest edge of an off-premises sign shall be at least seven (7) ft. above the finished grade.
 2. Off premise signs shall have a maximum height of 35 feet above ground level at the curb line or edge of pavement.

D. Spacing of Off-premises signs shall be:

1. Such boards shall be set back from any property line abutting a limited access highway right-of-way line a distance of 30 feet and a minimum of ten 10 feet from a property line abutting any other street.
2. Such boards shall not be less than 500 feet from an interchange with a limited access highway measured from the point of widening of pavement at the entrance to and/or exit from the main traveled way and extending 500 feet in both directions along the highway and on both sides of the highway.
3. Off premises signs shall be spaced not less than 1,000 feet apart measured radially.
4. Off premises signs must conform with Act 160, the Outdoor Advertising Control Act of 1971, as amended, except as further controlled by this section.

§ 215-53. Temporary Signs

- A.** Temporary signs, as defined in this Article, located on private property, are exempt from general zoning permit requirements. Temporary signs that comply with the requirements in this sub-section shall not be included in the determination of the type, number, or area of signs allowed on a property. A temporary sign is unlawful if it does not meet the criteria of this section.
- B.** Unless otherwise stated below, the requirements listed below shall apply to both residential and non-residential signs.

- C.** Temporary signs must also comply with the "General Regulations for Signs" section of this article.

D. Maximum Number of Signs:

1. An individual business or property in both a residential and non-residential district shall be limited to two (2) temporary signs per 100 feet of street frontage per event if a business is on a corner lot fronting two streets, then two (2) additional temporary signs may be placed (4 signs total per 100 feet of street frontage).

E. Duration and Removal:

1. On-Premises Temporary Signs- A temporary sign erected in either a residential or non-residential zoning district may be displayed a maximum of thirty (30) days before the event and must be removed within seven (7) days after the event concludes.
2. Off Premises Temporary Signs - In residential zoning districts, each residential use with at least one principal structure may place up to 6 offsite Temporary Signs on Private property for the purpose of directing public to a residential activity/event (e.g. real estate open house, garage/yard sale, estate sale, auction). Said signs shall be displayed a maximum of 7 days prior to the activity/event and must be removed within 48 hours after the conclusion of the activity/event.
3. Loyalsock Township or the property owner may confiscate signs installed in violation of this article. Neither Loyalsock Township nor the property owner is responsible for notifying sign owners of the confiscation of an illegal sign.

- F. Permission:** The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting such temporary sign(s).

G. Installation and Maintenance.

1. All temporary signs must be installed such that in the opinion of the Township Official, they do not

create a safety hazard.

2. All temporary signs must be made of durable materials and shall be well maintained.
3. Temporary signs that are frayed, torn, broken, or are no longer legible will be deemed unmaintained and required to be removed.

H. Illumination: Illumination of any temporary sign is prohibited.

I. Size and Height Limitations of Temporary Signs:

1. Zoning Districts: C-1, C-2, R-4, I-1 and I-2
 - a. Temporary Banner signs, only when attached to the face of a building, shall have a maximum height of twenty-four (24) feet and shall not exceed a size in area of forty (40) square feet. A single side for all other temporary signs shall not exceed sixteen (16) square feet.
 - b. Temporary Banner signs shall be up for a maximum of thirty (30) days, up to three (3) times per year.
 - c. Temporary Grand Opening signs shall be up for a maximum of sixty (60) days.
2. Zoning Districts: R-1, R-2, R-3, and INS Districts
 - a. Temporary Banner signs, only when attached to the face of a building, shall have a maximum height of twelve (12) feet and shall not exceed a size in area of twelve (12) square feet. A single side for all other temporary signs shall not exceed six (6) square feet.
 - b. Temporary Ground signs shall have a maximum height of eight (8) feet in all zoning districts.
 - c. Temporary Banner signs shall be up for a maximum of thirty (30) days, up to three (3) times per year.

§ 215-54. Prohibited Signs.

The following signs are unlawful and prohibited, unless protected by State statute:

- A.** Abandoned signs.
- B.** Snipe or Bandit signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Chapter.
- C.** Mechanical movement signs, including revolving signs.
- D.** Pennant strings and streamers.
- E.** Flashing signs, or signs that flash text or graphics.
- F.** Inflatable devices or balloon signs, with the exception of balloons used in temporary, non-commercial situations.
- G.** Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
- H.** Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- I.** Reflective signs or signs containing mirrors.
- J.** Signs incorporating beacon or festoon lighting.
- K.** Signs attached or painted on trees, rocks or natural features.

- L. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
- M. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of this Zoning Ordinance.
- N. That exhibit statements, words, or pictures of obscene or pornographic subjects as determined by Loyalsock Township or Local Law Enforcement.
- O. Any sign that promotes illegal activity.
- P. Signs installed, attached, or painted on fences, with the exception of a sign attached to a temporary construction fence for a temporary period of time.
- Q. A permitted on-premises sign containing an off-premises sign message.
- R. Vehicular Sign. This legislation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- S. Holographic Display Signs.
- T. Signs of such a design and location that they interfere with, compete for attention with, or may be mistaken for a traffic control device. This shall include any sign visible from the public right-of-way which uses an arrow device or the word "stop."
- U. Signs in which the colors red and green are used either in direct illumination or in high reflection by the use of special preparation, such as fluorescent paint or glass.
- V. Any sign located in or extending into a public right-of-way, except those owned or operated by a duly constituted governmental agency.
- W. Animated, sequential, flashing, rotating, or oscillating signs.
- X. Signs containing open flames used to attract public attention to a place of business or to an advertising sign.
- Y. Any sign located so as to interfere with visibility for motorists at street or driveway intersections.

§ 215-55. Signs Exempt from Permit Requirements.

The following signs are allowed without a permit in all zoning districts but must comply with the regulations in this section, if any. General regulations shall also apply.

- A. Official traffic signs.
- B. Government/regulatory signs.
- C. Signs inside a building, or other enclosed facility including window decal signs.
- D. Holiday and seasonal decorations.
- E. Public Signs - Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- F. Signs or emblems of a religious, civil, philanthropic, historical or educational organization that do not to exceed four (4) sq. ft. in area.
- G. Signs of schools, places of worship, hospitals, colleges, or other uses of similar nature and signs identifying housing developments, provided that:

1. The size of any such sign is not in excess of 32 square feet
2. Not more than two signs are placed on a property in a single and separate ownership, unless such property fronts upon more than one street, in case two such signs may be erected on each frontage.

H. Incidental signs, including incidental window signs.

I. Directional signs. This section shall regulate the standards for Directional signs. The intent is to provide a means for the public to locate non-commercial uses off the right-of-way by allowing the opportunity for off-site directional signs while promoting and protecting the safety and aesthetics of the Township. Commercial uses may include Directional signs provided they do not contain commercial messaging, with the exception of one (1) commercial logo per side no larger than one (1) sq. ft. in area for commercial zoned parcels larger than 3 acres.

1. Area. No single directional sign shall exceed six (6) sq. ft. in area.
2. Height. Directional signs shall have a maximum height of seven (7) ft. but limited to six (6) ft. for Ground Signs, also known as monument signs.
3. Illumination. Directional signs shall be non-illuminated.

J. Art and murals, provided such signs do not contain any commercial messaging.

K. Signs advertising home occupations provided they are no larger than six (6) square feet in area and limited to one (1) per lot. No sign is permitted to be erected until home occupation has received the requisite approval.

L. Umbrella Signs.

1. For each table in an outside seating area for a licensed business establishment, one (1) Umbrella Sign per umbrella is allowed. The umbrella with the sign must be on the table and shall not exceed 8 feet in height.

M. Flags.

1. Location. Flags and flagpoles shall not be located within any right-of-way and shall have a maximum height of forty (40) feet
2. Maximum individual flag size is 24 sq. ft in residential districts, 35 sq. ft. in all other districts.

N. Memorial Signs.

O. Signs that are physically carried by a person.

P. Personal expression signs.

§ 215-56. Permit Requirements for Signs.

Except for signs listed under, "signs exempt from permit requirements" section of this article, no person, firm, corporation or partnership shall erect, place, alter, construct or cause to be erected, placed, altered or constructed, any sign on any property within the Township until a permit for the same has been issued by the Zoning Officer. Property owners who authorize or allow any sign on their property shall ensure that all provisions of this Article are adhered to and will be held responsible for any violations of this Article. In cases where a sign is erected by others without the property owner's permission and the property owner is unable or unwilling to remove said sign, the Township may remove said sign.

A. Permit Requirements:

1. Permit applications.

- a. Application for a permit shall be made to the Township office.
- b. Application shall be made on a form to be provided by the Township and shall contain the following information and documentation:
 - 1) The name(s) and address(es) of the sign owner and the landowner;
 - 2) An affidavit of title executed by the landowner(s) indicating the date and place of recording of the present title to the land;
 - 3) A drawing showing the location of the sign with reference to the adjoining property lines, rights-of-way, driveways, and streets, noting all sign setbacks for freestanding signs (distance from property lines);
 - 4) A drawing showing each sign face and sign structure, including total dimensions, dimensions of all letters and borders, total area, sign height, depth, color scheme, structural details, materials, lighting scheme, electronic/digital messaging information, and proposed location. For signs permanently mounted to buildings, building elevations, existing and proposed facades, parapet walls, eave line, etc., and the location and size of all proposed and existing permanent signage shall also be included.
 - 5) A description of the construction materials of the sign (including colors to be used) and its manner of installation;
 - 6) Current photographs showing existing signs on the premises and certifying the date on which the photographs were taken.
 - i. All applications shall be accompanied by the fees required for issuance of the sign permit, to be established by the Board of Supervisors from time to time by Resolution. (See Loyalsock Township Fee Schedule)
 - ii. All applications shall be reviewed, and permits issued, by the Zoning Officer. No sign permit shall be issued except in conformity with the regulations of this chapter, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for the issuance of a variance.

2. Permit issuance. Following permit application approval, a sign permit will be issued by the Zoning Officer.

3. If there is any change in location or dimensions of any sign, or in advertising or informative contents of a sign, a new permit shall be required.

4. Revocation of permits.

- a. All permits shall be subject to revocation upon 15 days' written notice for violation of any provision or upon change of information provided in the application.
- b. Revocation of a permit shall not be cause for refund of the permit fee.

§ 215-57. Non-conforming Signs.

Signs legally existing at the time of enactment of this article and which do not conform to the requirements of this article shall be considered non-conforming signs.

- A. Any non-conforming sign which is removed shall be replaced only with a conforming sign. Legal non-conforming signs may be repainted, repaired or maintained (including lighting), provided such maintenance or repair does not extend the dimensions of the existing sign.
- B. Permanent non-conforming signs on existing non-conforming uses may be continued and maintained, provided that such signs conform with the general regulations for all signs section of this Article in **§215-50-B**.
- C. If the non-conforming sign is structurally altered, expanded, or replaced, outside of routine maintenance, it must comply with current regulations. If a sign is damaged beyond 50% of its value or structure, rebuilding the sign requires full compliance.

§ 215-58. Removal and Disposal of Signs

- A. The Township Zoning Officer, or designee, is authorized to remove any sign posted in violation of this Sign Ordinance that are not removed or replaced by the owner or other responsible party when required in accordance with the provisions of this Sign Ordinance. The Township may also file a civil complaint against the person who posted the sign to recover the costs of removing the sign.
- B. A sign removed in accordance with this Chapter may be impounded as evidence, or disposed of as abandoned property, unless claimed by the owner within thirty (30) days.
- C. Any sign removed by the Township Zoning Officer or designee, pursuant with the provisions of this Sign Article, shall become the property of the Township and may be disposed of in any manner deemed appropriate by the Township. The cost of removal of the sign by the Township is considered a debt owed to the Township by the owner of the sign and the owner of the property and is recoverable in an appropriate court action by the Township per the enforcement section **§215-64**. The cost of abatement or removal shall include any and all incidental expenses incurred by the Township in connection with the sign abatement or removal.

§ 215-59. Sign Definitions.

Words and terms used in this ordinance shall have the meanings given in this Article. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this ordinance, shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including civil engineers, surveyors, architects, landscape architects, and planners.

AGGREGATE AREA

The total height times the total width and shall mean the sign face.

ABANDONED SIGN

A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days, in the case of off-premises signs, or at least 360 days in the case of on-premises signs. Abandoned signs also include signs that are broken, defaced, faded, rusted, peeled or otherwise deteriorated and are not repaired within 30 days of receiving notice from the Township.

ADDRESS SIGN

A sign generally applied to a building wall that designates the street number and/or street name for identification purposes, as designated by the U.S. Postal Service. (Also known as a nameplate sign)

ANIMATED SIGN

A sign depicting action, motion, or light or color changes through electrical or mechanical means.

APEX

The highest point of a sign as measured from the point on the ground where its structure is located, or, if no sign structure is present, from the point on the ground directly below the sign itself.

AWNING SIGN

A sign with lettering applied directly on the Valance or other vertical portion of an awning.

BALLOON SIGN

A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner.

BAND SIGN

A sign that is attached flat on the exterior front, rear or side wall of any building or other structure. (Syn: wall-mounted sign, fascia sign)

BANNER

Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

BEACON LIGHTING

Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BILLBOARD

A sign which directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.

BLADE SIGN

A sign mounted on the building Facade, projecting at a 90-degree angle. (Syn: projecting sign)

BUILDING FRONTAGE

The maximum linear width of a building measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot.

CANOPY

A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN (AKA FASCIA SIGN)

Any sign that is part of or attached to a canopy or affixed to an architectural projection of a wall of a building or structure, or any other projected surface.

CARRIED SIGN

A hand-held or carried sign held or carried by a person.

CHANGEABLE COPY SIGN

A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable copy signs and electronic changeable copy signs, which include: message center signs, digital displays, and Tri-Vision Boards.

CHANNEL LETTER SIGN

A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CLEARANCE

The distance above the grade, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

DIGITAL DISPLAY

The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

DIRECTIONAL SIGN

A sign designed to guide or direct pedestrians or vehicles.

FASCIA SIGN (AKA CANOPY SIGN)

Any sign that is part of or attached to a canopy or affixed to an architectural projection of a wall of a building or structure, or any other projected surface.

FESTOON LIGHTING

A type of illumination comprised of either: (a) a group of light bulbs hung or strung overhead or on a building or other structure, or (b) light bulbs not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG

Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners. Includes commercial feather flags a/k/a swooper flags or banner flags.

FLASHING SIGN

A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

FOOT-CANDLE

A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One (1) footcandle is equal to one (1) lumen per square foot.

FOOT-LAMBERT

A unit of emitted light (from a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One (1) foot-lambert is equal to one (1) lumen per square foot.

FREESTANDING SIGN

A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. (Includes Pole Sign and Pylon Sign.)

GAS STATION CANOPY

A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

GAS STATION CANOPY SIGN

Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure. For the purposes of this ordinance, gas station canopy signs shall be considered wall signs.

GOVERNMENT/REGULATORY SIGN

Any sign for the control of traffic or for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

GROUND SIGN

A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building (Also known as Monument Sign).

HOLIDAY DECORATIONS

Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons. (Also known as seasonal decorations).

HOLOGRAPHIC DISPLAY SIGN

A type of sign that utilizes light diffraction to create a virtual three-dimensional projected image of an object. Holographic display signs are distinguished from other forms of 3D imaging in that they do not require the aid of any special glasses or external equipment for a viewer to see the image.

ILLUMINATED SIGN

A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

ILLUMINATION

A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

ILLUMINATION, EXTERNAL

Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

ILLUMINATION, HALO

A sign using a 3-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect. (Also known as back-lit illumination).

ILLUMINATION, INTERNAL

A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this ordinance.

INCIDENTAL SIGN

A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN

Signs displayed in the window displaying information such as the business' hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN

A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

MARQUEE SIGN

A structural feature of a building that provides shelter and sign space.

MECHANICAL MOVEMENT SIGN

A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN

A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN

A permanent sign oriented to the drive-through lane for displaying the bill of fare available at a restaurant or other use.

MESSAGE BOARD

A sign with changeable text. Non-electronic Message Boards typically consist of letters attached to a surface within a transparent display case. Electronic Message Boards typically have a fixed or changing message composed of a series of lights.

MESSAGE CENTER SIGN

A type of illuminated changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING

The spreading of one message across more than one sign structure.

MONUMENT SIGN

See Ground Sign.

MULTI-TENANT SIGN OR DEVELOPMENT COMPLEX SIGN

A type of Freestanding Sign, Wall Sign, or Ground Sign/ Monument Sign that is used to advertise businesses that occupy a shopping center with multiple tenants or an office complex with multiple tenants.

MURAL (OR MURAL SIGN)

A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/ or symbols.

NAME PLATE

A sign consisting of either a panel or individual letters applied to a building, listing the names of businesses or building tenants.

NEON SIGN

A sign illuminated by a neon tube, or other visible light-emanating gas tube, which is bent to form letters, symbols, or other graphics.

NONCONFORMING SIGN

A sign that was legally erected and maintained before the effective date of this Ordinance, or amendment thereto, that does not currently comply with Loyalsock Township sign regulations.

OFF-PREMISES SIGN

An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a third-party sign, billboard, or outdoor advertising)

OFFICIAL TRAFFIC SIGN

Official highway route number signs, street name signs, directional signs and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISES SIGN

A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

ON-PREMISES DIRECTIONAL SIGN

Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

OUTDOOR DISPLAY CASE

A sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.

PERMANENT SIGN

A sign attached or affixed to a building, structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

PERSONAL EXPRESSION SIGN (AKA IDEOLOGICAL SIGN)

An on-premises sign that expresses an opinion, interest, position, or other non-commercial message.

POLE SIGN

A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

PORTABLE SIGN

A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure. This definition includes sandwich boards and portable reader boards if placed on private property. This definition also includes trailered signs.

PROJECTING SIGN

A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall that projects more than 18 inches from the building face or wall, not to include signs located on a canopy, awning, or marquee. (Also known as blade sign)

PUBLIC SIGN

A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

REFLECTIVE SIGN

A sign containing any material or device which has the effect of intensifying reflected light.

REVOLVING SIGN

A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

ROOF SIGN

A building-mounted sign erected upon, against, or over the roof of a building.

SHED AWNING

An awning with two short sides in addition to the main canopy.

SHIELDED

The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

SHINGLE SIGN

A small Blade Sign usually mounted on the ground floor level, displaying a building's professional tenant directory.

SIDEWALK SIGN

A movable freestanding sign that is typically double-sided, placed at the entrance to a business to attract pedestrians. (Var: sandwich board, A-frame sign.)

SIGN

A device for visual communication that is used to bring the subject to the attention of the public. Signs include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia or flags of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects. Signs do not include architectural features which may be identified with a particular business; backlit awnings that include no lettering, logos, or other symbols; signs within a building which are obviously intended to be seen primarily from within the building; outdoor signs intended for use within a property, such as menu signs by fast food restaurant drive through lanes. For specific sign type and component definitions, see § 215-59. Sign Definitions.

SIGNBAND

The horizontal signage area on a Valance or Marquee.

SIGN AREA

The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols.

SIGN FACE

The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

SIGN, GROSS SURFACE AREA

The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or any figure or similar character together with any frame or other material or color forming an integral part of the display or used to differentiate a sign from the background against which it is placed, excluding the necessary supports or uprights upon which the sign is placed. For signs utilizing individual letters or figures or characters mounted directly on the wall or face of a structure, the gross surface area shall be the entire area within a single continuous perimeter enclosing the extreme limits of the writing, representation or other communication material.

SIGN HEIGHT

the vertical distance measured from the grade below the sign or upper surface of the nearest street curb, whichever permits the greatest height, to the highest point of the sign.

SIGN SETBACK

means the horizontal distance from the property line to the nearest edge of the sign cabinet or sign.

SIGN SUPPORTING STRUCTURE

Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

SNIFE SIGN

A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner. (Also known as bandit sign)

SPECIAL SIGNS

Any other signs not included under this ordinance are prohibited unless a Special Sign Permit is issued by the Zoning Officer under the regulations herein set forth.

STREET FRONTAGE

The length in feet of a property line(s) or lot line(s) bordering a public street. For corner lots, each street-side property line shall be a separate street frontage. The frontage for a single use or development on two or more lots shall be the sum of the individual lot frontages.

TEMPORARY SIGN

A sign intended to display either commercial or non-commercial messages of a transitory or temporal' nature. Portable signs or any signs not permanently embedded in the ground or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary' signs.

TRAILERED SIGN

Any sign located on or affixed to a trailer or vehicle normally licensed by the state as a trailer, or a sign that has its own wheels, or is located on or affixed to its own wheels, capable of being used to move the sign from location to location. Trailered sign does not mean signs that are permanently or temporarily affixed to motor vehicles other than trailers, such as passenger cars, trucks, or recreational vehicles.

TRI-VISION BOARD

An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

UNDER CANOPY HANGING SIGN

A sign attached to the underside of an architectural projection.

VALANCE

The portion of an awning that hangs perpendicular to the Sidewalk.

VEHICULAR SIGN

A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

WALL SIGN

A building-mounted sign which is either attached to or displayed on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign.

WINDOW SIGN

A sign placed or painted on the interior of a Shopfront window or the window of a business door.

YARD SIGN

A permanent freestanding sign in the Private Frontage, including a supporting post or posts.

Article 12 – General Regulations

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Article 13 – Reserved for Future Use

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Article 14 - Airport Overlay District

§ 215-60. District Purpose

- A. This article is adopted pursuant to the authority conferred by the 1984 Pennsylvania Laws 164, codified at 74 Pa.C.S.A. § 5101 et seq., as amended. It is hereby found that an obstruction has the potential for endangering the lives and property of uses of the Lycoming County Airport, and property of occupants of land in the vicinity; that an obstruction may affect existing and future instrument approach minimums of the Lycoming County Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Lycoming County Airport and the public investment therein. Accordingly, it is declared:
1. That the creation of establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the Lycoming County Airport.
 2. It is necessary in the interest of public health, safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented.
 3. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of police power without compensation.
- B. It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

§ 215-61. Use regulations.

Notwithstanding any other provisions of this chapter, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigation signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

§ 215-62. Enforcement; notice.

- A. Local enforcement. It shall be the duty of the Loyalsock Township Zoning Officer to administer and enforce the regulations prescribed herein and the 1984 Pennsylvania Laws 164, codified at 74 Pa.C.S.A. § 5101 et seq., as amended. Reference is made to the Height Limitation and Zoning District Map prepared for the township through the Pennsylvania Department of Transportation, in order to determine the limits of the Airport Overlay District. Applications for permits and variances shall be made to the Zoning Officer upon a form published for that purpose. Applications required by this article to be submitted to the Zoning Officer shall be promptly considered and granted or denied. Application for action by the Zoning Hearing Board shall be forthwith transmitted by the Zoning Officer.
- B. Notice to Department. Notwithstanding any other provision of law, a municipality or board which decides to grant a permit or variance under this article shall notify the Department of Transportation of its decision. This notice shall be in writing and shall be sent so as to reach the Department at least 10 days before the date upon which the decision is to be issued.

Article 15 – Administration & Enforcement

§ 215-63. Amendments to regulations.

The governing body may, by majority vote at a regular meeting following a public hearing thereon, amend this chapter pursuant to 53 P.S. § 10609.

§ 215-64. Conformity with use regulations.

- A. Except as hereinafter provided, no buildings or structures or part thereof and no lot or land or part thereof shall hereafter be used except in conformity with the use regulations herein prescribed. Any lawful use that does not conform to the use regulations of this chapter shall be deemed a nonconforming use, except that uses granted by the Board of Supervisors as conditional uses and uses granted by the Zoning Hearing Board as special exception uses shall be deemed conforming uses.
- B. Prior to the use of any property, land, building, structure, or part thereof, the owner or other authorized applicant shall obtain, from the Zoning Officer, a zoning permit, which permit shall be in addition to any other permits which may be required by any governmental agency,

§ 215-65. Zoning Hearing Board.

A. Appointment, term and removal.

- 1. A Zoning Hearing Board is hereby established pursuant to the applicable provisions of the Pennsylvania Act of 1968 P.L. 805, No. 247, as amended, known as the "Pennsylvania Municipalities Planning Code" (hereinafter PMPC). The Board shall consist of three members who shall be residents of Loyalsock Township, to be appointed by resolution of the governing body for three years. Appointments shall be made in such a manner that the term of office of one member of the Board shall expire each year. Members of the Board may be removed from office by the Township Supervisors as provided by the PMPC. Vacancies shall be filled by appointment of the Township Supervisors for the unexpired term of the member affected. Members of the Board shall hold no other office in Loyalsock Township. Board members shall receive a fee for each hearing attended with the fee to be set by the governing body via resolution.
- 2. The Board of Supervisors may appoint an alternate member of the Zoning Hearing Board who shall be a resident of the township. The term of office of an alternate member shall be three years. The alternate member may be seated whenever any of the three regular members are unavailable. When seated, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same extent as provided by law for Board Members. The alternate shall hold no other office in Loyalsock Township.

B. Jurisdiction, hearings, appeals and notice. The Zoning Hearing Board shall have jurisdiction concerning interpretation or administration of this chapter to the full extent permitted by the PMPC as amended.

3. Notice of appeal and hearing:

- a. An appeal to the Zoning Hearing Board regarding an interpretation or administration of this chapter may be taken only by a person aggrieved, or by an officer or bureau of Loyalsock Township. Such appeal shall be taken within 60 days of the date of notice of the interpretation or decision appealed.
- b. An appeal to the Zoning Hearing Board shall be taken by filing with the Zoning Officer a written notice of the appeal specifying the grounds of the appeal.

- c. The Zoning Officer shall forthwith transmit to the Zoning Hearing Board all papers constituting the record upon which the appeal is taken.
 - d. Written notice of any hearing of the Zoning Hearing Board shall be given to the applicant, the Zoning Officer, and any person who has requested notice, in writing. Notice shall also be given as required by the PMPC.
 - e. Hearings of the Zoning Hearing Board shall be conducted in the manner provided by the PMPC.
4. Decision. The Zoning Hearing Board shall render a written decision in the manner provided by the PMPC.

C. Stay of proceedings and bond.

1. During the time that an appeal is pending before the Zoning Hearing Board, all land development undertaken pursuant to any challenged ordinance, order or approval shall be stayed unless the Zoning Officer certifies, in writing, to the Board facts which satisfy a majority of the Board that such a stay would cause imminent danger to life or property. In the event that a majority of the Board is satisfied that such a stay would cause imminent peril to life or property, land development shall not be stayed other than by order of a court of competent jurisdiction.
2. In the event that an application for land development in Loyalsock Township has been duly approved but is stayed as a result of an appeal from the land development approval by persons other than the proposed developer, the proposed developer may petition a court of competent jurisdiction to order the party appealing the land development approval to post a bond as a condition to continuing the appeal before the Zoning Hearing Board. The nature and amount of the bond shall be determined by the court. The purpose of the bond shall be to indemnify the land developer for any damages which the land developer may sustain as a result of the delay in the land development caused by the appeal. The land developer shall not be indemnified through the bond in the event that the land development approval is finally reversed by the Zoning Hearing Board or by the governing body or by a court of competent jurisdiction.

D. Special exceptions, as provided for in this chapter and subject to all applicable requirements, including but not limited to:

1. Advisory report. No application for a special exception shall be granted by the Zoning Hearing Board until the Township Planning Commission has been provided a minimum of 30 days to provide an advisory report with respect to the location of such use in relation to the needs and growth pattern of the Township and, where appropriate, with reference to the adequacy of the site area and arrangement of buildings, driveways, parking areas, off-street truck loading spaces, and other pertinent features of the site plan. If a report is not received from the Township Planning Commission within 30 days, it shall not delay action by the Zoning Hearing Board. The Planning Commission may have representation at the public hearing held by the Zoning Hearing Board on such application.
2. Filing requirements. In addition to the required zoning permit information, each special exception application shall include the following:
 - a. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this chapter; and
 - b. Such other materials as may be necessary, in the sole opinion of the Zoning Hearing Board, to

demonstrate compliance with the specific criteria of Article V of this chapter.

3. General criteria. Each applicant must demonstrate compliance with the following:
 - a. The proposed use shall be consistent with the purpose and intent of this chapter;
 - b. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties;
 - c. The proposed use will not substantially change the character of the subject property's neighborhood;
 - d. Adequate public facilities are available to serve the proposed use (such as schools, fire, police and ambulance protection, sewer, water, and other utilities, and vehicular access).
 - e. For development within a floodplain, the application complies with the requirements of Chapter 120, Floodplain Management.
 - f. The proposed use shall comply with those criteria specifically listed in this chapter; in addition, the proposed use must comply with all other applicable regulations contained in this ordinance.
4. Conditions. The Zoning Hearing Board, in approving special exception applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same District. These conditions shall be enforceable by the Zoning Officer, and failure to comply with such conditions shall constitute a violation of this chapter and shall be subject to the penalties described in Article XV.
5. Site plan approval. Any site plan presented in support of the special exception pursuant to Subsection C(1) shall become an official part of the record for said special exception. Approval of any special exception will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan shall require another special exception approval to be obtained.
6. Persons with Disabilities. After the Zoning Officer receives a complete written application, the Zoning Hearing Board shall grant a special exception allowing modifications to specific requirements of this Ordinance that the applicant proves, to the satisfaction of the Zoning Hearing Board, are required under applicable federal law to provide a "reasonable accommodation" to serve persons who the applicant proves have "disabilities" as defined in and protected by such laws.
 - a. Such reasonable accommodations shall be requested in accordance with the U.S. Fair Housing Act Amendments and/or the Americans with Disabilities Act, as amended.
 - b. If the applicant is requesting a reasonable accommodation under the United States Fair Housing Amendments Act or the Americans with Disabilities Act, the applicant shall identify the disability which is protected by such statutes, the extent of the modification of the provisions of this Ordinance necessary for a reasonable accommodation, and the manner by which the reasonable accommodation requested may be removed when such person(s) with a protected disability no longer will be present on the property.
 - c. Any modification approved under this Section may be limited to the time period during which the person with disabilities occupies or utilizes the premises.

§ 215-66. Administration.

- A.** Requirements of permits. A zoning permit shall be required prior to the erection, addition, remodeling or alteration or use of any building, structure or development of land, or portion thereof, or prior to the change or extension of a nonconforming use, building or structure. It shall be unlawful for any person to commence work for or on the above until a zoning permit has been issued therefor.
- B.** Application for zoning permits.
 - 1. All applications for zoning permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, 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 information as may be necessary to determine compliance with this chapter and all other pertinent ordinances.
 - 2. One copy of such plans shall be returned to the owner when such plans are approved by the Zoning Officer. All applications with accompanying plans and documents shall become a public record after a permit is issued or denied.
- C.** 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 regulations, including performance standards as will permit the carrying out of the provisions of this chapter.
- D.** Issuance of permits. No zoning permit shall be issued until the Zoning Officer has certified that the proposed development of building, addition or alteration complies with all the provisions of this chapter.
- E.** Temporary permits. A temporary permit may be authorized by the governing body after review and comment from the Planning Commission for a nonconforming structure or use which it deems beneficial to the public health or general welfare or which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the township. Such permits shall be issued for a specified period of time not to exceed one year and may be renewed annually for an aggregate period not exceeding three years.
- F.** Certificates of Use. No building or structure hereafter constructed, erected or altered shall be occupied or used in whole or in part for any use whatsoever, and no change of use of any building or part thereof, or of any land shall hereafter be made, until an certificate has been issued by the Zoning Officer, certifying that the building or use complies with the provisions of this chapter.
- G.** Zoning appeal or variance request. An appeal or application for a variance or special exception shall be filed with the Zoning Officer and shall state:
 - 1. The name and address of the applicant.
 - 2. The name and address of the owner of the real estate to be affected by the proposed exception or variance.
 - 3. A brief description and location of the real estate to be affected by such proposed change.
 - 4. A statement of the present zoning classification of the real estate in question, the improvements thereon and the present use thereof.
 - 5. A statement of the section of this chapter under which the variance or exception requested may be allowed and reasons why it should be granted.

6. A reasonably accurate description of the present improvements and the additions intended to be made under this application, indicating the size of the proposed improvements, material and general construction thereof. In addition, there shall be attached a plat plan of the real estate to be affected, as provided in Subsection B of this section, indicating the location and size of the lot and size of improvements now erected and proposed to be erected thereon.

H. Conditional uses.

1. Application. Any party seeking approval of the conditional use shall file a written application with the Zoning Officer. The Zoning Officer shall promptly refer the application to the Loyalsock Township Planning Commission. The Commission shall review the application and submit a recommendation regarding the application to the Loyalsock Township Supervisors within 45 days of the Commission's first consideration of the application. The written application for a conditional use submitted to the Zoning Officer shall include at least the following information:
 - a. A written statement describing the tract of land and the location of the tract of land.
 - b. The present use of the tract for which the conditional use is requested.
 - c. The present use of adjoining tracts.
 - d. A brief description of the conditional use proposed and its operation.
 - e. The name and address of the applicant, the name and address of the owner of the tract, the name and address of the developer of the conditional use and the name and address of the party or organization who or which will operate the conditional use.
 - f. The site plan shall be drawn to scale sufficiently to clearly show the features of the tract and shall show:
 - 1) Title block containing the name of the developer or land owner, date, scale and the name and profession of the preparer of the plan.
 - 2) Tract boundaries showing bearing and distance.
 - 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.
 - g. Proposed building plans shall be drawn to scale showing the following:
 - 1) Floor plan of each floor of any proposed building or building to be remodeled.
 - 2) Elevation drawing of proposed buildings or existing buildings to be remodeled. If existing building is not to be changed on the exterior, pictures of the structure or building will be acceptable in lieu of elevation drawings.
2. Hearing. The Township Supervisors shall hold a public hearing pursuant to public notice to consider the application for a conditional use within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing

or on the record. The Township Supervisors shall reach a decision within 45 days after the last public hearing on the application. A copy of the final decision or, where no decision is called for, of the findings, shall be delivered to the applicant personally or mailed to them, by registered or certified mail, not later than the day following its date. In the event that the application is denied, the Township Supervisors shall give the applicant a brief, written explanation for the denial. In considering the application, the Township Supervisors shall consider at least the following:

- a. The purpose of the zone in which a requested conditional use is located, and the compatibility of the requested conditional use with existing and potential land uses on adjacent tracts of land.
 - b. Whether the specific site is an appropriate location for the use, structure or condition, taking into consideration the economic effect and compatibility and harmony with properties on adjacent tracts of land.
 - c. Whether the use developed will adversely affect the neighborhood.
 - d. Whether the use will create undue nuisance or serious hazard to vehicles or pedestrians.
 - e. Whether adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use.
 - f. The economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.
 - g. Whether satisfactory provision and arrangement have been made concerning the following:
 - 1) Ingress and egress to the property and structures thereon with particular reference to automotive and pedestrian safety and convenience traffic flow and control, and access in case of fire or catastrophe.
 - 2) Off-street parking and loading areas.
3. Reasonable conditions. Where the Township Supervisors grant an application for a conditional use, the Supervisors may attach reasonable conditions and safeguards to the approval to the extent that such reasonable conditions and safeguards are necessary to implement the purposes of the Loyalsock Township Zoning Chapter and the PMPC. Such reasonable safeguards may include, but need not be limited to, adequate provision for ingress and egress of vehicles and pedestrians, refuse and service areas, utilities, screening and buffering, signs, exterior lighting and yards and open spaces.
- I. Zoning challenges.** Any Loyalsock Township landowner with appropriate standing may challenge the validity of any provision of this chapter in the manner provided by the PMPC.
- J. Time limitations.**
1. Any party that obtains a variance approval from the Loyalsock Township Zoning Hearing Board must file an application and obtain a zoning permit within one year from the date the variance was granted, or the variance approval shall become null and void, or submit a land development plan and application when required within 1 year from the date the conditional use approval was granted
 2. The applicant may request an extension of time from the Zoning Hearing Board. Such request must be received before the end of the time limit herein established. The Zoning Hearing Board has the right to grant or deny said request for an extension of time.
 3. Any party that obtains an approval for a conditional use from the Loyalsock Township Board of

Supervisors must file an application and obtain a zoning permit within one year from the date the conditional use approval was granted by the Board of Supervisors, or such approval shall become null and void. The applicant may request an extension of time from the Board of Supervisors, which request must be received before the end of the time limit herein established. The Board of Supervisors reserves the right to grant or deny said request for an extension of time.

§ 215-67. Enforcement.

A. Enforcement. This chapter shall be enforced by the Zoning Officer of the Township. No zoning permit or certificate of use and occupancy shall be granted by him/her for any purpose except in compliance with the literal provisions of this chapter. The Zoning Officer may be authorized to institute civil enforcement proceedings as a means of enforcement when acting within his/her scope of employment.

B. Violations.

1. Failure to secure a zoning permit prior to a change in use of land or structure, or the erection, construction, or alteration of any structure or portion thereof, shall be a violation of this chapter. It shall also be a violation of this chapter to undertake other deliberate actions which are contrary to the terms of this chapter and any conditions placed upon the approval of special exceptions, variances, and conditional uses. Each day that a violation is continued shall constitute a separate offense.
2. If it appears to the Township that a violation of this chapter enacted under the Act or prior enabling laws has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in the following:

- a. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

- b. An enforcement notice shall state at least the following:

- 1) The name of the owner of record and any other person against whom the Township intends to take action;
 - 2) The location of the property in violation;
 - 3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter;
 - 4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed;
 - 5) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within the prescribed period of time and in accordance with procedures set forth in this chapter; and
 - 6) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

D. Enforcement Remedies and Penalties. Any owner, operator, or other person who violates or permits a violation of this section shall, upon being found liable therefor in a civil enforcement proceeding before a Magisterial District Judge, pay to Loyalsock Township a fine of not more than \$500, plus all court costs, including but not limited to reasonable attorney's fees incurred by Loyalsock Township on account of such violation. No penalty

or cost shall be imposed until the date the determination of the violation by the Magisterial District Judge becomes final. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment as provided by law. Each day a violation exists after final judgment shall constitute a separate offense. The amount of the fine imposed shall be multiplied by the number of such days and may be charged and collected by Loyalsock Township without further judicial proceedings. Further, the appropriate officers or agents of Loyalsock Township are hereby authorized to issue a cease-and-desist notice and/or to seek equitable relief, including injunction, to enforce compliance herewith. No bond will be required if injunctive relief is sought by Loyalsock Township. A person who violates this section shall also be responsible for Loyalsock Township's attorney's fees, engineering fees, expert fees and court costs reasonably incurred by Loyalsock Township on account of such violation.

- E. Causes of action. In case any building, structure, landscaping, or land is, or is proposed to be, erected, constructed, reconstructed, altered, repaired, converted, maintained, or used in violation of this chapter, enacted under the Act or prior enabling laws, the governing body or, with the approval of the governing body, an officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping or land or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint to the governing body of the Township. No such action may be maintained until such notice has been given.

DULY ENACTED AND ORDAINED, this 25th day of August 2026 by the Board of Supervisors of the Township of Loyalsock, Lycoming County, Pennsylvania, in lawful session duly assembled.

LOYALSOCK TOWNSHIP
BOARD OF SUPERVISORS

Paul Huns

Virginia Eaton

Don M. Tife

Michael D. Reed

Gene Bennett

ATTEST

John Hughes
Secretary

(SEAL)