

CHAPTER 20

ZONING

ARTICLE I

TITLE AND PURPOSE

History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 23, May 71, Zoning, Repealed by Ord. 41, Ordinance No. 41, October 1982, revised and restated June 10, 1998, and amended by Ordinance No. 96-5-5, 96-8-7, 97-12-11, 99-5-3, 99-8-4, 99-8-5, No. 2002-11-8, 2002-11-9, 2002-11-10, 03-06-05, and 2003-11-06. The following Ordinances were repealed by Ordinance No. 41, October 1982: Ordinance No. 23, April 1970; Ordinance No. 24A, August 1972; Ordinance No. 27, April 1979; Ordinance No. 28, February 1976; Ordinance No. 29, October 1977; Ordinance No. 30, July 1979; Ordinance No. 31, June 1979; Ordinance No. 32, June 1979; Ordinance No. 33, June 1980; Ordinance No. 35, November 1980; Ordinance No. 36, May 1981; Ordinance 38, June 1981; Ordinance No. 39, August 1981 and Ordinance No. 40, April 1982. The following Ordinances were repealed by Ordinance No. 41-9-97: Ordinance No. 43, April 1983; Ordinance No. 44, April 1983; Ordinance No. 46, December 1983; Ordinance No. 47, June 1984; Ordinance No. 48, August 1984; Ordinance No. 48A, April 1985; Ordinance No. 52, December 1985; Ordinance No. 54, June 1986; Ordinance No. 57, October 1986; Ordinance No. 59, March 1988; Ordinance No. 60, March 1988; Ordinance No. 61, March 1988; Ordinance No. 63, June 1989; Ordinance No. 64, April 1989; Ordinance No. 66, June 1989; Ordinance No. 67, March 1990; Ordinance No. 68, March 1990; Ordinance No. 69, April 1990; Ordinance No. 70, July 1990; Ordinance No. 72, July 1991; Ordinance No. 78, July 1993; Ordinance No. 72, July 1991; Ordinance No. 78, July 1993; Ordinance No. 95-12-4, December 1995; Ordinance No. 96-2-2, February 1996. The following Ordinances were repealed by Ordinance No. 41-6-98: Amendments: Ordinance No. 99-10-8, October 1999 (repealed by 2002-11-8); Ordinance No. 00-5-2, May 2000; Ordinance No. 00-5-3, May 2000; Ordinance No. 2000-7-6, July 2000; Ordinance No. 2002-11-08, November 2002; Ordinance No. 2002-11-09, November 2002; Ordinance No. 2002-11-10, November 2002; Ordinance No. 2003-06-05, June 2003; Ordinance No. 2003-11-06, November 2003; Further amended by Ordinance No. 2004-12-08, December 8, 2004; Ordinance No. 2004-12-09, December 8, 2004; Ordinance 2005-06-02, June 8, 2005; Ordinance No. 2005-06-03, June 8, 2005; Ordinance No. 2005-12-05, December 14, 2005, Ordinance No. 2007-02-02, February 14, 2007, Ordinance No. 2007-02-03, February 14, 2007, Ordinance No. 2007-04-06, April 11, 2007, Ordinance No. 2008-06-03, June 11, 2008, Ordinance 2010-11-02, November 8, 2010, Ordinance No. 2010-11-04, November 8, 2010, Ordinance No. 2011-12-05, December 14, 2011, Ordinance No. 2012-03-01, March 14, 2012, Ordinance No. 2013-03-03, March 13, 2013, Ordinance No. 2014-04-01, April 9, 2014 and Ordinance No. 2014-04-02, April 9, 2014, Ordinance 2015-05-02, May 13, 2015, Ordinance No. 2016-04-02, April 13, 2016, Ordinance No. 2017-03-02, March 8, 2017, Ordinance No. 2021-03-01, March 8, 2021 Ordinance No. 2021-08-03, August 11, 2021 and by Ordinance No. 2022-06-04, June 8, 2022.

§20-101. Short Title

This Chapter shall be known and may be cited as the Township of Center Zoning Chapter.

§20-102. Community Development Objectives

- A. The Township of Center has enacted in 1971, frequently amended, and subsequently rewritten, a zoning chapter of which this statement is a part, in accordance with the Pennsylvania Municipalities Planning Code, as amended, and various local goals and objectives. The adoption and enforcement of this Chapter, and its amendments, is intended to provide the Township with procedures which will assist in directing its growth and development in accordance with local needs and desires.
- B. Pertinent local goals which this Chapter is intended to bring to fruition relate to such factors as land use, streets and traffic and other community facilities and utilities and the protection of existing development.
- C. More specifically, it is intended to:
 - 1. Create a pattern of land uses which are compatible, where a suitable environment may be created for agricultural, residential, commercial and industrial functions. The protection of present and future agricultural and residential areas is a prime concern; as well as the preservation and protection of lands which are considered desirable and suitable for commercial and industrial uses, but not those industrial uses which will emit nuisances which would have an adverse effect on any part of the Township.
 - 2. Maintain a density of population which can feasibly be served by the streets and other public facilities which presently exist or can reasonably be provided by the Township.
 - 3. Direct the types of development and the intensity of development in such a manner as will not place an unreasonable burden on the capacity of local streets and other public facilities.
 - 4. Preserve the character, appearance and integrity of the Township in keeping with the present pattern and character of development.
 - 5. Encourage the growth and development

of the Township, including the expansion of commercial and industrial activities.

§20-103. Scope of Regulations

This Zoning Chapter is intended to:

- A. Establish Zoning Districts and to regulate therein the use of land and structures for residential, commercial, agricultural and other purposes.
- B. Regulate the location, height, bulk and size of buildings and structures, the size of yards and open spaces, the percentage of a lot which may be occupied by buildings and structures and the density of population.

§20-104. Purposes of this Chapter

This Chapter is deemed necessary to achieve the following purposes:

- A. To promote, protect and facilitate the following: the public health, safety, morals, general welfare; coordinated and practical Township government; desirable density of population; emergency management; disaster evacuation; the provisions of adequate light and air; police protection; vehicle parking and loading space; water; sewage; transportation; schools; public grounds and other public requirements.
- B. To prevent the following: overcrowding of the land; blight; danger; congestion in travel and transportation; and loss of health, life or property from fire, flood, panic or other dangers.

ARTICLE II
DEFINITIONS

History: amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-201. General Rules

For the purpose of this Chapter, certain terms and words used herein are defined as follows:

- A. Words used in the present tense include the future tense.
- B. The particular shall control the general.
- C. The singular number includes the plural, and the plural number includes the singular.
- D. The word PERSON or the word DEVELOPER includes a firm, association, partnership, trust, company or corporation, as well as an individual.
- E. The word SHALL is mandatory, the word MAY is permissive.
- F. The word LOT includes "plot", "piece" or "parcel" of land.
- G. The words USED or OCCUPIED include the words "intended, arranged, maintained or designed to be used or occupied."
- H. Words generally found in legal terminology shall be considered to have meanings in this Chapter similar to their generally held definitions in a Court of Law.

§20-202. Specific Definitions

ACCESS AISLE: The drive within a parking lot directly abutting parking spaces and designed to provide a connection between the spaces and the public street or an access street.

ACCESS STREET, LANE OR DRIVE: A vehicular way on private property designed to provide connection between the public street and activities within the property.

ACCESSORY STRUCTURE: A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. (See Figure #1, Appendix B)

ACCESSORY USE: A use customarily incidental and subordinate to the principal use of a building and located on the same lot with such principal use or building, including but not limited to, garages,

carports, storage sheds, animal shelters and runs.

ADULT ENTERTAINMENT ESTABLISHMENT: Any establishment dealing in sexually-oriented material, services and/or entertainment.

AGENT OR OWNER: Any person who can show written proof that he/she has authority to act in behalf of the property owner.

AGRICULTURAL OPERATION: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AIRBNB: See short term rental

ALLEY: A permanent public service way providing only secondary means of access to abutting properties.

ALTERATIONS: Any change in supporting members both interior and exterior of a building, except such change as may be required for its safety and addition to a building, any change in use from one district classification to another or removal of a building from one location to another.

AMENDMENT: A change in this Chapter, including addition of new requirements, revision of existing requirements or deletion of obsolete requirements, necessitating public hearings and other approvals before becoming effective.

ANIMAL HOSPITAL: A place where animals or pets are given medical or surgical treatment, and are cared for during the time of such treatment.

ANTENNA: An apparatus, external to, or attached to the exterior of a building or structure, together with any supporting structure, used to transmit and/or receive electromagnetic radiation only in the microwave and/or radio wave portion or the electromagnetic spectrum between terrestrially or orbitally based structures.

ANTENNA, SATELLITE DISH: A device incorporating

a reflective surface that is solid, open mesh or bar configured, and is the shape of a satellite dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally-based sources.

APARTMENT: A room or suite of rooms in a building containing at least one (1) other dwelling unit, with its own cooking, bathing and toilet facilities and access directly or via a common hall to the outside.

APPEAL: A plea to a higher body on the part of a person who contends he has been aggrieved as the result of a decision of a lower board, commission or individual charged with making the decision he is contending.

APPLICANT: A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

AREA, BUILDING: The total of areas taken on a horizontal plane at the main level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

AREA, NET SIZE: The total area, within the property lines of a project, excluding external streets.

AUTOMATIC SPRINKLER SYSTEM: As defined by the most recent applicable standard adopted by the Pennsylvania Uniform Construction Code.

BARN: A building, accessory to a farm, which is used for storing hay, grain, etc. and often for livestock

BASEMENT: A story partly underground but having less than half of its clear height below finished grade. A basement can be used for dwelling purposes.

BED and BREAKFAST (BnB): An owner-occupied single-family dwelling that contains not more than six (6) guest bedrooms in which lodging, for up to thirty (30) days is provided for

compensation and in which meals for lodgers may also be provided. Some have private in suite bathrooms while others require their guests to share communal bathrooms. This shall not include group homes.

BILLBOARD: An off-premises sign owned by a person, corporation or other entity that advertises an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which the sign is located.

BOARDING HOUSE: A dwelling other than a hotel, wherein more than three (3) people are sheltered and fed for profit.

BOUNDARY: A line, usually a property or street right-of-way line or the centerline of a recognizable physical feature, such as a highway, stream or railroad, that demarcates the edge of a district or area.

BUILDING: An occupied structure with walls and a roof within which individuals live or customarily work.

BUILDING CODE OFFICIAL: A construction code official, or the building code official's designee, who manages, supervises and administers building code enforcement activities under Section 401.7(a)(18) (relating to certification category specifications) of the PA Uniform Construction Code.

BUILDING COVERAGE: The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory structures on a lot to the total lot area. (See Figure #2, Appendix B)

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the building site on which the building is situated.

BUILDING LINES: A line enclosing the area of any property or lot within which construction can occur as determined by the yard requirements for the zoning district in which the property or lot is located. (See Figure #2, Appendix B)

BUILDING LOT: A piece of land in single ownership suitable for construction; meets all requirements of this Chapter and other applicable requirements relative to development and allowing such proposed construction to commence.

BUILDING PERMIT: Documentation attesting that

a proposal for construction meets all requirements of this Chapter and other applicable requirements relative to development and allowing such proposed construction to commence.

CAMPER: An individual who is temporarily residing in a campground, on a campsite, in a camping unit.

CAMPGROUND: A property, under single ownership, upon which two (2) or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes.

CAMPING UNIT: Any commercially-manufactured tent, trailer, cabin, lean-to, or recreational vehicle, established, or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.

CAMPSITE: Any plot of ground within a campground intended for exclusive occupancy by a camping unit or units, under the control of a camper.

CARTWAY: The paved area of a street between the curbs, including travel lanes and parking areas but not including shoulders, curbs, sidewalks, or swales. (See Figure #3, Appendix B)

CELLAR: A room mostly underground and having more than half of its clear height below finished grade. This room will not count as a story nor can it be used for a dwelling. (See Figure # 4, Appendix B)

CEMETERY: Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes.

CENTERLINE: An imaginary line running parallel to street or easement right-of-way lines and equidistant from the lines of each side of the street or easement, or a line following the center of a physical feature, such as a stream.

CHANGEABLE LETTER SIGN: A sign designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign.

CHILD CARE/DAY CARE CENTER: Any place, home or institution which cares for less than six (6) children under sixteen (16) years of age, apart from their parents, guardians or custodians for regular periods of time, for compensation.

CHILD CARE/DAY CARE CENTER, LARGE: Any

place, home or institution which cares for six (6) or more children, not related by blood or marriage, under sixteen (16) years of age, apart from their parents, guardians or custodians for regular periods of time, for compensation, and licensed by the appropriate State and County agencies.

CLEAR SIGHT TRIANGLE: A triangular area of unobstructed vision at street intersections, having as its sides, two (2) perpendicular street lines, and a line established between a point on each street line a given distance from the intersection. (See Figure #5, Exhibit B)

CLUB: An association dedicated to a particular interest or activity, including but not limited to B.Y.O.B clubs, health clubs, night clubs, social clubs, lodges, and social halls. As used herein, a "club" shall not include churches, granges, or fire departments.

CLUB, B.Y.O.B: A place of assembly, other than a private residence, not having a license to dispense alcoholic beverages issued by the Pennsylvania Liquor Control Board and in which either food, including but not limited to snack, prepackaged condiments, candy, sandwiches, or nonalcoholic drinks are served and consumed whether sold or offered gratis and where patrons are permitted to bring and/or consume alcoholic beverages.

CLUB, COMMUNITY: A non-profit civic, social, recreational or cultural organization chartered under laws of the Commonwealth, but not including residential accommodations.

CLUB, HEALTH: A membership organization having exercise facilities and also offering health and beauty treatments.

CLUB HOUSE: A noncommercial building operated by and for its members and providing facilities for the use of members and their guests, but not including resident accommodations except for the manager and his family.

CLUB, NIGHT: A place of assembly, other than a private residence facility, offering food and/or drink and entertainment, either live or recorded, and characterized by low light levels and closely packed tables, whether or not the consumption of alcoholic beverages is permitted or allowed on the premises.

CLUB, SOCIAL: A place of assembly, other than a private residence facility, and other than a B.Y.O.B club, and other than a night club, where alcohol is consumed.

COLOCATION: Used in conjunction with Communications Facilities, is the shared use of an existing building or structure by one or more utilities, point-to-point commercial communications companies or essential services.

COMMERCIAL RECREATION: Recreational facilities that are operated as a business and are open to the public for a fee.

COMMUNICATION ANTENNA: A device attached to a building, structure or Communications Tower, principally intended for receipt or transmission of signals for such uses as commercial or public VHF or UHF television, AM or FM radio, two-way radio, commercial carriers, cellular telephone, fixed-point microwave or lower power television, including accessory equipment related to the communication applications. Not included are antennae for private, noncommercial and amateur purposes, including, but not limited to, ham radios and citizens band radios.

COMMUNICATION FACILITY: Any communications building, structure, tower or antenna operated by any person, agency or corporation not otherwise a public utility regulated by the Pennsylvania Public Utilities Commission (PUC), who or which provides any type of communications services.

COMMUNICATION TOWER: A freestanding structure, including any guy wires, principally intended to support facilities for receipt or transmission of signals for uses such as commercial or public VHF or UHF television, AM or FM radio, two-way radio, commercial carriers, cellular telephone, fixed-point microwave, low power television including accessory equipment related to the communication application. NOT INCLUDED, are towers and supportive structures for private, noncommercial and amateur purposes, including, but not limited to, ham radios and citizen band radios.

COMPREHENSIVE PLAN: A document based on study and analysis of a municipality, projecting growth and change and recommending measures to cope with such growth and change.

COMPRESSOR STATION – One or more enclosed insulated buildings, housing compressor units, that are to be designed compatible with other structures in the area and designed and constructed to compress natural gas and/or oil that originates from a gas and/or oil well, or collection of such wells,

operating as a midstream facility for delivery of gas and/or oil to a transmission pipeline, distribution pipeline, processing plant or underground storage field, including one or more natural gas and/or oil compressors, associated buildings, pipes, valves, tanks and other equipment.

CONDITIONAL USE: A use permitted by this Chapter to occur on a property, provided approval in the manner prescribed by this Chapter is first received from the Planning Commission and the Board of Supervisors.

CONDOMINIUM: In accordance with the Uniform Condominium Act No. 82 of Pennsylvania, adopted July, 1980, a condominium is real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the individual interests in the common elements are vested in the unit owners. A condominium is a form of ownership and not a type of development.

CONSISTENCY: An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar, connection or relationship.

CONTAINER STORAGE AREA: An outdoor facility that contains varying sizes of individual portable reusable freight containers and/or portable reusable storage containers.

CONVALESCENT, REST OR NURSING HOME: A facility where aged, disabled or infirm persons are housed and furnished with meals and full-time nursing care for compensation.

CONVENIENCE STORE: Small retail stores servicing the neighborhood, including the sale of food, drugs, clothing, flowers, notions, hardware, confections, books, magazines, newspapers, and stationery.

CONVERSION APARTMENT: A dwelling unit established from a portion of a larger unit, containing all the facilities normally found in a dwelling, including adequate heat, light, ventilation and means of egress.

CORNER LOT: A property which abuts two (2) or more intersecting public streets. Buildings on the property must be set back the normal front yard distance for the zoning district in which such property is located from each street. The Primary front yard of the lot shall be the physical front

entrance to the primary structure on the lot. The Secondary front shall be considered as the side yard for accessory structures. The setback for the secondary front shall be the same as the front yard setback stipulated in each zoning district. (See Figure #2 and #27, Appendix B)

COURTS: A court is an unoccupied open space other than a yard, an outer court is one which extends to the street or to the front or rear yard. An inner court is usually bounded by two (2) or more attached building walls.

COVENANT: An agreement legally binding successor owners of a property to certain conditions regarding use of property stipulated by the original owner.

COVERAGE: See "Building, Coverage."

CUL-DE-SAC: A street closed at one end with a vehicular turnaround provided at the closed end.

CURB LEVEL: The officially established grade of the curb in front of the lot.

CUT: The excavation of previously undisturbed earth material in the process of grading.

DENSITY: The measure of openness or compactness per unit area relative to the number of inhabitants, dwelling units or buildings on a property.

DETACHED DWELLING: A separate structure containing only the facilities normally found in one dwelling unit and designed for occupancy by one family only.

DEVELOPER: An individual landowner, agent of such landowner, or tenant with the landowner's permission, who or which causes development to occur upon a lot and who is responsible for compliance of such development with the terms of this Chapter and other municipal regulations.

DEVELOPMENT: Any arrangement of a structure or structures upon a property, including rearrangement of the land surface and the provision of necessary circulation ways, utilities and other elements to support the uses of the structures.

DEVELOPMENT PLAN: A proposal in text and drawings setting forth how and in what sequence a property or group of properties are to be improved.

DISTRICT: A district or a zone shall be any portion of the territory of the Township within which certain

uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.

DOUBLE FRONTAGE (THROUGH) LOT: A lot whose front and rear yards abut public streets, one of which may be an alley. (See Figure #18, Appendix B)

DRAINAGE WAY: A depression across the ground surface that collects water runoff from surrounding land and carries it to a larger stream, or an underground pipe serving the same purpose.

DRIVEWAY: A private roadway providing access to a street or highway for a single-family residential lot. (See Figure #7, Appendix B)

DUPLEX: A dwelling unit in a structure designed for two (2) such units, whether side by side or one above the other, with each unit having separate access to the outside.

DWELLING: A building designed exclusively for residential purposes for one or more families on a permanent basis.

DWELLING, MULTIPLE: A building used, or designed as, a residence for two (2) or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats, group houses, garden apartments, townhouses and condominiums.

DWELLING, SINGLE-FAMILY DETACHED: A building designed for or occupied exclusively by one (1) family and containing not more than one (1) dwelling unit. (See Figure #8, Appendix B)

DWELLING, SINGLE-FAMILY SEMI-DETACHED: A one-family dwelling attached to one (1) other one-family dwelling by a common vertical wall, with each dwelling located on a separate lot. (See Figure #9, Appendix B)

DWELLING UNIT: A dwelling, or portion thereof, providing complete living facilities for one family.

DYNAMIC DISPLAY: Any characteristics of a sign that appear to have movement or that appear to change, caused by a method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to

physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign to present a series of images or displays.

EARTH SHELTERED HOME: An earth sheltered home is a solar home with three (3) sides and the roof of the home covered by insulating earth with the fourth (4th) side having a south-facing windowed wall to collect the sun's rays.

EASEMENT: A grant of use across private property, generally for public utility lines, or for access to other properties beyond, or for any specified use, which is guaranteed by the grantor and his successors to those using the easement.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities, municipal and/or governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution system, collection, communications, supply or disposal systems and their required buildings. Essential services do not include public or private incinerators, landfills or similar waste disposal facilities.

ESTABLISHED GRADE: The elevation of the centerline of the streets as officially established by the Township Engineer.

EVENT/WEDDING BARN: A permanent existing structure that was previously used as a barn and is fully or partially repurposed as a venue for weddings, receptions, and other gatherings, or a permanent structure that is currently being used as a barn and which is sometimes used as a venue for weddings, receptions, and other gatherings, to include birthday parties, retirement parties, anniversary parties, graduation parties, formal dinners, business engagements. Fraternity and/or sorority parties prohibited.

EXCAVATION: The removal of earth or mineral material on or from a site or when such removal is necessary to prepare the site to receive structures.

EXTRACTIVE INDUSTRY: The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and flotation; and other preparation

customarily done at the extraction site or as part of the extractive activity.

FAMILY: One (1) or more persons who live together in one (1) dwelling unit and maintain a common household; or a single person, or two (2) or more persons whether or not related by blood, marriage, or adoption, including domestic servants and gratuitous guests; or any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C.3601 et. Seq., as now or hereafter amended) living together in a group arrangement with supervision, provided that those persons do not have a criminal record.

FENCE: Any outdoor barrier of either natural living vegetation or composed of fabricated materials which acts as an obstruction to vision or a physical barrier.

FILL: Earth material excavated from elsewhere and deposited upon undisturbed earth during the process of grading.

FINAL APPROVAL: Acknowledgment by Center Township that all procedures required prior to acceptance of a development proposal have been successfully completed and that Center Township agrees to the carrying out of the proposal as presented.

FLAG LOT: A parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon, which has frontage on a public or private street by a narrow strip of land, not less than fifty feet (50') wide. The building line of such lot shall be measured from the point where the lot widens, as measured from the right-of-way. (See Figures #10 and #18, Appendix B)

FLEA MARKET: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public. Long term or permanent flea markets shall be required to submit a land development plan for review as per Section 14-403 of Chapter 14.

FLOOD: A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD FRINGE: The portion of the one hundred (100) year floodplain outside the floodway and as defined by the Flood Hazard Boundary Maps prepared by the Federal Emergency Management

Agency (FEMA).

FLOODPLAIN: The channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater. (See Figure #11, Appendix B)

FLOODPLAIN MANAGEMENT ACT OF 1978: A State Law (Act 166) which assigns a variety of duties and responsibilities to both the State and local governments.

FLOODWAY: The channel of a river or other water course and the adjacent land area that must be reserved to discharge a one hundred (100) year flood and as defined by the Flood Hazard Maps prepared by the Federal Emergency Management Agency (FEMA).

FLOOR AREA: The total area, measured from the inside faces of exterior walls, of all floors of a building above the ground level or with any direct, at-grade access to ground level.

FOOT-CANDLE: The unit of illumination produced on a surface, all points of which are one (1) foot from a uniform source of one (1) candle. (See Figure #12, Appendix B)

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.

FRONT BUILDING LINE: An imaginary line across the front of a property between side property lines parallel to the street right-of-way line and the distance from it is the depth of the required front yard setback for the zoning district in which the property is located. (See Figure #2, Appendix B)

FRONT LOT LINE: An imaginary line describing the limits of a property along the street right-of-way to which the property has access. (See Figure #2, Appendix B)

FRONTAGE: The distance between side property lines of any property, measured along the right-of-way line of the streets to which the property has access. For parcels/lots on a cul-de-sac circle, the required frontage shall be measured at the setback line, but shall not be less than seventy-five feet (75').

FUTURE GROWTH AREA: An area of a municipal or

multimunicipal plan outside of and adjacent to a designated growth area where residential, commercial, industrial and institutional uses and development are permitted or planned at varying densities and public infrastructure services may or may not be provided, but future development at greater densities is planned to accompany the orderly extension and provision of public infrastructure services.

GARAGE APARTMENT: An accessory dwelling unit (ADU) that consists of a garage on one side and a dwelling unit next to or on top of the garage.

GARAGE, PRIVATE: A building or structure which is accessory to the principal dwelling which provides for the storage of motor vehicles of the family or families residing on the premises and in which no occupation, business or service for profit is conducted.

GARAGE, PUBLIC: A garage conducted as a business. The rental of storage space for more than two (2) cars not owned on the premises shall be deemed a business use.

GARAGE, STORAGE: A building, not a private or public garage, one (1) story in height, used solely for the storage of motor vehicles, other than trucks, but not for the service or repair thereof, nor for the sale of fuel, accessories, or supplies.

GARDEN APARTMENT: One or more two- or three-story, multifamily structures, generally built at a gross density of ten (10) to fifteen (15) dwelling units per acre, with each structure containing eight (8) to twenty (20) dwelling units and including related off-street parking, open space and recreation. (See Figure #13, Appendix B)

GOVERNING BODY: The Supervisors of the Township of Center.

GRADING: The process of changing the natural surface of the land in order to carry out a development plan.

GROSS ACREAGE: The total area within the lot lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such lot or parcel, and does not include adjacent lands already dedicated for such purposes. (See Figure #14, Appendix B)

GROSS LEASABLE AREA: The enclosed buildings' area of a Shopping Center, exclusive of all common

area, such as enclosed pedestrian malls, hallways, walkways, public restrooms, open-area garden facilities, maintenance rooms, utility rooms and other areas of like and similar nature.

GROUP RESIDENTIAL FACILITY: A structure or structures providing residence for a group of senior citizens, fifty-five (55) years of age or older, with central or private kitchen, dining and recreational facilities, with separate bedrooms and/or living quarters.

HAZARDOUS WASTE: Any material, or combination of materials, or chemicals, liquid, solid, gas, powder, or other, which because of its quality, concentration or physical, chemical, or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or pose a substantial present or potential hazard to human health or the environment.

HEALTH AUTHORITY: The legally designated health authority of Pennsylvania. (Pennsylvania Health Department)

HEIGHT: The vertical distance along the wall of a building measured between the average of the highest and lowest elevation at ground level on the front or rear facade, whichever has the lower ground elevations, and the top of the parapet on a flat roof building or halfway between eave and highest ridge line on a sloped roof building, except that chimneys, stacks, steeples, etc., shall not be considered in measuring height. (See Figure #15, Appendix B)

HIGH-RISE: A building of five (5) or more stories. (See Figure #16, Appendix B)

HIGHWAY: A major street for all-weather use providing connection between areas a considerable distance apart.

HOME OCCUPATIONS: The accessory use of a residence, involving the conduct of an art or profession, the offering of a service, the conduct of a business or the production of handicrafts, on a residential site. The use shall be incidental and secondary to the use of the dwelling for residential purposes and shall not change the character of the residential use, or adversely affect the uses permitted in the residential district of which it is a part.

HOSPITAL: Any premises having an organized medical staff and providing services primarily for

inpatient care for two or more individuals who require definitive diagnosis and/or treatment for illness, injury or other disability or during or after pregnancy, and which also regularly makes available at least clinical services, diagnostic x-ray services and definitive clinical treatment services. The term shall include such premises providing either diagnosis or treatment, or both, for specific illnesses or conditions. The term shall also include outpatient hospital services. The term shall not include a mental health facility, a group home, or a similar facility.

HOTELS: A place that provides lodgings or sleeping accommodation for overnight or extended stays. May provided restaurants, bars, laundry service, fitness centers, swimming pools and conference rooms. Entrance is through the central lobby.

IMPERVIOUS SURFACE: Any hard-surfaced, man-made area that does not readily absorb or retain water, including, but not limited to, building roofs, parking and driveway areas, sidewalks and paved recreational facilities. (See Figure #17, Appendix B)

IMPOUNDMENT AREAS – An earthen depression, excavation, pit or facility situated in or upon the ground, used to store water or other fluids related to Oil and Gas Operations.

JUNKYARD: A use of any yard space of a parcel for the storage, dismantling or abandonment of scrap metal, automobiles, other motor vehicles, machinery or parts thereof, including the sale of such used items.

LAND DEVELOPMENT: Any of the following activities:

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

or other features.

- B. A subdivision of land.
- C. Development in accordance with Section 503 (1.1) of the Municipalities Planning Code.

LANDFILL: The placing of earth materials obtained elsewhere upon the land surface when such activity is not in preparation of a site to receive structures.

LANDFILL, MUNICIPAL WASTE: Any facility that is designed, operated or maintained for the disposal of municipal waste. Such facility shall have a permit as required by the Solid Waste Management Act.

LETTER OF AGREEMENT: An understanding with legal force between two (2) parties in which concessions are made by one (1) party provided the second party meets certain specified conditions or compensates the first party.

LICENSE: Written approval, in whatever form, as issued by the Township of Center, authorizing a person to operate and maintain a manufactured home park.

LIQUID WASTE: Any liquid other than potable water including but not limited to industrial wastes such as oil and natural gas production byproducts, municipal waste, chemical wastes, agricultural wastes, radioactive water and other types of coolants.

LOADING AREA: An area of a property on which activities are of such a nature to require continuous receiving and/or shipping of goods, such area to be used exclusively for loading and not to interfere with other vehicular or pedestrian circulation on the property.

LOT: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. (See Figure #18, Appendix B)

LOT, CORNER: See "Corner Lot."

LOT COVERAGE: That portion of any lot covered by any and all impervious surfaces.

LOT, DEPTH OF: The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE: See "Double Frontage (Through) Lot."

LOT, INTERIOR: A lot other than a corner lot.

LOT, WIDTH: The mean width measured at right angles to the depth.

LOT FRONTAGE: See "Frontage."

LOT LINES: Any line dividing one lot from another. (See Figure #2, Appendix B)

MANUFACTURED HOME: Homes defined as "Manufactured Housing" under the Pennsylvania Uniform Construction Code (Act 45). (See Chapter 2)

MANUFACTURED HOUSING: Any factory-built single-family structure, including mobile and modular homes, manufactured under the authority of the National Manufactured Home Construction and Safety Standards Act, is transportable in sections, or built on a permanent chassis and titled, and is used as a place of human habitation.

MEDIATION: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MINERALS: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, and gravel, rock and stone, earth fill, slag, iron ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again 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.

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

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOTOR VEHICLE: A vehicle designed to be self-propelled or towed by a vehicle that is self-propelled, but not including mobile homes or manufactured housing.

NATURAL GAS PROCESSING PLANT - A facility designed and constructed to remove materials such as ethane, propane, butane and other constituents or similar substances from natural gas, to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that are/is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas, including dew point control facilities.

MOTELS: Also known as a motor hotel, motor inn or motor lodge. Each room entered directly from the parking area rather than through a central lobby. May or may not offer restaurants, or other amenities. Typically used for overnight stays for the traveling public.

NET ACREAGE: That land remaining on a parcel or tract following the subtraction of areas identified as rights-of-way, easements, stormwater management facilities and systems, and land classified as a wetland.

NET DENSITY: The maximum number of dwelling units which can be built on a parcel or tract of land after subtracting land used for rights-of-way, easements, stormwater management facilities and systems, and land classified as a wetland, floodplain or in excess of twenty-five percent (25%) slope.

NONCONFORMING LOT: A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning chapter, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE: A structure, or part of a structure, which does not comply with the applicable use or extent of use provisions of this Chapter, or amendment, heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such regulations or amendment or prior to the application of such 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 such regulation or amendment or prior to the application of such regulation or amendment to its location by reason of annexation.

NONPROFIT ORGANIZATION: Any social, service, charitable or educational organization or institution which derives its funds mainly from public and private donations and uses them for the objects and purposes of the organization/institution.

NURSERY SCHOOL: Any facility operated to provide regular instruction and day time care for two (2) or more children under six (6) years of age.

OCCUPANCY PERMIT: A certificate issued by the Zoning/Code Enforcement Officer attesting to the fact that all requirements of this Chapter have been met and that the construction for which the permit applies is substantially complete and may be occupied.

OCCUPY: To utilize a property for its intended and approved permanent use.

OFF-STREET PARKING: A paved or gravel area wholly outside any public right-of-way, constructed to accommodate the storage of vehicles as required by this Chapter and connected to a public street by a driveway or access aisle.

OIL AND GAS – Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling a well of any depth into, through and below the surface of the earth.

OIL AND GAS EXTRACTION: The well site preparation, construction, drilling, redrilling hydraulic fracturing, and/or site restoration associated with an oil or gas well of any depth (whether for crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well) water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or

facilities performing the equivalent functions.

OIL AND GAS OPERATIONS: The term includes the following: well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth; water and other fluid storage or impoundment areas used exclusively for oil and gas operations; construction, installation, use, maintenance and repair of oil and gas pipelines, natural gas compressor stations and natural gas processing plants or facilities performing equivalent functions; and construction, installation, use, maintenance and repair of all equipment directly associated with activities specified herein to the extent that: the equipment is necessarily located at or immediately adjacent to a well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant and the activities are authorized and permitted under the authority of a Federal or Commonwealth agency.

ON-LOT SEPTIC SYSTEM: An underground system with or without a septic tank used for the decomposition of domestic waste, produced and located on the same lot. (See Figure #19, Appendix B)

OPERATOR - Any person, partnership, company, corporation and its subcontractors and agents who has an interest in real estate for the purpose of exploring or drilling for, producing, or transporting oil & gas.

OUTPATIENT HOSPITAL SERVICES: An organizational unit of a hospital which is designed to support the non-emergency health care services to patients who do not remain in the hospital overnight; the term includes a short-term procedure when applicable.

OVERLAY ZONE: Zoning districts that extend on top of one or more underlying base zoning districts and are intended to protect certain critical features and resources or to achieve a narrow planning objective.

PARAPET: A low wall projecting above the roof of a flat-roofed building, usually as an extension of the side walls.

PARKING AREA: Any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets. (See Figure #20, Appendix B)

PARKING SPACE: An area meeting the requirements of this Chapter for the storage of one (1) vehicle off the street and adjacent to a driveway or access lane.

PATIO: A paved, at-grade open area without a permanent covering, no part of which shall be greater than three feet (3') above surrounding ground level.

PERFORMANCE BOND: A guarantee, backed by monies held in escrow, that a contractor will complete an improvement in accordance with specifications established by Center Township.

PERMITTED USE: An activity which is expressly allowed to occur on a property because of the property's location in a particular zoned district.

PERSON: Any individual, firm, trust, partnership, public or private association or corporation, or other entity.

PLANNING COMMISSION: A board of residents appointed by the Board Of Township Supervisors of Center Township to carry out certain activities, specified by legislative action, in connection with guiding growth and change in Center Township for the best interests of all the residents.

PORCH: A structure, open on three (3) sides except for screening. A porch shall not be considered open if enclosed by either a permanent or detachable glass sash.

PRESERVATION OR PROTECTION: When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

PRIME AGRICULTURAL LAND: Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United State Department of Agriculture natural resource and conservation services county soil survey.

PRINCIPAL STRUCTURE: The structure on a property containing the principal use and thus making all other buildings on the property accessory. (See Figure #1, Appendix B)

PRINCIPAL USE: The single primary or predominant use to which a property is or may be devoted and to which all other uses on the property

are accessory.

PROFESSIONAL OFFICES: Offices of recognized professionals such as doctors, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers and others who, through training, are qualified to perform services of a professional nature. No retail sales of merchandise shall be permitted.

PROPERTY: A tract of contiguous land surface, all sections of which are in the same ownership, surrounded by a boundary that closes on itself.

PROPERTY LINE: All or a part of the boundary describing the limits of a property.

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

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

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. 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 thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

PUBLIC STREET: See Street.

PUBLIC UTILITY: A service distributing water, gas, electricity, etc., or collecting sewage by means of a network of overhead or underground lines and requiring pumping, regulating, transforming, switching and other devices at various locations to maintain efficiency of the system, provided by a publicly-regulated utility.

QUADRAPLEX: Four (4) attached dwellings in one (1) building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with adjoining unit or units. (See Figure #21, Appendix B)

RECORDED STREET: A street within a development plan that has been recorded as a part of the plan.

RECREATIONAL VEHICLE: A single axle, or multiple axle structure, mounted on wheels, or otherwise

capable of being made mobile, either under its own power, or designed to be mounted on, or drawn by, an automotive vehicle, for the purpose of travel, camping, vacation and/or recreational use, including but not limited to travel trailers, motor homes, tent trailers, pick-up trucks and van campers, but **not** including manufactured homes.

RECREATIONAL VEHICLE PARK: Any lot or parcel of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles for temporary living quarters for recreation or vacation purposes.

REGISTERED ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER OR SURVEYOR: An individual duly registered to practice architecture, landscape architecture, civil engineering or land surveying respectively in the Commonwealth of Pennsylvania.

REQUIRED PARKING: The number of necessary off-street parking spaces to serve a specific use, generally on the same property as the use, however, if not on the same property, it is in the same ownership as detailed in Article XVI of this Chapter.

RESTAURANT: Any establishment where meals are prepared and served to customers for consumption on the premises, and where, if licensed by the Pennsylvania Liquor Control Board, alcoholic beverages may be dispensed. The sale of alcoholic beverages is only an accessory use to the principal use as a restaurant and shall not become the principal use.

RESTAURANT, DRIVE-IN: A commercial establishment where food or beverage is sold for consumption on the premises, either in a customer's vehicle or in an outside area, but not within the building.

RESTAURANT, DRIVE-THROUGH: A commercial establishment where food or beverage is provided to the customer via a drive-up window without the need for the customer to leave his vehicle. Limited indoor seating can also be provided. (See Figure #22, Appendix B)

RIGHT-OF-WAY: A strip of land which has been dedicated by, or to, Center Township for public use, and provides access to private property abutting it, connecting with other rights-of-way to form a vehicular and pedestrian circulation pattern in Center Township. (See Figure #3, Appendix B)

ROOF LINE: The juncture of the roof and the

perimeter wall of the structure.

SCHOOL: An educational institution, either public or private, having regular classes with employed instructors, and providing general education and instruction on a variety of subjects to students.

SCREENING REQUIREMENTS: A means to shield residential properties from abutting commercial or industrial activities in order to preserve the residential values from downgrading influences created as a result of the commercial or industrial operations.

SELF-STORAGE FACILITY: A building or group of buildings in a controlled access, and usually fenced, compound that contains varying sizes of individual, compartmentalized and controlled access rooms, stalls or lockers for the storage of the customer's goods or belongings.

SELF-STORAGE, CLIMATE CONTROLLED, FACILITY: A storage facility that is located inside a building that is climate controlled and contains varying sizes of individual, compartmentalized and controlled access to rooms, stalls, lockers used for the storage of customer goods or belongings.

SEMI-PUBLIC: Any activity that is operated for the benefit of a membership group on a non-profit basis and does not rely on public funds for its operation.

SERVICE OR RECREATIONAL BUILDING: A structure housing operational office, recreational, park maintenance and other facilities built to conform to required Township standards.

SETBACK: A distance for each zoning district established by this Chapter measured from any property line and a parallel line within the property, describing the limit of the structure on the property and defining the required front, side and rear yards. (See Figure #2, Appendix B)

SHIPPING CONTAINER: A metal container, eight (8') feet wide and up to forty (40') feet in length. May be used for storage or as a tiny house. May have multiple units attached together to form a multi-level or single level family residence.

SHOPPING CENTER: Groups of retail and service businesses in the same or adjacent buildings with shared customer, employee and service parking on the same property.

SHORT-TERM RENTAL: The rental of any structure or any portion of any structure for

occupancy, dwelling, lodging, or sleeping purposes for at least two consecutive nights, but no more than sixty (60) consecutive calendar days in duration. Property owners do not typically reside in the structure.

SIDE PROPERTY LINE: The lines on each side of a property intersecting the front and rear property lines.

SIGN: Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing, to advertise, announce the purpose of, identify or to communicate information of any kind to the public.

SIGN, AREA: The entire face of a sign, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. (See Figure #24, Appendix B)

SIGN, AWNING: A sign painted on, or attached to, a fixed or moveable framework which is attached directly to a building wall.

SIGN, BUILDING MOUNTED: Any sign attached to any part of a building.

SIGN, CANOPY: Any sign that is part of, or attached to, an awning, canopy or other fabric or structure protective cover over a door, entrance, window or outdoor service area.

SIGN, CHANGEABLE COPY ELECTRONIC: A sign or portion of a sign, designed so that the message or copy could be changed frequently and which contains a display of letters, characters, figures, or illustrations that can be rearranged, altered, or manipulated without altering the face or surface of the sign by electrical, electromechanical, electronic or computerized process.

SIGN, CHANGEABLE LETTER: A sign designed so that characters, letters, or illuminations can be changed or rearranged without altering the face or the surface of the sign.

SIGN, CONSTRUCTION: Any sign erected on the parcel on which construction is taking place, limited to the duration of the construction, identifying the name or names of the principal contractors, architects, engineers, landscape architect, and the owner or owners, financial supporters, and sponsor(s).

SIGN, DIRECTIONAL: Signs, incidental to the principal use of the site, limited to directional

messages, principally for pedestrian or vehicular traffic, such as "one way," "entrance," "exit," "no parking," and other similar directives.

SIGN, DIRECTORY: Any sign on which the names and locations of occupants, tenants, or the use of the building is given.

SIGN, FREESTANDING: Any sign supported entirely by its own structure set in the ground and not attached to any building or other structure.

SIGN, GROUND: Any sign, other than a pole sign, in which the entire bottom is in contact with, or is within twelve (12) inches of the ground and is independent of any other structure.

SIGN, INTERNALLY-ILLUMINATED: Any sign where the source of illumination is inside the sign and light emanates through the message of the sign rather than being reflected off the surface of the sign from an external source.

SIGN, MEMORIAL OR TABLET: A sign, having an independent structure supported from grade to the bottom of the sign which may include dates, names and brief recount of historical activities.

SIGN, MONUMENT: A freestanding sign with a base affixed to the ground which measures at least two-thirds (2/3) the horizontal length of the sign.

SIGN, NONCONFORMING: Any sign that does not conform to the provisions of this Chapter.

SIGN, OFF-PREMISES: Any sign that advertises or informs, in any manner, businesses, services, goods, person, or events, at some location other than that upon which the sign is located, including billboards.

SIGN, POLITICAL: A temporary sign directly associated with local, state or national elections.

SIGN, PORTABLE: A sign that is not permanently affixed to a structure or the ground, and can be easily moved. (See Freestanding Sign)

SIGN, PROJECTING: A sign that is wholly or partly dependent upon a building for support and that projects more than twelve (12) inches from such building.

SIGN, REAL ESTATE: Any sign which is used to offer for sale, lease or rent, the property upon which the sign is placed.

SIGN, SNIPE: Any sign of any size, made of any material, including paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted,

pasted, glued, or otherwise attached to trees, poles, fences, or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

SIGN, TEMPORARY: Any sign which is intended to remain on the property where it is placed, and advertising an activity for that property only, for a period of not more than thirty (30) days.

SIGN, VIDEO DISPLAY: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SIGN, WALL: Any sign fastened to a wall and which does not project more than twelve (12) inches from the building.

SIGN, WINDOW: A sign affixed to the interior or exterior of a window or placed immediately behind a window pane and is exposed to public view.

SITE: A parcel or parcels of land, intended to have one or more buildings or intended to be subdivided into one or more lots.

SLOPE: The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees. (See Figure #25, Appendix B)

SPECIAL EXCEPTION: A use of property which may be granted by the Zoning Hearing Board, provided certain standards and criteria, determined by the Board, are met to assure that the proposed use on the particular property does not deteriorate the environment or endanger the public health and safety, and meets all other applicable requirements of this Chapter.

STORMWATER RUNOFF: The flow of stormwater and/or snow melt from higher to lower elevations across the land surface or within conduit systems.

STORY: That portion of a building included between the surface of any floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STORY, HALF: A story under a gable, hip or gambrel roof, the wall plates of which are on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story.

STREET: A public or recorded private thoroughfare which affords the principal means of access to abutting property. Includes road, avenue, boulevard, highway, freeway.

STREET, CENTERLINE OF: A line midway between and parallel to the two (2) street or property lines, or as otherwise defined by the Board of Center Township Supervisors.

STREET RIGHT-OF-WAY: The recorded strip of land containing a street and bounded by right-of-way lines. (See Figure #3, Appendix B)

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

STRUCTURE, TEMPORARY: Any building which by the type and materials, or method of its construction, is not intended to be permanent. Such temporary structures shall require a permit from the Township and the permitted time for its erection shall be determined at application, with such time not to exceed one (1) year. Such temporary structures shall be removed promptly at the expiration of the permitted time, unless an extension is granted.

SUBDIVISION: The division or redivision of a lot, tract or parcel of land by any means into two (2) 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 ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

TAVERN: A business selling alcoholic beverage for consumption on the premises.

TEMPORARY LIVING QUARTERS: A camping unit within a campground facility which may not be occupied, nor remain within the campground, for more than fourteen (14) consecutive days.

TINY HOUSE: A detached single-family dwelling unit between one hundred (100) and five hundred

ninety-nine (599) square feet that is constructed or mounted on a foundation and contains a sleeping area, bathroom, kitchen and is connected to utilities. A small dwelling unit built on a chassis is considered a recreational vehicle.

TOWNHOUSE: A dwelling unit, within a group of at least three (3) similar units fronting on a public street, attached to adjacent units at a common party wall, having direct access to the outside at ground level. (See Figure #26, Appendix B)

TOWNSHIP: Center Township, Butler County, Pennsylvania.

TRANSITIONAL DWELLING: A dwelling unit occupied by persons adjusting from institutional living to living without supervision and managed by a public or semi-public agency, recognized board, or fully-licensed applicant responsible for the occupants' care and safety. Such dwellings are utilized by organizations administering programs for foster-placed individuals, for persons recovering from addictions for those physically or mentally incapacitated at a level not requiring constant care or supervision or those at an intermediate living stage between prison or other institution and the community.

VARIANCE: A grant of relief, pursuant to the provisions of Section 20-2005 of this Chapter, by the Zoning Hearing Board permitting a developer or an owner to use a property in a manner not wholly in accordance with this Chapter because strict conformance would be an unusual hardship depriving the developer of reasonable use of the property, but specifying what modifications to strict conformance are permitted.

WALK-UP APARTMENT: A dwelling unit in a residential building of no more than three (3) stories in height containing at least three (3) such units and with access to a public street via a common hallway and stairways.

WAREHOUSE: A building, group of buildings or a room within a building used for the storage of goods which will be sold or distributed for sale at a later date.

WELL SITE – A graded pad designed and constructed for the drilling of one or more oil and gas wells.

YARD: An unoccupied space between property lines and setback lines, of dimensions as noted in the bulk and dimensional requirements of this Chapter

for each zoning district, within which enclosed buildings, or any enclosed portion thereof, cannot be constructed. (See Figure #2, Appendix B)

YARD, FRONT: The area of any property between the front lot line and front building line. On Corner lots, the primary front yard of the lot shall be the physical front entrance to the primary structure. The secondary front shall be considered as the side yard for accessory structures. The setback for the secondary front shall be the same as the front yard setback consistent with that Zoning District (See Figures #2 and #27, Appendix B)

YARD, REAR: A yard extending across the rear of a lot measured between lot lines and being the minimum horizontal distance between the rear lot lines and the rear of the principal structure or any projections other than those permitted by Section 20-403 G. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall, in all cases, be at the opposite end of the lot from the front yard. (See Figures #2 and #27, Appendix B)

YARD, REQUIRED: The open space between a lot line and the yard line within which no structure shall be located except as provided in this Chapter. (See Figure #27, Appendix B)

YARD, SIDE: A yard between the building and the side property line of the lot and extending from the lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps. (See Figures #2, and #27, Appendix B)

YURT: A yurt is supported by a lattice wall or metal frame with rafters fortified by a compression ring in the center of the roof, they are round and covered in fabric on the outside. Built permanently on a wooden platform. Most yurts are outfitted with heating, electricity, and plumbing, and have additional amenities like windows and a skylight in the central ring.

ZONING CLASSIFICATION: The combination of controls and requirements that define the activities that may occur in a zoning district.

ZONING DISTRICT: A contiguous area of land on all parts of which the same uniform controls and requirements for development apply.

ZONING DISTRICT BOUNDARY: The perimeter line

completely enclosing a zoning district.

ZONING HEARING BOARD: A board appointed by the Board of Township Supervisors to examine and decide appeals for relief from strict conformance of application of this Chapter and to hear testimony regarding the validity of any regulations upon development in the Township or regarding challenges to the decisions of the Zoning/Code Enforcement Officer.

ZONING MAP: The official map of zoning districts in Center Township, a part of this Chapter, showing precisely the boundaries and title of each zoning district.

ZONING/CODE ENFORCEMENT OFFICER: A person retained by the Township to enforce Township ordinances (codes), with power to issue permits and halt illegal operations.

ZONING CHAPTER: This Chapter and the Township's Official Zoning Map, duly ordained for the Township by its Supervisors to regulate the use of land and structures throughout the entire Township, subject to change from time to time.

ARTICLE III

ESTABLISHMENT OF ZONING DISTRICTS

§20-301. Official Zoning Map

The Township is hereby divided into zoning districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Chapter.

- A. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Supervisors and attested by the Township Secretary and shall bear the seal of the Township under the following words: "We the undersigned do hereby certify this map to be the true Official Zoning Map as adopted by the Township of Center, Butler County, Pennsylvania," together with the date of adoption of this Chapter.
- B. No change of any nature can be made to the Official Zoning Map, except in conformity with the procedures set forth in this Chapter.
- C. The Official Zoning Map, which shall be located in the Township office, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the Township.
- D. Any amendments legally adopted to change any district boundaries of the Official Zoning Map shall be noted on such map by chapter number and date of adoption of the amendment. The Official Zoning Map shall be changed to reflect the amendment within thirty (30) days of adoption.
- E. Interpretation of Zoning District Boundaries: Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
 1. Boundaries indicated as appearing to follow the centerlines of streets, highways or alleys shall be construed as following such centerlines;
 2. Boundaries indicated as appearing to follow property lines shall be construed as following such property lines;
 3. Boundaries indicated as appearing to follow Township limits shall be construed as following Township limits;

4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed as moving with the actual body of water and following the centerlines thereof;
6. Boundaries whose location cannot be determined by any of the above tests may be measured using the scale of the Official Zoning Map.
7. Conflict arising from interpretation: Where there is disagreement on the location of district boundaries, a decision shall be rendered by the Zoning/Code Enforcement Officer, with appeal from his determination made to the Zoning Hearing Board.

§20-302. Application of Zoning District Regulations

The regulations established by this Chapter within each district shall apply uniformly to each class or kind of structure or land.

- A. No building structure or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations specified in this Chapter for the district in which it is located, or unless a variance has been properly granted.
- B. No building or other structure shall hereinafter be erected or altered, to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required, in any manner contrary to the provisions of this Chapter; nor
 1. To exceed the height;
 2. To accommodate or house a greater number of families; or
 3. To occupy a greater percentage of lot area.
- C. No part of a yard or other open space, or off-street parking or loading space required adjacent to, or in connection with, any building for compliance with this Chapter, shall be included as part of a yard, open space or

off-street parking or loading space similarly required for any other building.

- D. No yard or lot existing at the time of passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements established by this Chapter.
- E. Whenever in any district established in this Chapter, a use is not specifically permitted, and an application is made by a property owner to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Zoning Hearing Board, which shall have the authority to permit or deny the proposed use. The use may be permitted if it is similar to, and compatible with, permitted uses in the district, and in no way is in conflict with the general purpose and intent of this Chapter, or any provision permitting the same, provided that the proposed use shall comply with all requirements of this Chapter, otherwise, it shall not be permitted.
- F. All territory which may hereafter be annexed to the Township shall be placed in the "R-1-A" Low Density Residential District until the Planning Commission has made a thorough study of the newly annexed area, reported its recommendations to the Board of Township Supervisors and the Board has adopted a final zoning district classification. This study and report by the Planning Commission shall be made within three (3) months of the time of annexation.

§20-303. Establishment of Zoning Districts

The Township of Center is hereby divided into eight (8) classes of core zoning districts as shown graphically on the Official Zoning Map and five (5) overlay districts. The general objectives for establishing each class of district are as follows:

- A. **Low Density Residential (R-1A) District:** This district includes areas already utilized basically as single family residential dwellings, farm lands or vacant property. Existing properties are large in size, served by secondary roads, and must be of sufficient size to support on-lot sewage disposal and private water supply.
- B. **Single Family Residential (R-1) District:** This district includes single family residential

dwellings primarily in plans with available public water and sewer facilities. On-lot septic systems and private wells exist as well, and lot sizes must take this factor into consideration.

- C. **Multi-Family Residential (R-2) District:** This residential area is served by public sanitary sewer and water systems and is located on or near a major thoroughfare with easy access to shopping areas and community facilities. It is where continued growth is expected to occur.
- D. **High Density Residential (R-3) District:** This is a residential district which presently supports apartment development and is able to facilitate concentrations of population in high rise and garden apartments and housing for the elderly due to its nearness to shopping and transportation. Utilities are readily available to service this type of development.
- E. **Retail and Service Commercial (C-1) District:** The purpose of this district is to provide reasonable standards for the development of commercial uses in areas where such uses already exist and where, due to the character of the undeveloped land, the development of commercial uses best serves the residents of the Township through sales of public conveniences.
- F. **Highway Commercial (C-2) District:** This district provides reasonable standards for the provision of highway-oriented commercial uses along major thoroughfares where such uses exist, and where feasible to expand. This district is designed to serve major highways, to minimize access roads from these major thoroughfares, to minimize traffic congestion and to provide buffer yards and screen plantings where such uses adjoin residential districts.
- G. **Light Industrial (M-1) District:** This district is intended to provide a suitable environment for certain types of commercial and industrial uses that can be located adjacent to other districts without undue harmful effects and is primarily serviced by trucks. It would be limited to uses that would minimize air pollution, noise, glare, heat, vibration, fire and safety hazards and continued traffic flow.
- H. **Heavy Industrial (M-2) District:** This district is designed to provide for more intense types of manufacturing and industrial uses and would include service by railroad sidings. This district

is designed to encourage the construction of land areas for industrial purposes and to establish reasonable standards of development.

- I. **Mineral Extraction Overlay District:** This district overlays the R-1A District and is intended to provide areas for the extraction of mineral resources, where those resources can be found, where population density is low, and development is not projected for the near future.
 - 1. Deep Mining (DM) Overlay District
 - 2. Shallow Mining (SM) Overlay District
- J. **Gateway Sign Overlay District:** The purpose of this district is to provide areas at the perimeter of the Township with frontage on collector or arterial roadways for the erection of off-premises advertising signs. (See Exhibit "A")
- K. **Core Infill Overlay District:** The purpose of this district is to identify residential and commercially zoned land which has been substantively development and projected to accommodate continued development, while establishing a health and safety buffer from surface related facilities in developing areas of the Township directly or indirectly accessible to the SR 08 Corridor.
- L. **Rural Resource Overlay District:** The purpose of this District is to identify land with low population densities, an absence of public utilities and limited development potential to accommodate well regulated resource removal with applicable health and safety criteria to protect existing development.
- M. **Economic Resource Overlay District:** The purpose of this District is to identify a suitable area in the Township for mixed professional and institutional development.
- N. **Principal Solar Energy System Overlay District:** The purpose of this District is to identify a suitable area within the Township to permit solar energy systems.

ARTICLE IV
GENERAL CONDITIONS

History: amended by Ordinance No. 2022-06-04, June 8, 2022

The following conditions and supplementary regulations shall apply inclusively to Article V through Article XII, unless specifically stated otherwise.

§20-401. Degree of Restrictiveness

The phrase "more restrictive uses" as employed in this Chapter shall mean the following:

- A. Those uses permitted in the "R-1A" Low Density Residential District are the most restrictive.
- B. All other uses are less restrictive in the order they are permitted in the zones in the following sequence, "R-1A" Low Density Residential District, "R-1" Single Family Residential District, "R-2" Multi-Family Residential District, "R-3" High Density Residential District, "C-1" Retail and Service Commercial District, "C-2" Highway Commercial District, "M-1" Light industrial District, and "M-2" Heavy Industrial District.
- C. Where a use is specifically enumerated in a less restrictive zone, such use shall not be permitted in a more restricted zone unless it is specifically enumerated as a permitted use therein.
- D. Uses Permitted in the Mineral Extraction Overlay District (MEO) shall be considered restrictive in that compliance with Section 20-1508 of this Chapter is mandated, as well as compliance with the "Surface Mining Conservation and Reclamation Act" (P.L. 1198, No. 418), the "Noncoal Surface Mining Conservation and Reclamation Act" (P.L. 1093, No. 219, the "Oil and Gas Act" (P.L. 1140, No. 223), and the Bituminous Mine Subsidence and Conservation Act" (P.L. 31, No. 1).

§20-402. Limitation of Land Use

Except as provided in this Chapter, no building or part thereof, or other structure, shall be erected, altered, added to or enlarged, nor shall any land, buildings, structures or premises be used, designed or intended to be used for any purpose other than the uses hereinafter listed as permitted in the zone in which such building or premises are located.

§20-403. Lot Requirements

- A. Existing lots of record containing less area

and/or having less lot frontage on a public street than required as a minimum for the zoning district in which the lot is located shall be considered a lot legally recorded prior to the adoption of this Chapter. These lots may be developed for any use permitted in the zoning district without application being made for a variance, provided:

- 1. The lot does not abut other properties in the same ownership.
- 2. No reduction in depth of front, side or rear yards is required. (In areas which have been changed from an "R-1A" District to an "R-1" District, the front yard of a new residence adjacent to an existing residence can
- 3. have a thirty-five foot (35') setback in lieu of the stipulated fifty-foot (50') setback.
- B. Lot frontage measurement for all proposed lots shall be measured from the street right-of-way line, but in no case shall the lot width abutting the street to which the lot has access, be less than that required in the specified zoning district.
- C. The maximum number of dwellings and principal structures on a lot shall be no more than one (1) principal structure of the principal permitted use. This principal structure shall be constructed on an undivided property or lot. This shall not apply to apartment complexes or commercial shopping centers, where permitted, under one (1) owner. This section shall also apply to municipal uses in the R-3 zoning district.
- D. Corner lots at all street intersections shall have no obstructions to vision (other than an existing building or tree) exceeding thirty (30) inches in height above the established grade of the street at the property line. No obstruction to vision shall be erected or maintained on any lot within the triangle formed by the right-of-way lines of such lot and a line drawn between points along such right-of-way lines for a distance as defined in Section 20-202. (See Appendix B Figures #3 and #5 and Standard Detail 2)
- E. Through lots in which a single lot under individual ownership extends from a street to an alley shall have its property front determined by the street which is widest, and no principal

structures and no dwelling shall be erected on the rear of such a lot.

- F. The required area, space or dimensions of any zoned lot, yard, parking area or other space shall not be reduced to less than the minimum required by this Chapter; and if already less than the minimum required by this Chapter, said area or dimension may be continued and shall not be further reduced.
- G. Projections into required yards: Chimneys, canopies, eaves, cornices, fire escapes, bay windows, balconies or covered porches may extend not more than two (2) feet into any required yard on the lot.

§20-404. Height Requirements

- A. The height limitations of this Chapter shall not apply to the following structures: Church steeples or spires, chimneys, elevator bulk heads and other mechanical equipment which is part of the principal structure, conveyors, flagpoles, silos, standpipes, elevated water tanks, derricks, public utility structures and other structures not intended for human habitation which do not exceed the height limitations of the Zoning District by more than fifteen (15) feet.
- B. Barns and other farm outbuildings on existing working farms, not intended for human habitation, shall not exceed thirty-five (35) feet in height.

§20-405. Land Development

Any developer of land proposing to construct a multi-family residential structure, or structures, or any nonresidential structure or structures, shall be required to meet all applicable standards of this Chapter, including Supplemental Regulations, Signs and Parking requirements; as well as those application and review requirements established in Chapter 14, Subdivision and Land Development regulations, as may be amended from time to time.

§20-406. Accessory Structures

- A. Residential
 - 1. Maximum permitted height shall be twenty (20) feet. (See Appendix B Figure 15)
 - 2. Minimum yard regulations for unattached accessory structures shall be in accordance with the following requirements:

- a. Accessory structures will be permitted in the front yard setback, if the parcel has a minimum of three fourths (3/4) acres.
 - b. Side yard - not less than ten (10) feet from property line.
 - c. Rear yard - not less than ten (10) feet from property line.
 - d. Distance between structures - a clear area not less than ten (10) feet must be maintained between all structures on property. This does not include a deck or patio between the principal structure and its pool.
 - e. Inground swimming pools shall meet the setback requirements stated for the principal structures in that Zoning District along with the requirements set forth in Section 20-1412.
 - f. See yard and corner lot definitions in this Chapter, Article II, Section 20-202.
- 3. A structure typically considered accessory, such as a yard shed or garage, is permitted on lots in the absence of a principal structure provided that its use be consistent with that Zoning District, and
 - a. the front yard setback shall be that of the Zoning District plus ten (10) feet; and
 - b. the maximum height of the structure shall be twenty (20) feet; and
 - c. the structure is totally enclosed; and
 - d. the structure is NOT a swimming pool.

B. Non-Residential

Conforming structures in C and M Zoning Districts shall be a maximum of thirty-five (35) feet in height.

- 1. Side yard - not less than ten (10) feet from property line.
- 2. Rear yard - not less than ten (10) feet from property line.
- 3. Distance between structures - a clear area not less than ten (10) feet must be maintained between all structures on property.

C. Structures over one thousand (1,000) square

feet must comply with Chapter 21, Stormwater Management regulations and obtain a building permit in accordance with the Uniform Construction Code.

ARTICLE V

"R-1A" LOW DENSITY RESIDENTIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-501. Purpose

It is the intent of the R-1A District to provide for low density development, and to manage the amount of residential development to maintain the rural character of the district. Typically, does not have access to water and sewer services.

§20-502. Principal Permitted Uses

- A. Single family detached dwelling used as a residence by not more than one (1) family.
- B. Manufactured homes.
- C. Churches and other places of worship, including parish houses and educational buildings.
- D. Schools, both private and public, provided such schools are located on a minimum of five (5) acres of land, except nursery schools, which may be on a minimum of one (1) acre of land.
- E. General farming, including the raising of livestock, if conducted on a minimum of five (5) acres of land.
- F. Nursery or agricultural field operations, including greenhouses and similar structures and seasonal sales of products produced on the same property.
- G. Childcare/day care center.
- H. Forestry.
- I. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- J. Home occupation as regulated in Section 20-1404

§20-503. Permitted Accessory Uses

All accessory structures shall meet the requirements of this Chapter, Article IV, Section 20-406.

- A. Garage for storage of vehicles and goods belonging to the resident.
- B. Children's playhouse, tennis or other court games, yard and garden equipment shed, home gardening or greenhouse for noncommercial

use by the residents.

- C. Swimming pools as regulated in Section 20-1412.
- D. Kennels or stables for the keeping of horses or dogs, if conducted on at least two (2) acres, plus one-half (1/2) acre for each horse over four (4) in number, or each four (4) dogs or fraction thereof over sixteen (16) in number, such premises to be kept in a condition that is not offensive to adjacent properties.
- E. Once a principal structure has been erected on a property, only two (2) accessory use structures shall be permitted. Any request for a third or more accessory structure shall be submitted to the Planning Commission for review and approval. Such structures shall meet the requirements of Section 20-406.

§20-504. Conditional Uses

- A. Public and semi-public uses as determined in accordance with the general conditions and supplemental regulations as set forth in this Chapter to include community buildings, clubs and activities of social, fraternal or recreational character, such as golf or tennis clubs, hunting and fishing preserves, parks and similar activities. (See Section 20-1508A.4 or Section 20-1508A.5, as applicable)
- B. Transitional dwellings. (See Section 20-1508A.3)
- C. Municipal landfill. (See Section 20-1508A.23)
- D. Campgrounds. (See Section 20-1414 and Section 20-1508A.25)
- E. Manufactured home park. (See Section 14-1101 of Chapter 14 and Section 20-1508A.26).
- F. Cemetery. (See Section 20-1508A.28).
- G. Communication Facility when co-location is proposed or as a stand-alone structure. (See Section 20-1508A.29 or Section 1508A.30, as applicable)
- H. Bed and Breakfast (BNB) (See 1508.A.35)
- I. Boarding House (See 1508.A.36)
- J. Event/Wedding Barn (See 1508.A.37)
- K. Single family dwelling with garage apartment. (See Section 20-1508A.38)
- L. Tiny House (See Section 20-1508A.39)

- M. Short-term Rental (See Section 20-1508A. 40)
- N. Shipping Container (See Section 20-1508A. 41)
- O. Yurt (See Section 20-1508A.39)

§20-505. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
 - 1. Front yard - Fifty (50) feet from street right-of-way line
 - 2. Rear yard - Fifty (50) feet
 - 3. Side yard - Thirty (30) feet (2 required)
 - 4. Accessory structures. (See Section 20-406 B)
- B. Minimum Lot Frontage - One hundred twenty-five (125) feet
- C. Maximum Lot Coverage: Twenty-five (25) percent
- D. Minimum Lot Area
 - 1. One (1) acre (without sanitary sewerage)
 - 2. Three-quarters (3/4) acre (with public sanitary sewerage)
- E. Maximum Building Height
 - 1. No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
 - 2. Twenty (20) feet for accessory structure. (See Appendix B Figure 15)

ARTICLE VI

"R-1" SINGLE FAMILY RESIDENTIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-601. Purpose

It is the intent of the R-1 District to provide for lower density residential development in areas environmentally suited to such development and which may have sewer and/or water service available. These areas should have adequate road accessibility. Preservation of open space and trees within a development is encouraged.

§20-602. Principal Permitted Uses

- A. Single family detached dwelling used as a residence by not more than one (1) family.
- B. Child care/day care center.
- C. Forestry.
- D. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- E. Home occupations as regulated in Section 20-1404.

§20-603. Permitted Accessory Uses

All accessory structures shall meet the requirements of this Chapter, Article IV, Section 20-406.

- A. Private garages and parking areas.
- B. Signs as regulated in Article XXI.
- C. Swimming pools as regulated in Section 20-1412.
- D. Children's playhouse, tennis and other court games, yard and garden equipment shed, home gardening or greenhouse for noncommercial use by residents.
- E. Municipal and public utility service buildings, structures and facilities serving the immediate area.
- F. Once a principal structure has been erected on a property, only two (2) accessory use structures shall be permitted. Any request for an additional accessory structure(s) shall be submitted to the Planning Commission for

review and approval. Such structures shall meet the requirements of Section 20-406.

§20-604. Conditional Uses

- A. Churches and other places of worship, including parish houses, educational buildings and required parking all on the same parcel. (See Section 20-1508A.8)
- B. Real estate sales office on the same property as that from which lots are to be sold and in character with the surrounding development, such office to be removed when all lots are sold. (See Section 20-1508A.9)
- C. Communication Facility when co-location is proposed (See Section 20-1508A.29 or Section 1508A.30, as applicable))
- D. Single family dwelling with garage apartment. (See Section 20-1508A.38)
- E. Bed and Breakfast (BNB) (See 1508.A.35)
- F. Tiny House (See Section 20-1508A.39)
- G. Short-Term Rental (See Section 20-1508A. 40)
- H. Shipping Container (See Section 20-1508A. 41)
- I. Yurt (See Section 20-1508A.39)

§20-605. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
 - 1. Front yard - Thirty-five (35) feet from street right-of-way line.
 - 2. Rear yard - Thirty-five (35) feet
 - 3. Side yard - Fifteen (15) feet (2 required)
 - 4. Accessory structures - (See Section 20-406)
- B. Minimum Lot Frontage - One hundred (100) feet
- C. Maximum Lot Coverage - Twenty-five (25) percent
- D. Minimum Lot Area - One-half (1/2) acre
- E. Maximum Building Height
 - 1. No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
 - 2. Twenty (20) feet for accessory structure. (See Appendix B Figure 15)

ARTICLE VII

"R-2" MULTI-FAMILY RESIDENTIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-701. Purpose

It is the intent of the R-2 District to provide opportunities for moderate density residential development in the Township in selected locations which have direct access to, or are in close proximity to, the regional highway system, and where sewer and water service is available, or can be readily extended. The primary theme of this district is suburban residential neighborhoods.

§20-702. Principal Permitted Uses

- A. Any principal use or structure permitted and as regulated in the "R-1" Single Family Residential District.
- B. Duplex dwelling, two (2) family detached dwelling units and townhouses of not more than eight (8) dwelling units per acre.
- C. Child care/day care center, large.
- D. Forestry.
- E. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- F. Home occupation as regulated in Section 20-1404

§20-703. Permitted Accessory Uses

- A. Accessory uses and structures permitted in the "R-1" Single Family Residential District, except that Home Occupations shall not be permitted in multi-family structures.
- B. Private garages and parking areas.
- C. Signs as regulated in Article XVII.
- D. Private and semi-private swimming pools as regulated in Section 20-1412.
- E. Uses comparable or equal to the principal permitted uses.
- F. Once a principal structure has been erected on a property, only two (2) accessory use structures shall be permitted. Any request for an additional accessory structure(s) shall be submitted to the Planning Commission for

review and approval. Such structures shall meet the requirements of Section 20-406 B.

§20-704. Conditional Uses

- A. Public utility service buildings, structures and facilities serving areas greater than the immediate vicinity of such use. (See Section 20-1508A.6)
- B. Real estate sales office on the same property as that from which lots are to be sold and in character with the surrounding development, such office to be removed when all lots are sold. (See Section 20-1508A.9)
- C. Conversion apartment. (See Section 20-1508A.1)
- D. Nursery school. (See Section 20-1508A.11; if in existing building, the minimum lot size may be waived)
- E. Communication Facility when co-location is proposed. (See Section 20-1508A.29 or Section 20-1508A.30, as applicable))

§20-705. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
 1. Front yard - Thirty-five (35) feet from street right-of-way line.
 2. Rear yard - Thirty-five (35) feet
 3. Side yard - Fifteen (15) feet (2 required)
 4. Accessory structures - (See Section 20-406).
- B. Minimum Lot Frontage - Eighty (80) feet
- C. Maximum Lot Coverage - Thirty (30) percent
- D. Minimum Lot Area - One-half (1/2) acre
- E. Maximum Building Height
 1. No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
 2. Twenty (20) feet for accessory structure. (See Appendix B Figure 15)

ARTICLE VIII

"R-3" HIGH DENSITY RESIDENTIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-801. Purpose

It is the intent of the R-3 District to provide for higher density residential development in the Township in selected locations which have direct access to major arterial streets, where sewer and water service is provided, and which will act as a buffer between adjacent residential areas and "more intense" uses such as a shopping center.

§20-802. Principal Permitted Uses

- A. Any principal use or structure permitted and as regulated in the "R-2" Multi-Family Residential District.
- B. Single family attached dwellings - Townhouses.
- C. Garden apartments.
- D. Private nursing homes, hospitals.
- E. Homes for the elderly.
- F. Child care/day care center, large.
- G. Forestry.
- H. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreation area.

§20-803. Permitted Accessory Uses

Accessory uses and structures permitted in the "R-2" Multi-Family Residential District.

§20-804. Conditional Uses

- A. Any building exceeding thirty-five (35) feet in height. (See Section 20-1508A.10)
- B. Educational facilities, college and universities, including accessory uses. (See Section 20-1508A.11)
- C. Conversion apartments. (See Section 20-1508A.1)
- D. Hospitals, nursing homes, sanitariums, retirement or convalescent homes licensed by the Commonwealth, containing facilities for not more than forty (40) residents on at least five (5) acres of property plus one (1) additional acre for each twenty (20) additional residents or fraction thereof, with all required parking for employees,

visitors and service on the same property. Charitable institutions shall meet the same requirements as for nursing homes. (See Section 20-1508A.7)

- E. Professional offices. (See Section 20-1508A.12)
- F. Communication Facility when co-location is proposed. (See Section 20-1508A. 29 and Section 1508A.30, as applicable)

§20-805. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
 - 1. Front yard - Twenty-five (25) feet from street right-of-way line
 - 2. Rear yard - Twenty-five (25) feet
 - 3. Side yard - Fifteen (15) feet (2 required)
 - 4. Buffer yard - A twenty (20) foot buffer yard shall separate single family residential from multiple family residential and shall be landscaped as regulated in Section 20-1406.
 - 5. Accessory structures - (See Section 20-406).
- B. Minimum Lot Frontage: Seventy-five (75) feet
- C. Maximum Lot Coverage: Forty (40) percent
 - 1. The percentages include accessory structures.
 - 2. At least twenty (20) percent of the lot shall be maintained with vegetative material.
- D. Minimum Lot Area - one half (1/2) acre
- E. Maximum Building Height:
 - 1. No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
 - 2. Twenty (20) feet for accessory structure. (See Appendix B Figure 15)

ARTICLE IX

"C-1" RETAIL AND SERVICE COMMERCIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-901. Purpose

It is the purpose of the C-1 District to provide primarily for retail commercial uses and other selected uses which are commonly associated with those retail uses which depend upon and generate large volumes of automobile traffic, and which require access to main highways and/or streets. These businesses provide goods and/or services primarily to Township residents, and often, to the region. Some of the uses may also require large parking areas.

The Township encourages the clustering of major traffic generators around a shared parking facility and limiting the number of ingress and egress points along the main highway and/or street.

§20-902. Principal Permitted Uses

- A. Department and variety store.
- B. Retail store for food, beverage, drugs, sundries, confectionery, hardware, bakery products, clothing, household appliances including service, furniture, sporting goods, hobbies and toys, pet shop, and florist.
- C. Shopping center.
- D. Bank and savings and loan office.
- E. Restaurant.
- F. Tavern.
- G. Animal Hospital with cremation.
- H. Child care/day care center, large.
- I. Hotel/Motel.
- J. Forestry.
- K. Offices for business, personal or professional services.
- L. Personal service establishment, including, but not limited to barber shop, beauty shop, laundry, laundromat, and shoe repair.
- M. Funeral Home without cremation.
- N. Motor vehicle sales and/or rental, excluding heavy equipment. (See Section 20-1417).
- O. Automobile and truck washing.

- P. Bowling Alley, indoor commercial recreation.
- Q. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- R. Retail sales of motor vehicle new parts, excluding heavy equipment.
- S. Home occupation pursuant to all regulations set forth in Section 20-1404.

§20-903. Permitted Accessory Uses

- A. Parking areas and off-street loading areas as regulated in Article XVI.
- B. Signs as regulated in Article XVII.
- C. Accessory buildings and uses customarily incidental to the permitted uses.

§20-904. Conditional Uses

- A. Clubs; B.Y.O.B clubs, night clubs, health clubs, social clubs, lodges and social halls (See Section 20-1508A.5)
- B. Churches and other places of worship, including parish houses, educational buildings and parking (See Section 20-1508A.8 8)
- C. Dry cleaning, pressing or tailoring shop. (See Section 20-1508A.13).
- D. Drive-in, drive-through, in-car or outdoor services restaurants. (See Section 20-1508A.15).
- E. Groups of two (2) or more commercial retail and/or service businesses, as permitted or conditional in the C-1 Zoning District only, on the same property. (See Section 20-1508A.24).
- F. Communication Facility when co-location is proposed (See Section 20-1508A.29 or Section 1508A.30, as applicable).
- G. Automotive sales, new and/or used, with or without integral service facilities in an enclosed structure. (See Section 20-1508A.17)
- H. Motor vehicle service and/or repair, excluding heavy equipment. (See Sections 20-1418 and 20-1508A.17)
- I. Motor vehicle fuel dispensing facility, excluding large commercial vehicle refueling. (See Section 20-1508A.14)
- J. Climate Controlled Self-Storage (See

20-1508A.32)

§20-905. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
1. For all uses except Shopping Centers.
 - a. Front yard - Fifty (50) feet from street right-of-way line
 - b. Rear yard - Thirty (30) feet
 - c. Sideyard - Fifteen (15) feet (2 required)
 2. For Shopping Centers, the Front Yard, Rear Yard and Side Yard may be reduced to zero (0) feet when the building is located within a Shopping Center and the side or rear lot line is located along a shared common wall between the building uses or between separate buildings which directly abut each other.
 3. Buffer yard - A buffer yard, as regulated in Section 20-1406, shall be provided where a commercial use abuts an existing residential area or a residential district boundary.
 4. Landscaping shall be as required in Section 20-1405.
- B. Minimum Lot Frontage - The minimum frontage for each lot shall be one hundred (100) feet
- C. Maximum Lot Coverage - The maximum amount of space of a lot which may be covered by impervious surfaces is seventy (70) percent. For purposes of calculating Lot Coverage for Shopping Centers, the calculation shall be based upon the site for the entire Shopping Center and not any individual lot.
- D. Minimum Lot Area - none.
- E. Maximum Building Height - No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.

ARTICLE X

"C-2" HIGHWAY COMMERCIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-1001. Purpose

The purpose of the C-2 District is to provide reasonable standards for uses which are highway-oriented and to recognize existing development along the highways. These businesses primarily provide regional goods and services, often ranging well beyond Township boundaries.

As in the C-1 District, the Township encourages the sharing of parking areas, limiting the number of ingress and egress points and providing buffer yards and screen plantings where such uses adjoin residential districts.

§20-1002. Principal Permitted Uses

- A. Motor vehicle sales and/or rental, excluding heavy equipment. (See Section 20-1417)
- B. Automobile and truck washing
- C. Personal service establishment, including, but not limited to barber shop, beauty shop, laundry, laundromat, and shoe repair.
- D. Business and/or professional office.
- E. Radio, recording, television studio.
- F. Public utility service building or facility.
- G. Bowling alley, indoor commercial recreation.
- H. Funeral home.
- I. Gardening supplies and equipment.
- J. Sales and service of new manufacture housing.
- K. Animal hospital and pet shops.
- L. Wholesale business if conducted entirely within an enclosed building.
- M. Forestry
- N. Retail sales of motor vehicles new parts, including heavy equipment.
- O. Any "C-1", Retail and Service Commercial District, "Principal Permitted Uses".
- P. Municipal Uses – including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and

recreational area.

- Q. Sales and service of new manufactured housing.
- R. Home occupation pursuant to all regulations set forth in Section 20-1404.

§20-1003. Permitted Accessory Uses

- A. Accessory buildings and uses customarily incidental to the principal use.
- B. Offices in connection with the principal use.
- C. Off-street parking and loading as regulated in Article XVII.
- D. Signs as regulated in Article XVIII.

§20-1004. Conditional Uses

- A. Motor vehicle fuel dispensing facility, including large commercial vehicle refueling. (See Section 20-1508A.14)
- B. Flea market. (See Section 20-1508A.21)
- C. Building materials and supply sales, including lumber yard. (See Section 20-1508A.22)
- D. Communication Facility when co-location is proposed (See Section 20-1508A.29 or Section 1508A.30, as applicable)
- E. Dry cleaning, pressing or tailoring shop. (See Section 20-1508A.13)
- F. Drive-in, drive-through, in-car or outdoor services restaurants. (See Section 20-1508A.15)
- G. Motor vehicle sales and/or rental, including heavy equipment. See Sections 20-1417 and 20-1508A.17
- H. Motor vehicle service and/or repair, including heavy equipment. (See Sections 20-1417 and 20-1508A.17)
- I. Container storage area (See Section 20-1416 and Section 1508A.34))
- J. Any "C-1" Retail and Service Commercial District "Conditional Uses".
- K. Communication Facility when co-location is proposed or as a stand-alone structure. (See Section 20-1508A.29 or Section 20-1508A.30)

§20-1005. Lot Area, Yard and Height Requirements

- A. Minimum Yard Setbacks
 - 1. Front yard - Fifty (50) feet from street

right-of-way line.

2. Rear yard - Twenty (20) feet
 3. Side yard - Thirty (30) feet
 4. Buffer yard - A buffer yard, as regulated by Section 20-1406 shall be provided where a commercial use abuts an existing residential property or a residential district boundary.
 5. Landscaping shall be as required in Section 20-1405.
- B. Minimum Lot Size - One (1) acre
- C. Minimum Lot Frontage - One hundred and twenty-five (125) feet
- D. Maximum Lot Coverage - Eighty (80) percent
- E. Maximum Building Height - No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.

ARTICLE XI

"M-1" LIGHT INDUSTRIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-1101. Purpose

The purpose of the M-1 District is to provide for light industrial uses and those commercial uses which are compatible with such permitted industrial establishments. These uses shall comply with the development standards of this Article and the performance standards identified in Section 20-1402 and shall be buffered from adjacent uses. This district's primary focus is to provide a park-like setting for industries with similar characteristics that may permit some flexibility in design and layout in concert with the site's natural features.

§20-1102. Principal Permitted Uses

- A. Motor vehicle fuel dispensing facility, including those with convenience stores, requiring the same restrictions as in the "C-2", Highway Commercial District.
- B. Bakery.
- C. Building materials sales yard and lumber yard, including sale of rock, sand, gravel and the like as an incidental part of the main business.
- D. Distribution plants, parcel delivery and service industries.
- E. Warehouse/self-storage.
- F. Contractors equipment storage yard or plant or rental equipment commonly used by contractors.
- G. Greenhouses and landscape nursery and contractors sales and service.
- H. Machine shop and machinery repair and sales.
- I. Manufacture of article and merchandise from the following prepared material: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yard and paint not employing a boiling process.
- J. Manufacture and fabrication of light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like.
- K. Manufacture and maintenance of electrically

generated signs and commercial advertising structures.

- L. Plumbing, heating or electrical contracting business.
- M. Wholesale business.
- N. Motor vehicle service and/or repair, including heavy equipment. (See Section 20-1417)
- O. Box factory.
- P. Freight or truck yard or terminal.
- Q. Extraction of minerals or soils, quarry or landfill in accordance with Section 20-1407.
- R. The manufacturing, compounding, assembly or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs and food products except fish and meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils.
- S. Electrical, optical and textile manufacturing.
- T. Carpenter, cabinet making, furniture repair and upholstering.
- U. Neighborhood convenience retail stores servicing the neighborhood, including the sale of food, drugs, clothing, flowers, notions, hardware, confections, books, magazine, newspapers, stationary and secondary small household articles.
- V. Forestry.
- W. Motor vehicle sales and rental, including heavy equipment. (See Section 20-1417)
- X. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- Y. Container storage area (See Section 20-1416 and Section 1508A.34)
- Z. Sales and service of new and used manufactured housing.
- AA. Home occupation pursuant to all regulations set forth in Section 20-1404.

§20-1103. Permitted Accessory Uses

Offices, restaurants, recreation, museum or hospital provided it is incidental to a permitted use and other accessory uses and structures customarily accessory and incidental to any principal or conditional use.

- A. Off-street parking and loading as regulated in Article XVII.
- B. Signs as regulated in Article XVIII.
- C. Equipment/storage building.
- D. Gatehouse/guardhouse.
- E. Storage garage.

§20-1104. Conditional Uses

- A. Light industrial uses similar to any principal uses listed above, but not specifically listed and subject to the performance and site standards of this Chapter. (See Section 20-1508A.18)
- B. Commercial recreational areas. (See Section 20-1508A.4)
- C. Self-storage facility. (See Section 20-1508A.31)
- D. Communication Facility when co-location is proposed or as a stand-alone structure. (See Section 20-1508A.29 or Section 20-1508A.30, as applicable)
- E. Oil and Gas Extraction subject to all requirements set forth in the Overlay Districts, Section 20-1301 et. seq. and also set forth in Article XV, Conditional Use Standards, Section 20-1508A.33.
- F. Natural gas compressor stations. (See Section 20-1402 and Section 20-1415)
- G. Natural gas processing plants. (See Section 20-1402 and Section 20-1415)

§20-1105. Lot Area, Yard and Height Requirements

- A. Minimum Lot Size - One (1) acre and as necessary to comply with yard, off-street parking, loading and unloading and height regulations as set forth herein.
 - 1. Minimum Yard Setbacks: When abutting a residential district, the yard shall be as follows:
 - a. Rear yard depth - One hundred (100) feet.
 - b. Front yard depth - One hundred (100) feet from street right-of-way line.
 - c. Side yard depth - One hundred (100) feet.
 - d. Buffer yard width - as per Section

20-1405.

- B. When not adjoining or abutting a residential district, the yards shall be as follows:
 - 1. Front yard - Fifty (50) feet from street right-of-way line
 - 2. Side yard - Twenty (20) feet.
 - 3. Rear yard - Twenty-five (25) feet
 - 4. Buffer yard width - as per Section 20-1406.
- C. Minimum Lot Frontage - One hundred (100) feet
- D. Maximum Lot Coverage
 - 1. Sixty (60) percent
 - 2. Of the remaining forty (40) percent of the land area, at least half of it shall be in open space land covered with a vegetative material and shall not be used for general circulation of vehicles, storage, parking, loading or rail sidings.
- E. Maximum Building Height - No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
- F. Site Development Standards - In addition to the regulations of the Nonresidential Performance Standards in Section 20-1402, any permitted principal, accessory or conditional use shall be subject to the following:
 - 1. Structure - It shall be carried on only in buildings classified as fire resistant and be carried on in such a manner with such precautions against fire and explosion as to produce no exposure hazard to a use on an adjacent property.
 - 2. Water Use - Water may be drawn from underground sources provided the well is set back more than one hundred and fifty (150) feet from the boundary of the "M-1" Light Industrial District.
 - 3. Liquid Waste - Permit from Department of Environmental Protection and the Butler Area Sewer Authority agreeing to accept the waste flow.
 - a. All requirements of the Pennsylvania Department of Environmental Protection shall be met in the construction and operation of all

- on-site industrial liquid sewage disposal plants.
- b. If an industrial operation is connected to a public sewage system, the owners shall provide the operators of the public sewage system a chemical analysis of the proposed sewage, and the operator has the right to refuse entrance into the system of any sewage components that may interfere with normal cycle of the sewage treatment plant.
 - c. In no case shall liquid wastes be dumped or permitted to flow or seep into a stream or drainage way.
 - d. Liquid wastes that cannot be disposed of on the site shall not be permitted to accumulate and shall be removed off-site at least once per week.
4. Solid Waste - Solid wastes shall not be permitted to accumulate in an open storage area on any property, and shall be disposed of on a bi-weekly basis, minimum.
 5. Hazardous Waste - Hazardous waste shall not be permitted to accumulate on any property, and their disposal shall be in compliance with applicable Commonwealth of Pennsylvania Hazardous Waste regulations.
 6. Remainder of Property - All areas of any industrial property not covered by buildings or pavement shall be planted in grass or other ground cover or landscaped.
 7. Oil and Gas Operations:
 - a. All extractive mineral facilities including oil and natural gas, shall comply with the provisions of Section 20-1402 and applicable provisions of Section 20-1415.
 - b. All compressor stations and processing plants shall comply with the provisions of Section 20-1402 and applicable provisions of Section 20-1415.
 - c. All oil and gas related uses shall comply with current provisions of Act 13, an amendment to the Oil and Gas Act, applicable to such uses.
- d. Minimum lot sizes for certain oil and gas operations are as follows:
 - 1) Compressor stations* - 3 acres
 - 2) Processing plants* -5 acres

*See also Article VIII
Environmental Performance
Standards of Chapter 14,
Subdivision and Land
Development.

ARTICLE XII

"M-2" HEAVY INDUSTRIAL DISTRICT

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-1201. Purpose

The purpose of the M-2 District is to provide sites for those industrial and manufacturing uses which include processes which generate products and/or by-products which may be detrimental to the health and safety of the Township residents. Parcels shall be large enough to accommodate adequate buffering from surrounding properties.

§20-1202. Principal Permitted Uses

- A. Any "M-1", Light Industrial District, "Principal Permitted Uses".
- B. Book bindery.
- C. Bottling works.
- D. Municipal waste landfill.
- E. Wholesale business.
- F. Public utility service yard or electrical receiving or transforming station.
- G. Rail facilities to include railroad yards, repair shops and roundhouse.
- H. Brewery.
- I. Brick, tile, pottery or terra cotta manufacturing.
- J. Building, moving and demolition establishment.
- K. Concrete or asphalt batch plant.
- L. Fabrication of wire.
- M. Food products process, manufacturing and packing.
- N. Lime kilns.
- O. Foundries and steel mills.
- P. The manufacture of transportation equipment.
- Q. Forestry.
- R. Municipal Uses - including without limitation; municipal building, municipal garage, municipal service buildings, police station, library, and recreational area.
- S. Home occupation pursuant to all regulations set forth in Section 20-1404.

§20-1203. Permitted Accessory Uses

- A. All accessory uses permitted in the "M-1" Light Industrial District.

- B. All accessory uses customarily incidental to any permitted principal use.
- C. The storage of explosives, gasoline, oil and other inflammables incidental to any permitted use shall be stored in underground tanks or vaults or otherwise stored to provide maximum safety to workmen and the community.
- D. Storage garage.

§20-1204. Conditional Uses

- A. Any uses similar to any principal use but not specifically listed and not otherwise prohibited by law or the development standards or any article of this Chapter. (See Section 20-1508A.19)
- B. The manufacturing, compounding, processing or treatment of food products, including fish and meat products, sauerkraut, vinegar, yeast and the refining of fats and oils. (See Section 20-1508A.20)
- C. Manufacture or processing of fertilizer, wood pulp, disinfectants or soap. (See Section 20-1508A.20)
- D. Self-storage unit. (See Section 20-1410 and Section 20-1508A.31)
- E. Junkyard. (See Section 20-1508A.27)
- F. Adult entertainment establishment. (See Section 20-1508A.16)
- G. Communication Facility when co-location is proposed or as a stand-alone structure. (See Section 20-1508A.29 and Section 1508A.30)
- H. Oil and Gas Extraction subject to all requirements set forth in the Overlay Districts, Section 20-1301 et. seq. and also set forth in Chapter 20, Article XV, Section 20-1508A.33, Conditional Use Standards.
- I. Any "M-1", Light Industrial District, "Conditional Uses".

§20-1205. Lot Area, Yard and Height Requirements

- A. Minimum Lot Size - Two (2) acres.
- B. Minimum Yard Setbacks
 - 1. When abutting a residential district the yards shall be as follows:
 - a. Front yard - One hundred and fifty (150) feet from street right-of-way line.

- b. Side yard - One hundred and fifty (150) feet.
 - c. Rear yard - One hundred and fifty (150) feet.
 - d. Buffer yard width - Twenty-five (25) feet and considered part of the required one hundred and fifty (150) foot yard.
2. When not abutting a residential district, the yards shall be as follows:
- a. Front yard - Sixty (60) feet from street right-of-way line.
 - b. Side yard - Twenty-five (25) feet (2 required) except when the property line is a railroad spur used to service the structure(s) on the property.
 - c. Rear yard - Twenty-five (25) feet.
- C. Minimum Lot Frontage - One hundred and fifty (150) feet.
- D. Maximum Lot Coverage
- 1. Sixty (60) percent.
 - 2. At least half of the remaining forty (40) percent of the land area shall be in open space land covered with a vegetative material and shall not be used for general circulation of vehicles, storage, parking, loading or rail sidings.
- E. Maximum Building Height - No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
- F. Development Standards - Development standards shall be as outlined in Section 20-1105 F and 20-1402 of this Chapter.
- 1. Oil and Gas Operations:
 - a. All extractive mineral facilities including oil and natural gas, shall comply with the provisions of Section 20-1402 and applicable provisions of Section 20-1415.
 - b. All compressor stations and processing plants shall comply with the provisions of Section 20-1402 and applicable provisions of Section 20-1415
 - c. All oil and gas related uses shall comply with current provisions of Act 13, an

amendment to the Oil and Gas Act, applicable to such uses.

- d. Minimum lot sizes for certain oil and gas operations are as follows:

- 1) Compressor stations* - 3 acres
- 2) Processing plants* -5 acres

*See also Article VIII, Environmental Performance Standards of Chapter 14, Subdivision and Land Development.

ARTICLE XIII
OVERLAY DISTRICTS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-1301. Mineral Extraction Overlay District

A. Findings

The Board recognizes the need, pursuant to the requirements of the Pennsylvania Municipal Planning Code, to provide for reasonable development of minerals, including coal, oil and gas and other non-coal minerals.

1. The Board recognizes the need to provide for the reasonable development of minerals to help provide for an economically strong and viable United States of America.
2. The Board recognizes that its Comprehensive Plan, with respect to mining, calls for "The use of flexible techniques such as performance oriented overlay districts".
3. The Board recognizes that mining can result in areas which will be unsuitable for residential construction, those areas being in the less populated northern areas of the Township.
4. The Board recognizes the need to provide areas of the Township suitable for the expansion of residential housing.
5. The Board recognizes the need of providing a wide range of economic uses for all private property owners in the Township, whether residential, industrial, commercial or agricultural.
6. The Board recognizes that mining and oil and gas extraction can result in noise, dust and other environmental risks which can have a negative impact on the health, safety, welfare and morals of Center Township.
7. The Board recognizes that mining and oil and gas extraction operations can have significant adverse impact on the quality of life in the areas surrounding the mine or extraction areas.
8. The Board recognizes that mining activities

can result in large amounts of heavy truck traffic which can have a negative impact on the health, safety, morals and welfare of the community if not adequately policed.

9. The Board recognizes that while it has the authority to engage in the traditional zoning of mining and oil and gas extraction, the Township is in large part precluded from enacting regulations which do not constitute traditional zoning and which are instead within the jurisdiction and authority of the Department of Environmental Protection.
10. The Board Recognizes the need to provide a buffer area between the more heavily populated area of the south of the Township and the more rural area of the north, the latter being the typical location for mining and oil and gas activities.
11. The Board finds the Overlay District Zoning District contemplated by this Article, balances the need for the development of natural resources within Center Township versus protecting the health, safety, morals, and general welfare of the residents of and visitors to Center Township.

B. Location of District Boundaries

1. SM Overlay District (Surface Mining):

All that land one hundred (100) feet east of the right-of-way line of SR 8, north of the intersection with Mahood Road, excluding land zoned "M-1", Light Industrial District, and one hundred (100) feet north of the right-of-way line of Jamisonville Road, Stoney Run Road, Aggas Road and east of Pine Tract Road. Overlay district boundaries abutting interior roads within the district shall be located a minimum of one hundred (100) feet from all recorded rights-of-way.
2. DM Overlay District (Deep Mining)
 - a. All that land found in SM Overlay District.
 - b. All that land one hundred (100) feet east of the right-of-way line of Minich Rd. north of the intersection with Elliott Road, and one hundred (100) feet north of the right-of-way line of Elliott

Road and one hundred (100) feet north of the right-of-way line of Pinehurst Road, and one hundred (100) feet east of Pine Tract Road north of the intersection of Pinehurst Road. Overlay district boundaries abutting interior roads within the district shall be located a minimum of one hundred (100) feet from all recorded rights-of-way.

C. Principal Permitted Uses

1. Surface mining, including but not limited to, coal, limestone, sand and gravel operations within the SM Overlay District. Note: Surface Mining is not a permitted or conditional use in the DM Overlay District.
2. Deep mining for coal in the SM Overlay District.

D. Permitted Accessory Uses

1. All accessory uses customarily incidental to any permitted principal use.
2. The storage of explosives, gasoline, oil and other inflammables incidental to any permitted use shall be stored in approved, industry standard tanks or vaults or otherwise stored to provide maximum safety to workmen and the community.
3. Equipment buildings used for material and vehicle storage or to enclose machinery.

E. Conditional Uses

1. Deep mining for coal in DM Overlay District. (See Section 20-1508A.33).
2. Oil and gas extraction (See Section 20-1508A. 33, where applicable, and Sections 20-1402 and 20-1415).

F. Lot, Yard, Height Requirements

1. Minimum Yard Setbacks:
 - a. Front yard – Two hundred and fifty (250) feet from street right of way line.
 - b. Rear yard – Two hundred and fifty (250) feet.
 - c. Side yard – Fifty (50) feet, two (2) required.
 - d. Accessory structures used to store explosives, gasoline, oil and other

inflammables – Two hundred and fifty (250) feet all yards.

- e. All other Accessory structures -Two hundred and fifty (250) feet front and rear yard(s) and fifty (50) feet side yard(s).

EXCEPTION: All structures, whether permanent or temporary, must not only meet the above “ Minimum Yard Setbacks”, but must also set back at least one and one half (1 ½) times the height of the structure.

2. Minimum Lot Frontage – Fifty (50) feet for purposes of establishing a right-of-way for access to the extractive industry site.
3. Maximum Lot Coverage – None
4. Maximum Building Height
 - a. For unoccupied structures and mechanical equipment - None
 - b. For unoccupied accessory structures – None
 - c. For all occupied structures, maximum thirty-five (35) feet.
5. Site Development Standards – In addition to the regulations of the Nonresidential Performance Standards in Section 20-1402, any permitted principal overlay district or accessory use shall be subject to the following:
 - a. Structure – It shall be carried on in such a manner with such precautions against fire and explosion as to produce no exposure hazard to a use on an adjacent property.
 - b. Water Use – Any water utilized for permitted principal overlay district or accessory uses which is drawn from underground sources must be set back more than fifty (50) feet from the closest property boundary.
 - c. Liquid Waste – Permit from Department of Environmental Protection and the Butler Area Sewer Authority agreeing to accept the waste flow.

- 1) All requirements of the Pennsylvania Department of Environmental Protection shall be met in the construction and operation of all on-site extractive industry liquid sewage disposal plants.
 - 2) If an extractive industry operation is connected to a public sewage system, the owners shall provide the operators of the public sewage system a chemical analysis of the proposed sewage, and the operator has the right to refuse entrance into the system of any sewage components that may interfere with normal cycle of the sewage treatment plant.
 - 3) In no case shall liquid wastes be dumped or permitted to flow or seep into a stream or drainage way. d. Liquid wastes that cannot be disposed of on the site shall not be permitted to accumulate and shall be removed off-site at least once per week.
 - d. Hazard Waste - Hazardous waste shall not be permitted to accumulate on any property, and their disposal shall be in compliance with applicable Commonwealth of Pennsylvania Hazardous Waste regulations.
 - e. Property Maintenance - All areas of any property upon which mineral extraction activities are being conducted shall be maintained free from the exterior accumulation of, but not limited to; material, machine parts, trash, garbage, animal (excluding undomesticated wildlife) or human excrement, rubbish, junk, junk equipment, junk vehicles.
- G. Additional Standards
1. All permitted, conditional, and accessory uses for the Mineral Extraction Overlay District (SM and DM) shall comply with the provisions of Section 20-1407 of this Chapter.
 2. All permitted, conditional, and accessory uses for the Mineral Extraction Overlay District (SM and DM) shall comply with the provisions of Section 20-1415 of this Chapter.
 3. All permitted, conditional, and accessory uses in the Mineral Extraction Overlay District shall be considered a Land Development and must comply with the provisions of the Township's Subdivision and Land Development Chapter 14.
 4. All surface penetrations needed for deep mining must be located in within the SM or DM Mineral Overlay Extraction District and at least one thousand (1,000) feet from any occupied structure.
 5. Mine shaft openings must be located inside the SM or DM Mineral Extraction Overlay District and at least one thousand (1,000) feet from any occupied structure.
 6. At least thirty (30) days prior to the beginning of extraction operations, the applicant shall provide an appropriate site orientation and training course for all emergency responders. Cost and expense shall be sole responsibility of the operator. These activities must be held, at minimum, annually.
 7. A reasonable number of well-maintained portable chemical toilet facilities must be available on site at all times.
 8. All dogs must be kept in compliance with Chapter 1 of the Center Township Codification of Ordinances. All other animals are prohibited.
 9. All truck traffic to and from site must cease between the hours of 9:00PM and 6:00AM weekdays and Saturdays, and all hours of the day and night Sundays and Legal Holidays.
- EXCEPTION:** Written permission may be granted, at the discretion of the Zoning Officer, for occasional truck traffic during non-compliant times. All requests must be in writing and received by the Township at least sixty (60) days prior to start of non-compliant activities. Notification of

affected neighbors will be done by the Township and cost of notification billed to the operator. All expenses incurred by the Township for granting of written permission must be paid by the operator at least 60 days prior to the date of the event.

10. All site activity must cease between the hours of 9:00PM and 6:00AM weekdays and Saturdays, and all hours of the day and night Sundays and Legal Holidays

EXCEPTION: Written permission may be granted, at the discretion of the Zoning Officer, for occasional site activity during non-compliant times. All requests must be in writing and received by the Township at least 60 days prior to start of non-compliant activities. Notification of affected neighbors will be done by the Township and cost of notification billed to the operator. All expenses incurred by the Township for granting of written permission must be paid by the operator at least sixty (60) days prior to the date of the event.

H. Applicability

It shall be unlawful for any person, partnership, business, or corporation to undertake, or cause to be undertaken, any mineral extraction activity including without limitation, oil and gas extraction anywhere within any zoning district unless a Permit has been obtained from the Center Township Zoning Officer or his Deputy.

I. Abrogation and Greater Restrictions

This Article supersedes any other conflicting provisions which may be in effect in the Mineral Extraction Overlay Districts. However, any other regulations shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Article, the more restrictive shall apply.

J. Warning and Disclaimer of Liability

This Article shall not create liability on the part of the Township or any officer or employee thereof for any damages that result from reliance on this Article or any administrative decision lawfully made there under.

K. Operator's Agent

Every Operator of any mineral extraction or oil and gas extraction activity shall designate an agent, who is a resident of Pennsylvania, upon whom all orders and notices provided in this Article may be served in person or by registered or certified mail. Every Operator so designating such agent shall within ten (10) days notify the Township in writing of any change in such agent or such mailing address unless operations within the Township are discontinued. Agent must have a physical address. Post Office boxes will NOT be accepted.

L. Permits Required

Permits shall be required before any construction or development is undertaken within any area of the Township.

M. Issuance of a Permit(s)

1. The Center Township Zoning Officer, or his Deputy, shall issue permits only after it has been determined that the proposed work to be undertaken will be in conformity with the requirements of this and all other applicable codes and ordinances.
2. The Zoning Officer shall be responsible for determining whether a property or a portion thereof proposed for development or improvement is within the applicable zoning districts or zoning overlay districts and what measures must be taken to meet the requirements of this Article. Any grading or filling of land even though no well head or mining is contemplated shall require a permit.
3. When permits or approvals are required by other governmental agencies according to applicable laws and regulations of those agencies, the developer must obtain and furnish documented proof of the required permits and/or approvals to the Township. No permit shall be issued until this determination has been made.
4. No encroachment, alteration, or improvement of any kind shall be made until all adjacent municipalities which may be affected by such action have been notified by the Township, and until all

required permits or approvals have been first obtained.

5. All road bond and/or maintenance agreements must be approved by the Township prior to the issuance of a Permit. All payments shall be made by certified check.

N. Application Procedures and Requirements

Application for such a permit shall be made in writing, to the Zoning Officer. Such application shall contain the following:

1. All applicable fees.
2. Completed and signed application form containing at least the following information:
 - a. Date of the application
 - b. Proposed site name
 - c. Site location. (Street address approved by the Township and County 911)
 - d. Surface owner names(s) and address(es) of the lease property
 - e. Mineral Lessee name and address
 - f. Applicant/Operator name and address and if the Operator is a corporation, the state of incorporation, address, officer's names and addresses, registered agent and address and Articles of Incorporation; and if the Operator is a partnership, the names and addresses of the general.
 - g. Name and address of individual designated to receive notice (Operator's Agent). Must be a physical address. Post Office boxes will NOT be accepted.
 - h. Name of Operator representative with supervisory authority over all operation site activities and a 24-hour phone number.
 - i. The name, address and 24-hour phone number of the person to be notified in case of an emergency.
 - j. The exact acreage of the site and number of wells (if well heads

involved).

3. A notarized statement signed by the Operator, or designated representative, that the information submitted with the application is, to the best knowledge and belief of the Operator or designated representative, true and correct.
4. Proof of all applicable Bonding, Letters of Credit, Indemnity, Insurance, etc.
5. Listing of other permits required.
6. Signed and recorded land development mylar.
7. Verification that a copy of the operation's Preparedness, Prevention and Contingency Plan has been provided to the Township and all Emergency Responders. Also an affidavit signed by the applicant stating the Township will be notified in writing of any and all changes to the Plan within 1 business day.
8. Signed Excess Maintenance Agreement and bond.

O. Placards

In addition to Permit(s), the Zoning Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the permit (s), the date(s) of issuance, and be signed by the Zoning Officer.

P. Start of Construction

Work on the proposed construction and/or development shall begin within three (3) months and shall be completed within twelve (12) months after the date of issuance of the permit or the permit shall expire unless a time extension is granted in writing by the Zoning Officer. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, or excavation for the site. Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Zoning Officer to approve such a request.

Q. Inspection and Revocation

1. During the construction period, the Zoning Officer or other authorized official shall inspect the site to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable Township laws and regulations. He/She shall make as many inspections during and upon completion of the work as are necessary.
2. The Zoning Officer shall have the authority to request and receive any records relating to the status or condition of any permitted mineral extraction including oil and gas extraction necessary to establish and determine compliance with the applicable Permit(s). Failure of any person to provide any such requested material shall be deemed a violation of this Article.
3. In the discharge of his duties, the Zoning Officer shall have the authority to enter any building, structure, premises or development in the identified site, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Article.
4. In the event the Zoning Officer discovers that the work does not comply with the permit application or any applicable laws and regulations, or that there has been a false statement or misrepresentation by any applicant, the Zoning Officer shall revoke the permit and report such fact to the Board of Supervisors for whatever action it considers necessary.
5. A record of all such inspections and violations of this Article shall be maintained.

R. Fees

Application fees for a building permit shall be, as established from time to time, by resolution of the Center Township Board of Supervisors. Additional fees may apply to cover cost of notification of neighbors due to afterhours truck traffic and/or other operations approved by the Zoning Officer.

S. Notices and Penalties

Notices: Whenever the Zoning Officer or other authorized municipal representative determines that there are reasonable grounds to believe

that there has been a violation of any provisions of this Article, or of any regulation adopted pursuant thereto, the Zoning Officer shall take actions consistent with the Township Zoning Ordinance. Any and all violations of the Pennsylvania Uniform Construction Code will be referred to the Township Building Code Official for review and enforcement.

§20-1302. Gateway Sign Overlay District

A. Purpose

The purpose of this district is to provide areas at the perimeter of the Township with frontage on collector or arterial roadways for the erection of off-premises advertising signs.

B. Location of District Boundaries

All that land currently zoned "M-1", Light Industrial District and "M-2", Heavy industrial District, and having recorded frontage on State Route 8 and State Route 38, shall be included in this Gateway Sign Overlay District.

C. Principal Permitted Uses - Off-premises signs. (Billboards)

D. Dimensional Standards

1. Maximum height - forty (40) feet.
2. Maximum length - thirty (30) feet.
3. Maximum area - three hundred (300) . feet per side.
4. Minimum separation - three hundred (300) linear feet measured from the closest point of one off-premises sign to another off-premises sign.

E. Accessory Uses and Structures

1. Business signs.
2. Signs.

F. Applicable Provisions

1. Off-premises sign (Billboards)
 - a. Advertising signs, including electronic message signs, with an advertisement or information pertaining to business conducted off the property, shall be located on property with frontage abutting the rights-of-way of State Route 8 or State Route 38, and within the Gateway Sign Overlay District.

- b. An applicant for such sign shall provide a site plan to the Township which plan shall show the location of the proposed sign, the principal building on the property, where applicable, and a written certification provided by a Professional Engineer as to wind load, structural performance, lighting characteristics, and orientation.
- c. Any display in conflict with the provisions of Chapter 20, Article XVII, shall be considered a public nuisance and subject to immediate enforcement.
- d. Any sign permitted under these provisions shall comply with the following dimensional standards:
 - 1) The total area of single face of the sign shall not exceed three hundred (300) square feet.
 - 2) Double faced signs shall not exceed six hundred (600) square feet of sign faced combined.
 - 3) Maximum height shall not exceed forty (40) feet.
 - 4) Maximum length shall not exceed thirty (30) feet.
 - 5) Minimum separation of three hundred (300) feet between the closest points of two (2) off-premises signs shall be required.
 - 6) Specific methods and characteristics of proposed internal and external lighting shall be provided in relation to the area of the sign allocated for such treatment.

2. Signs

On certain properties where pre-existing nonconforming sign structures were installed for the erection of on-premises or off-premises signs, those sign posts may be re-used as follows:

- a. Only the business currently operating on the property where the sign post exists may use the sign post.

- b. Prior to re-use of the existing sign post, an inspection by a Professional Engineer shall be prepared and presented to the Township.
- c. When in the opinion of the professional engineer, the sign post cannot support the weight of the proposed sign, or other similar signage, the sign post shall be removed at owner's expense.
- d. Existing sign posts in need of repair or additional support shall be renovated prior to the issuance of a sign permit.
- e. Existing sign posts shall not be leased or offered to off-premises business for use.
- f. All signs proposed to be attached to the existing sign post shall comply with the applicable provisions of this Article and Chapter 20, Article XVII, where applicable, specifically the dimensional standards and wind loads.
- g. All Commonwealth and Federal permits for outdoor advertising devices (Chapter 445, PA B. 845, 5-12-72) shall be secured prior to issuance of a Township sign permit.

3. Sign Measurement

- a. Sign face area
 - 1) The area of sign face enclosed in frames or cabinets shall be determined based on the outer dimensions of the frame or cabinet surrounding the sign face. Sign area shall not include foundations, supports, and other essential structures that do not serve as a backdrop or border to the sign.
 - 2) When a sign shall be on a base material and attached without a frame, such as a wood or plastic panel, the dimensions of the base material shall be used unless it is clear that part of the base contains no sign, related display, or decoration.
 - 3) When signs shall be constructed of individual pieces or letters

attached to a building wall, sign area shall be determined by a perimeter drawn around all the pieces or letters.

- b. Double-faced signs
 - 1) Any sign may be doubled-faced, provided that it has two (2) parallel surfaces that are opposite and matching in size, shape, and message and are not over twelve (12) inches apart.
 - 2) The sign shall be considered as one (1) sign and only one (1) face shall be used to calculate the total size of the sign.
 - 3) Should the two (2) surfaces deviate from being parallel or should they differ in size or shape, the sign shall be considered as two (2) signs and both signs shall be used to calculate the total size of the sign.
 - c. Multiple slats or panel signs
 - 1) A sign face that changes by means of flipping slats or panels encased in a stationary frame or cabinet is permitted.
 - 2) The sign shall be considered as one (1) sign and only one (1) face shall be used to calculate the total size of the sign.
 - d. Digital display panel signs
 - 1) Digital display panels which abruptly change an entire surface three hundred (300) square feet shall be considered safety hazards and are not permitted.
 - 2) Digital display panels which transition integral design elements, colors, and configurations over a period of five (5) seconds or more, shall be permitted.
4. Permits
- a. A separate zoning/sign permit shall be required for the erection of signs under this Article except that no permit shall

be required for the exemptions listed in Section 20-1708 of this Chapter.

- b. A zoning/sign permit waiver may be applied for on a written form provided by the Township for the replacement of an existing permitted sign face, after submission and review by the Zoning Officer. The sign face area to be replaced shall be identical to the square footage approved on the original permit.
- c. Each application for a permit shall be accompanied by a drawing to scale showing the proposed sign, the size, general characteristics, method of internal and external illumination, and digital display components, where applicable, the exact location of the sign in relation to the lot and structure involved and other data as may be required by the Zoning Officer.
- d. A fee shall accompany each application for a permit. Fees shall be established, from time to time by resolution of the Board of Supervisors.

§20-1303. "CIO" Core Infill Overlay District

- A. Purpose

The purpose of this district is to identify residential and commercially zoned land which has been substantively development and projected to accommodate continued development, while establishing a health and safety buffer from surface related facilities in developing areas of the Township directly or indirectly accessible to the State Route 8 Corridor.
- B. Location of District Boundaries

All that land identified on the Official Zoning Map of Center Township as the Core Infill Overlay District including all land currently zoned "R-1", Single Family Residential District, portions of land zoned "R-2", Multi-Family Residential District, all land currently zoned "R-3", High Density Residential District, all land currently zoned "C-1", Retail and Service Commercial District and all land current zoned "C-2", Highway Commercial District.
- C. Principal Permitted Uses

1. All those uses listed in Article VI, Section 20-602 in the underlying "R-1" Residential District.
 2. All those uses listed in Article VII, Section 20-702 in the underlying "R-2" Multi-Family Residential District.
 3. All those uses listed in Article VIII, Section 20-802 in the underlying "R-3" High Density Residential District.
 4. All those uses listed in Article IX, Section 20-902 in the underlying "C-1" Retail and Service Commercial District.
 5. All those uses listed in Article X, Section 20-1002 in the underlying "C-2" Highway Commercial District.
- D. Permitted Accessory Uses
- All those accessory uses listed as permitted in the underlying "R-1" Single Family District, "R-2" Multi-Family District, "R-3" High Density Residential District, "C-1" Retail and Service Commercial District and "C-2" Highway Commercial District.
- E. Conditional Uses
- All those conditional uses listed as permitted in the underlying "R-1" Single Family District, "R-2" Multi-Family District, "R-3" High Density Residential District, "C-1" Retail and Service Commercial District and "C-2" Highway Commercial District and compliant with the applicable provisions of Section 20-1508.
- F. Lot Area, Yard and Height Requirements
1. All applicable standards for lot area, yard setbacks, frontage, lot coverage and building height as enumerated in the "R-1" Single Family District, "R-2" Multi-Family District, "R-3" High Density Residential District, "C-1" Retail and Service Commercial District and "C-2" Highway Commercial District for permitted and conditional uses.
 2. Oil and gas operations as follows:
 - a. No facilities other than pipelines for the collection or transmission of oil or natural gas shall be located on the surface of land in the Core Infill Overlay District.
 - b. Subsurface extraction and collection of oil and natural gas shall comply with all applicable Federal and Commonwealth requirements for permitting and with the applicable provisions of Section 20-1415.
- G. Site Development Standards
1. All applicable standards as outlined in the underlying "R-1" Single Family District, "R-2" Multi-Family District, "R-3" High Density Residential District, "C-1" Retail and Service Commercial District and "C-2" Highway Commercial District as specified.
 2. Pipelines for the collection or transmission of oil or natural gas shall comply with the provisions of Section 20-1402 and Section 20-1415, where applicable. Further, all pipelines shall be designed and constructed to all Federal and Commonwealth standards for high consequence area facilities.
- §20-1304. "RRO" Rural Resource Overlay District**
- A. Purpose
- The purpose of this District is to identify land with low population densities, an absence of public utilities and limited development potential to accommodate well regulated resource removal with applicable health and safety criteria to protect existing development.
- B. Location of District Boundaries
- Land in this overlay designation is identified on the Township's Official Zoning Map and is located predominantly in the western quadrants and situated to the north of the Core Infill Overlay District.
- C. Principal Permitted Uses
1. All those uses listed in Article V, Section 20-502 in the underlying "R-1A" Low Density Residential District.
 2. All those uses listed in Article VII, Section 20-702 in the underlying "R-2" Multi-Family Residential District Zoning District.
- D. Permitted Accessory Uses
- All those accessory uses listed as permitted in the underlying "R-1A" Low Density Residential District and "R-2" Multi-Family Residential District.

E. Conditional Uses

1. All those conditional uses listed as permitted in the underlying "R-1A" Low Density Residential District and "R-2" Multi-Family Residential District.
2. Oil and gas well drilling - See Sections 20-1402 and 20-1415.

F. Lot Area, Yard and Height Requirements

1. All applicable standards for lot area, yard setbacks, frontage, lot coverage and building height as enumerated in the "R-1A" Low Density Residential District and "R-2" Multi-Family Residential District for permitted and conditional uses.
2. Oil and gas operations as follows:
 - a. Minimum lot area - five (5) acres for oil or gas well pad.
 - b. Minimum lot area - three (3) acres for an impoundment area if not on well pad site.

G. Site Development Standards

1. All applicable standards for lot area, yard setbacks, frontage, lot coverage and building height as enumerated in Articles V and VII for permitted and conditional uses.
2. Pipelines shall be designed and constructed to all Federal and Commonwealth standards depending on size and volume.
3. All oil and gas operations shall comply with Section 20-1402 and 20-1415.
4. No oil or natural gas well on property abutting a developed lot situated within the CIO Core Infill District shall be located within five hundred (500) feet of the recorded property line and no impoundment area shall be located within three hundred (300) feet of the recorded property line.

§20-1305. "ERO" Economic Resource Overlay District

A. Purpose

The purpose of this District is to identify a suitable area in the Township for mixed professional and institutional development.

B. Location of District Boundaries

Land in this overlay designation is identified on the Township's Official Zoning Map and is located predominantly along the northern and western side of Duffy Road.

C. Principal Permitted Uses

1. All those uses listed in the underlying "R-1A" Low Density Residential District.
2. Professional or business offices, including institutional headquarters for non-profit corporations.
3. Data processing facilities.
4. Universities, colleges and trade schools. However, dormitories or other on site living arrangements for students and/or faculty shall not be permitted.
5. Printing and publishing facilities
6. Radio and television broadcasting studios, recording studios and motion picture studios. However, antennae for such studios shall not be permitted.
7. Federal, state, county or municipal government offices.
8. Indoor sports complex.
9. Health care center, including hospice care facility.

D. Permitted Accessory Uses

All those accessory uses as permitted in the underlying "R-1A" Low Density Residential District.

E. Conditional Uses

1. Research and development facilities.
2. Daycare

F. Lot Area, Yard, Height and Site Requirements

1. Minimum Yard Setbacks
 - a. Front yard - One hundred (100) feet from streetright-of-wayline.
 - b. Rear yard - Fifty (50) feet.
 - c. Sideyard - Fifty (50) feet (2 required).
 - d. Buffer yard - A buffer yard, as regulated in Section 20-1406, shall be provided where a commercial use abuts a district boundary.

- e. Landscaping shall be as required in Section 20-1405.
 - 2. Minimum Lot Frontage – The minimum frontage for each lot shall be one hundred (100) feet.
 - 3. Maximum Lot Coverage – The maximum amount of space of a lot which may be covered by impervious surfaces is sixty-five (65) percent.
 - 4. Minimum Lot Area - Three (3) acres.
 - 5. Maximum Building Height – No building shall be in excess of thirty-five (35) feet, seventy-five (75) feet, when fully protected by an automatic sprinkler system.
 - 6. If more than one structure, the minimum distance between structures shall be fifty (50) feet.
 - 7. All parking, loading and access areas shall be screened from adjacent residential properties, if any.
 - 8. All structures within one hundred (100) feet of the perimeter property lines shall be screened from adjacent residential properties, as per Section 20-1406.
 - 9. All property not covered by structures or paving shall be landscaped and maintained.
- G. Conditional Use Standards
- 1. All applicable standards enumerated above, unless a stricter standard is set forth herein below, in which case the stricter standard shall apply.
 - 2. All procedural requirements set forth in Sections 20-1502 through 1507, inclusive.
 - 3. Research and development facilities:
 - a. A list of all hazardous materials or products being stored or utilized at the site shall be provided to the Township at the time of application, along with all written policies for the safe storage and handling of hazardous materials.
 - b. The Board of Supervisors may deny a conditional use application for research and development, when in the reasonable opinion of the Board of

Supervisors, the use or storage of hazardous materials presents a risk or potential risk to the health, safety and welfare of the community.

- c. As used herein, the term "hazardous material" shall mean:
 - 1) A hazardous substance.
 - 2) An extremely hazardous substance.
 - 3) A hazardous chemical.
 - 4) A toxic chemical.

As used herein, the term "extremely hazardous substance shall mean:

"Extremely Hazardous Substance." A substance appearing on the list of extremely hazardous substances published by the administrator of the Federal Environmental Protection Agency under the authority of Section 302 of the Federal Emergency Planning and Community Right-to-Know Act of 1986 (Title III, Public Law 99-499, 42 U.S.C. § 11002), as set forth at 40 CFR Part 355 ("Appendix A -The List of Extremely Hazardous Substances and Their Threshold Planning Quantities"), or appearing on any successor list of extremely hazardous substances published by the administrator of the Federal Environmental Protection Agency under the authority of Section 302 of Sara, Title III.

- 4. Day Care Center
 - a. One on-site drop-off space for clients shall be provided. An existing driveway or common parking lot space may be used as the drop-off area if it can be demonstrated that there is sufficient space available in the driveway that is not otherwise occupied or committed to safety accommodate a parked vehicle.

- b. If there are unsafe areas, such as open drainage ditches, wells, holes, heavy street traffic, etc., in or near to an outdoor play area, there shall be fencing to restrict children from these areas. Natural or physical barriers, such as hedgerows, walls or dense vegetation, may be used in place of fencing, so long as such barriers functionally restrict children from unsafe areas.
- c. The applicant shall demonstrate that the children in the family day-care home can safely, quickly and easily vacate the premises in case of emergency.

§20-1306. "PSES" Solar Energy Overlay District

A. Findings

The Board recognizes the need, pursuant to the requirements of the Pennsylvania Municipal Planning Code, to provide for reasonable development of solar energy.

- 1. The Board recognizes the need to provide for the reasonable development of alternative energy to help provide for an economically strong and viable United States of America.
- 2. The Board recognizes that its Comprehensive Plan calls for "The use of flexible techniques such as performance oriented overlay districts".
- 3. The Board recognizes the need of providing a wide range of economic uses for all private property owners in the Township, whether residential, industrial, commercial or agricultural.
- 4. The Board recognizes that solar energy development can result in glare and other environmental risks which can have a negative impact on the health, safety, welfare and morals of the residents of Center Township.
- 5. The Board recognizes that solar energy operations can have significant adverse impact on the quality of life in the areas surrounding the operations.
- 6. The Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property

and to promote the conservation of energy through access to and use of renewable energy resources.

B. Location of District Boundaries

The Principal Solar Energy System Overlay District is set forth in the drawing of Gateway Engineers, Inc., which is made part hereof dated January 21, 2021 and entitled "Solar Ordinance Overlay." Boundaries are as follows: North of Swamp Run Road to Township Boundary, North of Mahood Road to the intersection of Jamisonville Road to Township Boundary. North of Jamisonville Road to Stoney Run Road. North of Aggas Road to and including Whitmire Road to Township Boundary.

C. Definitions

ACCESSORY SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

PRINCIPAL SOLAR ENERGY SYSTEM ("PSES"): An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal Solar Energy Systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchanges, substations, electrical infrastructure, transmission lines and other appurtenant structures.

SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restrictions, covenant, or condition contained in any deed, contract, or other written instrument executed

by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, line, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. **SOLAR ARRAY:** A grouping of multiple solar modules with purpose of harvesting solar energy.
2. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.
3. **SOLAR MODULE:** A grouping of solar cells with the purpose of harvesting solar energy.

D. Uses

Principal Solar Energy System shall be a conditional use in the PSES Overlay Zoning District.

E. Design Standards and Installation

1. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enacted by Center Township and with all other applicable fire and life safety requirements. The manufacturer

specifications for the key components of the system shall be submitted as part of the application.

2. PSES installers must demonstrate they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:
 - a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).
 - b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.
3. All on-site transmission and plumbing lines shall be placed underground.
4. The applicant for PSES conditional use shall provide the Township written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and that the public utility company has approved such connection.
5. No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the zoning ordinance provision for signs.
6. Glare
 - a. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.
 - b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

7. A noise study shall be performed and included in the PSES application. The noise study will be performed by an independent and qualified noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 55 dBA, as measured at the property line.
8. No trees or other landscaping otherwise required by the municipal ordinances or attached as a condition of approval of any plan, application or permit may be removed for the installation or operation of a PSES.
9. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.
10. Decommissioning
 - a. The PSES owner is required to notify the Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.
 - b. The PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES, including all solar related equipment or appurtenances related thereto, including but not limited to, buildings cabling, electrical components, roads, foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the municipality may, upon written notice to the PSES owner and the landowner, complete the decommissioning. The Township will then file a lien against the property for 110% of the cost of decommissioning.
 - c. At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original.
11. Prior to the issuance of a zoning permit, PSES applicants must acknowledge in writing that the issuing of conditional use approval shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself: (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.
12. Solar Easements
 - a. Where a subdivision or land development proposes a PSES, with solar easements obtained from neighboring or nearby properties, such easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
 - b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include, but not be limited to:
 - 1) A description of the dimensions of the easement, including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
 - 2) Restrictions on the placement of vegetation, structures, and other

objects which may impair or obstruct the passage of sunlight through the easement;

- 3) Enumerate terms and conditions, if any, under which the easement may be revised or terminated; and
- 4) Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

- c. All solar easements must be submitted with the PSES conditional use application.

13. Other Requirements

- a. PSES shall comply with the Township subdivision and land development requirements. The installation of PSES shall be in compliance with all applicable permit requirements, codes and regulations.
- b. The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.

F. Ground Mounted PSES

1. Minimum lot size - Ten (10) acres
2. Setbacks
 - a. Front yard – Two hundred and fifty (250) feet from the street right of way line.
 - b. Rear yard – Two hundred and fifty (250) feet.
 - c. Side yard – Fifty (50) feet, two (2) required.

G. Height

Ground mounted PSES shall not exceed twenty (20) feet in height.

H. Stormwater Management

1. The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the Center Township Stormwater Management Ordinance Chapter 21.
2. Ground mounted PSES shall not be placed within any legal easement or right of way location, any septic system discharge area or within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

I. Security

1. All ground mounted PSES shall be completely enclosed by a minimum eight (8) foot high opaque fence with a self-locking gate.
2. A clearly visible warning sign shall be placed at the base of all pad mounted transformers and substations and on the fence of the surrounding PSES informing individuals of potential voltage hazards.

J. Access

1. A minimum twenty-five (25) foot wide access road must be provided from a state or township road into the site.
2. At a minimum, a twenty (20) foot wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. Cartway width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.

K. General Requirements

1. The ground mounted PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state or local authority.
1. If a ground mounted PSES is removed, any earth disturbance resulting from the removal must be graded and reseeded.

L. Roof and Wall Mounted PSES

1. For roof and wall mounted systems in the PSES overlay district, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of the Township that the roof or wall is capable of holding the load imposed on the structure.
2. PSES mounted on the roof or wall of any building shall be subject to the maximum height regulations of the underlying zoning district.

ARTICLE XIV
SUPPLEMENTAL REGULATIONS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02 July 12, 2023

Several uses identified in this Chapter, even though permitted, are required to address these "supplemental regulations" which are intended to provide additional safety standards, both for the applicant and the adjacent property owners.

§20-1401. Manufactured Homes

- A. A manufactured home, for the purposes of this Chapter, shall be as defined in Article II.
- B. No manufactured home lacking toilet and washing facilities, or cooking and food storage facilities shall be permitted, nor shall any self-propelled vehicles used as living quarters, or travel trailers designed for temporary occupancy, be permitted for residential purposes for a period exceeding fourteen (14) days. Such manufactured home or vehicle shall not be placed in any yard area.
- C. Manufactured homes placed on a single lot (parcel), not located within a mobile home park, shall meet all requirements of this Section, as well as all applicable regulations of this and any other regulations of Center Township relative to a single family dwelling unit. Homes placed in a mobile home park shall comply with Section 20-1508A.26.
- D. Manufactured homes shall be installed in compliance with the Pennsylvania Uniform Construction Code. (see Chapter 2)
- E. Manufactured homes shall be placed on required foundations and skirted within thirty (30) days of arrival on the lot. A one-time extension of not more than thirty (30) days may be granted by the Zoning/Code Enforcement Officer upon written request by the manufactured home owner.
- F. No manufactured home shall be occupied until it has received an occupancy permit from the Zoning/Code Enforcement Officer. The Zoning/Code Enforcement Officer shall not issue an occupancy permit until all applicable regulations are satisfied.
- G. Any enclosed additions added to a

manufactured home after its placement on the foundation, and not a part of the original construction, shall match the materials and colors of the original.

- H. No manufactured home shall be removed from the Township until all current and back municipal, county and school district taxes have been paid in full. The property occupied by the manufactured home may be liened for the unpaid taxes whether or not such property is owned by the occupants of the manufactured home.

§20-1402. Nonresidential Performance Standards

- A. The following regulations shall apply to any new development permitted, except when such regulations are less restrictive than comparable regulations administered by State or Federal agencies.
- B. The following emissions, as measured at the property line shall be considered the maximum allowable:
 - 1. Noise: Fifty (50) decibels, whether steady or intermittent, measured on property boundary, but excluding train and truck noises.
 - 2. Smoke: No waste material of any kind shall be burned in the open air on any industrial property. In no case shall smoke emitted from any manufacturing process exceed a density equivalent to number two (2) on the Ringelmann smoke detection chart.
 - 3. Odor: No discernible odor beyond property boundary in period of still air.
 - 4. Vibration: Not discernible beyond property boundary.
 - 5. Storage of highly flammable substances: Location not less than two hundred (200) feet from property boundary and separated from other stored substances and structures, except for incidental supplies used in connection with manufacturing processes carried out on the premises and in accordance with Pennsylvania State Police Fire Marshal regulations.
 - 6. Glare - Lighting devices which may produce

objectionable glare onto neighboring properties and/or roadways shall be regulated as follows:

- a. In any district, any operation or activity producing intense glare shall be so conducted that direct and/or indirect illumination from the source of light shall not cause illumination in excess of one-half (1/2) of one (1) foot-candle above background when measured at any residential district boundary line. Flickering or intense sources of light shall be controlled so as not to cause a nuisance across any lot lines or roadways.

C. All outside lighting, including lighting for signs, shall be directed in such a way as to not create a nuisance to any adjacent property and/or roadway. (See Figures 28 and 29, Appendix B.) All illumination devices and fixtures shall be equipped with a glare-shielding device approved by the Township Engineer. Side effects of industrial activities shall be controlled as follows:

1. Sky-reflected glare: Operations creating glare shall be conducted in an enclosed structure without facing nearby residences.
2. Dust: Shall be gathered and bagged within the structure housing the process producing the dust and in accordance with the Environmental Protection Agency (E.P.A.) and the Pennsylvania Department of Environmental Protection (D.E.P.) standards, and all stored items producing dust shall be stored in an enclosed yard or regularly sprayed with water to eliminate dust problems. This shall include covering of trucks and spraying of materials and trucks prior to transport to eliminate the possibility of the material causing dust in transport and/or dropping of the material from the truck to the road.
3. Outside storage: Stored materials shall comply with all applicable D.E.P. regulations and shall not be placed to allow seepage of liquids or toxic substances into the ground. Liquid storage vessels shall be surrounded by a dike enclosing sufficient volume to contain the vessel or vessels if ruptured, and including seepage runoff from coal,

culm, ashes or any substance which could seep into the ground water supply or adjacent streams or rivers; nor shall it be deposited in such form or manner that they may be transferred off such premises by natural causes or forces, such as by wind or flood.

4. Waste disposal: Organic wastes shall be stored in covered containers and disposed of in accordance with Pennsylvania D.E.P. regulations and the Pennsylvania Hazardous Waste Act of 1980.
- D. Determination of Violation: The Zoning/Code Enforcement Officer shall investigate any purported violation. If the Zoning/Code Enforcement Officer determines a violation exists, the Zoning/Code Enforcement Officer shall report in writing such information to the Board of Center Township Supervisors for further action, with recommendations.

§20-1403. Land Development

- A. Any developer of land proposing to construct a multi-family residential structure or structures, or any nonresidential structure or structures shall be required to meet all applicable standards of this Chapter, including Supplemental Regulations, Signs and Parking Requirements; as well as those application and review requirements established in Chapter 14, Subdivision and Land Development regulations, as may be amended from time to time.
- B. On all recorded parcels within the municipal boundaries of Center Township involving the development and operation of a natural gas compressor station or processing plant, an application for land development approval, consistent with the provisions of the Chapter 14, Center Township Subdivision and Land Development Ordinance, shall be submitted which shall also comply with the applicable standards outlined in Section 20-1415, or as superseded by the provisions of Commonwealth Act 13 of February 2012.

§20-1404. Home Occupation

- A. Home occupations are permitted as an accessory use in the residential zoning districts provided the occupation is clearly incidental to the use, except that such permission shall not supersede any deed restriction, covenant or

agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common ownership community.

- B. No exterior changes shall be made to the dwelling, nor shall any additions be made, to accommodate the home occupation. Exception: Mandatory changes required by the Pennsylvania Uniform Construction Code. (See Chapter 2)
- C. No accessory structures shall be used for a home occupation or used to supplement a home occupation.
- D. No more than one (1) person, which is not a resident in the dwelling, may be employed in the occupation.
- E. All parking for the employee and patrons shall be off the street and shall not be located within the front yard line.
- F. Signs identifying the home occupation shall conform to the standards established in Article XVII.
- G. A home occupation permit must be obtained prior to the start of activities, with a fee as established in the Township Fee Schedule. Home occupation permits must be renewed annually upon application by the property owner. Each annual renewal application shall be accompanied by an application fee, as established from time to time by the Board of Supervisors. Permit renewal is contingent upon compliance with all applicable regulations. Permits and permit renewals are the responsibility of the property owner.
- H. The home occupation shall meet all performance standards as identified in Section 20-1402.
- I. No goods or products not produced on the premises shall be permitted to be sold as part of the home occupation.
- J. No more than twenty-five percent (25%) of the existing residential structure floor area shall be used as a home occupation.
- K. All home occupations must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)

- L. Permits must be posted conspicuously in the home occupation area.

§20-1405. General Landscaping

- A. At least ten percent (10%) of any property to be developed for a nonresidential use or uses, shall be landscaped. Not less than five percent (5%) of the total property area shall be landscaped in that portion lying between the principal structure on the property and the abutting street right-of-way.
- B. Landscaping may take the form of grassed areas, shrubbery, low trees, ground cover, mulching materials, boulders or other similar features, and shall be maintained.
- C. A landscaping plan is required which shall clearly show all landscaping elements, as required, by type and location.

§20-1406. Buffer Yards/Screening

- A. Buffer yard requirements are based on the type and intensity of the land use and those on the adjacent properties. The type of buffer yard required may be placed within the required side and rear yard of a lot, and may be satisfied by any of the options illustrated. The type of plant materials are not specified by this Section, however, only those plant materials capable of fulfilling the intended function shall satisfy the requirements of this Section.
- B. To determine the required buffer yard (see Appendix "A"), the type of use proposed to be developed (or the most similar use) should be located in the first column. Next, identify the existing use on the adjacent property (or properties). The letter that is found in the "box" that intersects those uses identifies the buffer yard required for that use. The type of buffer yards are described as follows:
 - 1. Opaque Screen, Type A - A screen that is opaque from the ground to a height of at least six (6) feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty (20) feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence or densely planted vegetation. Compliance of planted vegetative screens

will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstruction should not contain any completely unobstructed openings more than ten (10) feet wide.

2. Semi-Opaque Screen, Type B - A screen that is opaque from the ground to a height of three feet (3'), with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, or planted vegetation. Compliance of planted vegetative screens will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than fifteen (15) feet wide.
3. Broken Screen, Type C - A screen composed of intermittent visual obstructions from the ground to a height of at least twenty (20) feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The screen may contain deciduous plants.

§20-1407. Excavation and/or Landfill

All requests for the excavation of materials from a site, and/or the operation of a landfill shall be reviewed by, and address the requirements of, the Butler County Conservation District and the Pennsylvania Department of Environmental Protection, and shall meet the following requirements:

- A. The operator shall submit a scaled drawing prepared by a Registered Professional Engineer to the Zoning/Code Enforcement Officer indicating:
 1. The property upon which the excavating will occur, including abutting roads, property lines and boundary on the property within which the excavating will occur.
 2. Contours at five (5) foot intervals, indicating existing contours and proposed contours at conclusion of excavation.
 3. Solution to drainage from the site, showing means of carrying ground water to a natural drainage way or to a stormwater system.
 4. The registration seal of the Engineer preparing the drawing.
- B. The operator shall comply with all regulations of this Chapter and other applicable regulations relative to grading and drainage upon conclusion of the project.
- C. The excavation or land fill project shall be operated as follows:
 1. Access to the site shall be controlled through one (1) point.
 2. The operator shall post the property, noting that a dangerous condition exists and warning trespassers away.
 3. The operator shall take care that trucks leaving the property are not overloaded and that spilled material is removed from adjacent public roads not less frequently than once every twenty-four (24) hours while the excavation is in progress.
 4. Water accumulating on the site shall be removed to a drainage way, and any contaminated water shall be treated before allowed to enter a drainage way.
 5. When the operation ceases for a period of at least ninety (90) days or moves from one area of the site to another, slope areas remaining shall be left in accordance with the requirements for grading set forth in the Subdivision and Land Development regulations.

6. The operator shall apply annually, upon the date of issuance of the original permit, for a renewal of the permit. A total of four (4) renewals shall be permitted for any single project, and all excavating work shall be completed within five (5) years from the date of issuance of original permit.
7. The Board of Supervisors shall have the right to close the excavating operation or landfill at any time or deny the right to renewal of the permit, if in its opinion, the operation is being carried on without respect for these controls.

D. Review and Approval; Bonding of Roads

1. The Township Engineer shall review the drawing submitted in support of the permit for compliance with the requirements.
2. The necessary permits, if any, required by the Commonwealth of Pennsylvania, shall have been issued to the operator, and a favorable review of the submission by the Township Engineer shall have been completed prior to approval by the Zoning/Code Enforcement Officer.
3. The Township Engineer shall assess what damages to adjacent private property or to State or Township roads might occur through improper operation from the excavation/landfill and shall determine a value upon such damages which will be equal to the amount of a bond to be posted by the excavator in favor of the Township. Such bond shall be renewed prior to the issuance of an extension of the permit.
4. The amount of the bond, less any sums needed to correct damages caused as a result of the excavation/landfill operations, shall be refunded to the operator after the conclusion of the operation, or after five (5) years, whichever is sooner.

§20-1408. Solar Considerations

To help provide a sensitivity to solar concerns, developers shall be sensitive to solar planning, which shall be considered a purpose of this Chapter. Portions of this Chapter (building heights, lot dimensions and setbacks) shall be considered by the Planning Commission and approved by the Board of Supervisors with concern towards the following definitions and rights of an individual:

- A. Solar Energy: Radiant energy received either directly or indirectly from the sun at wavelengths suitable for conversion into thermal, chemical or electric energy.
- B. Solar Skyspace: The space between a solar collector (passive or active) and the sun which must remain unobstructed in order to permit efficient utilization of the solar energy system.
- C. Solar Skyspace Easement: An expressed right, easement, covenant, condition or other property interest in any deed or other instrument executed by or on behalf of, any landlord, which protects the solar skyspace of an actual, proposed or designated solar collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy.
- D. Underground Structures: Any completed building that was designed to be built partially or wholly underground, and which was not intended to serve as a substructure or foundation for a building. Four types of underground structures are recognized:
 1. Elevational: Wall exposed
 2. Atrium or courtyard
 3. Penetrational: Wall openings
 4. Chamber
- E. Developments shall take advantage of topography and solar orientation to provide good building sites, to prevent shadows cast by adjacent buildings and to landscape with vegetation to its full potential to save energy.

§20-1409. Fences, Hedges and Walls

- A. Hedges or fences on a property at the intersection of two (2) public streets shall be prohibited within the triangle area whose sides are described by the two (2) property lines

intersecting at the intersection and an imaginary line connecting the points at which the required building setback lines, if extended, would intersect the property lines (clear sight triangle, as defined).

- B. No fence or hedge shall exceed eight (8) feet in height above the ground if the fence or hedge is erected along a side or rear property line and to the rear of the front building line.
- C. No fence or hedge shall exceed four (4) feet in height above the ground if the fence or hedge is erected along the front property line or alongside property lines toward the front property line.
- D. No fence or hedge shall be erected on the road right-of-way.
- E. Retaining walls shall require approval of the Township Engineer if their height exceeds their distance to the property line. Retaining walls, if used, shall be designed to withstand soil pressures from behind and shall have adequate foundations to avoid overturning, as well as a drainage system to remove water collecting behind the wall. Retaining walls shall require approval of the Zoning/Code Enforcement Officer and shall not be closer than three (3) feet to any property line.
- F. Security fences surrounding industrial, commercial or public properties may be exempt from Section 20-1409B and Section 20-1409C provided they are of an open surface, less than fifty (50) percent opaque. Required buffer fences, strips, and landscaping are not included under this Section.

§20-1410. Self-Storage Facility

- A. No storage may take place outside of a storage unit.
- B. No self-storage facility shall have water or sanitary sewer service.
- C. Access shall be from a main highway/road only.
- D. The maximum height of any structure shall be fifteen (15) feet
- E. The maximum length of any structure shall be two hundred (200) feet
- F. The maximum width of any building shall not exceed fifty (50) feet

- G. Minimum distance between buildings:
 - 1. face to face - thirty (30) feet
 - 2. end to end - twenty (20) feet
- H. The access road, or driveway, shall be paved.
- I. The access areas to each storage unit and/or structure, shall be made permanently mud and dust free.
- J. The entire facility shall be fenced, with access limited to the owner and those using the facility.
- K. The facility shall be screened from adjacent properties and shall meet the standards established in Section 20-1406.
- L. Exterior lighting shall be required and shall illuminate the entire compound. Such lighting shall be oriented away from and shall not produce glare on streets and/or adjacent properties, and shall meet the standards established in Section 20-1402B.6.
- M. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public is prohibited and shall meet the standards established in Section 20-1402.

§20-1411. Logging Operations

Pursuant to Pennsylvania Law, logging shall be permitted within any zoning district in Center Township. (For the requirements pertaining to the commercial harvesting of timber, refer to Chapter 10).

§20-1412. Swimming Pools

- A. A swimming pool shall be placed only to the rear or side of the principal structure and shall meet the setback requirements stated for the principal structures in that Zoning District. No swimming pool shall be placed to the front of the principal structure. See Section 20-202, Yards, Corner Lots.
- B. The pool shall be setback from the property line the same distance as for the primary structure.
- C. In-ground pools, installed before April 19, 2004, shall be surrounded by a security fence, at least four (4) feet in height, with access through a locked gate. All pools installed on or after April 19, 2004 must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)

- D. Above-ground pools, installed before April 19, 2004, shall have ladders which can be removed or folded-up to prevent access. All pools installed on or after April 19, 2004 must comply with the Pennsylvania Uniform Construction Code. (See Chapter 2)
- E. All equipment required in the operation of the pool shall be accessible for maintenance.
- F. Public pools shall meet the requirements of the Pennsylvania Departments of Health and Environmental Protection.

§20-1413. Adult Entertainment Establishments

To help protect and maintain the health, safety, morals and general welfare of its citizens, and to preserve the property values and characteristics of the surrounding neighborhoods, the Center Township Supervisors have established the following definitions and requirements for Adult Entertainment Establishments. Additional standards which must be addressed prior to conditional use approval are found in Section 20-1508A.16.

- A. Classification: The following businesses are included in the "Adult Entertainment Establishments" classification:
 - 1. Adult arcades
 - 2. Adult bookstores and/or video store
 - 3. Adult cabaret/bottle club
 - 4. Adult motel
 - 5. Adult motion picture theater
 - 6. Adult theater
 - 7. Massage establishment
- B. Definitions: The specific terms used for the purpose of this Section are defined as follows:

- 1. Adult Arcade: Any place to which the public is permitted, or invited, wherein coin-operated, slug-operated, electronically or mechanically-controlled still, or motion, picture machines, projectors or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time; and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
- 2. Adult Bookstore or Video Store: Any commercial establishment which, as one of its business purposes, offers for sale or rental, for any form of consideration, any one, or more, of the following:
 - a. Books, magazines, periodicals or other printed matter or photographs, films, motion pictures, video cassettes or reproductions, slides or other visual representation which depict or described "specified sexual activities" or "specified anatomical areas"; or
 - b. Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."
- 3. Adult Cabaret (Bottle Club): A nightclub, bar or similar commercial establishment which regularly features:
 - a. Persons who appear in a state of nudity; or
 - b. Live performances which are characterized by the exposure of "specified sexual activities" or by "specified anatomical areas"; or
 - c. Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
 - d. The ability for patrons to bring their own alcoholic beverages or liquor into the establishment.

4. Adult Motel: Any motel, hotel or similar commercial establishment which:
 - a. Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas", and has a sign visible from the public right-of-way which advertises the availability of this adult-type photographic reproduction; or
 - b. Offers sleeping rooms for rent, four (4) or more times in one calendar day, during five (5) or more calendar days in any continuous thirty (30) day period.
 5. Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, or other photographic reproductions are regularly shown, which are characterized by the depiction of "specified sexual activities" or "specified anatomical areas".
 6. Adult Theater: Any theater, concert hall, auditorium or similar establishment which regularly features persons who appear nude or in a state of nudity or in live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas".
 7. Massage Establishment: Any establishment or business which provides the services of massage and body manipulation, including exercises, heat, light, and water treatments of the body; and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist, licensed by the State.
 8. Nudity/State of Nudity: The appearance of a bare human buttock, anus, male genitals, female genitals or female breast.
 9. Specified Anatomical Areas: The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.
 10. Specified Sexual Activities: Means, and includes, any of the following:
 - a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; or
 - b. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
 - c. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral/anal copulation, sodomy, or other normal or abnormal sex acts; or
 - d. Masturbation, actual or simulated.
- C. Permit Required
1. Any person who operates an adult entertainment establishment shall be required to obtain a permit from the Township.
 2. An application for an adult entertainment permit shall be made on a form provided by the Township. The application shall be accompanied by the required fee, a sketch or diagram showing the floor plan and lot configuration. A statement indicating the total floor area shall also be included. Parking facilities must be identified and are required to meet the requirements of this Chapter. Nonconforming structures not having the required parking sites shall not be issued a permit unless the adult entertainment establishment was in existence as a lawful use prior to the date of enactment of this Chapter.
 3. Prior to issuance of an adult entertainment permit, the premises shall be inspected and found to be in compliance with this Chapter and all applicable codes.
 4. The fact that other Township permits have been issued does not exempt the use from the need for an adult entertainment permit.

- D. Fees: The annual fee for an adult entertainment permit is five hundred dollars (\$500.00), or such fee as may be established by the Township by resolution.
- E. Expiration of Permit: Each permit shall expire one (1) year from the date of issuance, and may be renewed by application as described in Section 20-1914 C 2, above.
- F. Inspection:
1. The premises of an adult entertainment establishment may be inspected by the Township Zoning/Code Enforcement Officer, or designee, at any time the establishment is open for business.
 2. Refusal to permit such inspection shall be a violation of this Chapter.
- G. Revocation of Permit:
1. The Zoning/Code Enforcement Officer shall revoke a permit if he determines that the permittee:
 - a. Is or has been convicted of a sexually-related offense;
 - b. Provided false information on application;
 - c. Has knowingly allowed possession, use or sale of controlled substances on the premises;
 - d. Has knowingly allowed prostitution on the premises;
 - e. Has allowed any person under the age of eighteen (18) to perform;
 - f. Has admitted any person under the age of eighteen (18);
 - g. Has permitted "specified sexual activities" to be performed on the premises.

The revocation of an adult entertainment permit shall be for one (1) year from the date of revocation. In the case of A above, the revocation shall be effective for two (2) years in the event of a misdemeanor or five (5) years in the case of a felony.

- H. Transfer of Permit: A permittee shall not transfer the adult entertainment permit to another person, and shall not operate an adult entertainment establishment at another location.

§20-1414. Campgrounds

In order to provide for the development of commercial campground facilities within the Township, this Section identifies standards which must be addressed, in addition to those identified in Section 20-1508A.25. A campground shall be considered a land development and shall be required to address all applicable provisions of the Township's Subdivision and Land Development regulations, Chapter 14, as may be amended.

- A. Campgrounds may be used by camping units as temporary living quarters; may be rented by the day or week only, and the length of stay shall not exceed fourteen (14) days.
- B. A written report shall be submitted which describes:
 1. The impact of the campground upon Township and State roads;
 2. The impact of the campground on sewer facilities, water supplies, schools and other public service facilities;
 3. The suitability of the site for the intensity of the development, including soils, slopes, woodlands, wetlands, floodplains, aquifers and other natural features, and the impact of the campground on these natural features;
 4. The impact of the campground on the preservation of agriculture and other land uses which are essential to public health and welfare.
- C. Campground rules shall be submitted at the time of licensing; such rules shall be modeled after the Pennsylvania State Recreation Area Rules and Regulations (March 1996, as amended).

- D. The owner of a campground shall pay a license fee, which shall be determined by the Township and shall be renewed annually. Upon application for renewal, the Township shall review compliance by the owner with all Township regulations. Should the owner be found in violation of any Chapter regarding the use of the campground, the application for renewal of the license shall be denied until such violation(s) have been corrected
- E. Each campsite and every other structure in the park supplied with water or sewer, or both, must be served by a public or community system approved by the Pennsylvania Department of Environmental Protection (DEP).
- F. Accessory structures or uses which may be permitted are: recreation facilities; office; residence (for owner/caretaker); maintenance structure(s); restroom; laundry room; convenience store. Such accessory structures shall:
 - 1. Be available to campers only;
 - 2. Not exceed twenty (20) feet in height (residences may be placed above office/laundry/convenience store, however, it shall not exceed thirty-five (35) feet in height.
 - 3. Not be located closer than one hundred (100) feet to any property line or road right-of-way.
- G. The campground and accessory uses shall be completely private uses, not available to the general public other than through reservation with the owner.
- H. Motor vehicles, other than recreational vehicles or those towing such, are not permitted, except on the improved roads as identified on the approved plan.
- I. Storage may be permitted for the owner of the campground, only, as regulated by this Chapter. No on-site storage of camping units, not owned by the campground owner shall be permitted.
- J. The campground shall be completely enclosed by a fence, a minimum of six (6) feet in height and shall be maintained in relatively good condition.
- K. There shall be only one (1) primary access to the campground from a State or Township road or highway; and, at least one (1) emergency access way to be used for emergency situations only (preferably not the same road or highway).
- L. The primary access to the campground shall have a minimum width of fifty (50) feet and shall have a maximum slope of two (2) percent for a length not less than one hundred (100) feet.
- M. The campground shall provide off-street parking and loading areas which are separated from the general traffic flow.
- N. All interior roads and parking/loading areas shall be paved. Tar and chips will be accepted as a minimum.
- O. Lighting shall be provided, by the owner, at the primary access to the campground. Such lighting, as well as all interior lighting, shall not produce glare on adjacent roads and properties.
- P. No noise from recordings, loudspeakers or public address systems shall be allowed which interferes with the reasonable enjoyment of adjacent residential properties.
- Q. The campground development shall meet the performance standards as set forth in Section 20-1402 of this Chapter.
- R. Each campground shall be inspected at reasonable times and at such intervals as may be required for the proper enforcement of these regulations and the safekeeping of the health, safety, and welfare of the public.

§20-1415. Oil and Gas Operations

- A. Oil and Gas Operations, which include the construction of compressor stations and gas processing plants, shall be reviewed by the Center Township Planning Commission and approved by the Board of Supervisors prior to the issuance of any required Township permits. All proposals for Oil and Gas Operations, whether listed as permitted or conditional uses, shall include the following submittal information in addition to the requirements for land developments specified in Chapter 14, Center Township Subdivision and Land Development Ordinance, where such operation involves the development and operation of a natural gas compressor station or processing plant:

1. For all oil and gas operations, as defined, whether permitted by right or conditional use, the following health and safety information shall be submitted for review as part of the application:
 - a. Copies of all information submitted to the Pennsylvania Department of Environmental Protection required for issuance of an oil and gas operation permit.
 - b. Copies of industry standard health and safety reports for development and operation of such facilities.
 - c. Sealed and signed affidavit from applicant's engineering consultant that the proposed facility(ies) meets all current industry standards and specific Commonwealth standards under the Pennsylvania Oil and Gas Act (1984, PL 1140, No. 223), as amended.
 - d. Design and Construction methods proposed to mitigate any identified health and safety issues at the subject site, including but not limited to, installation of sound barriers, chemical storage and frack water disposal, site lighting, and stormwater management may be referred to professional consultants at the Township's discretion, the cost for which shall be borne by the applicant.
 - e. Copies of any previous enforcement notices, fines or penalties assessed against the applicant, applicant's contractors or consultants involved in the development of the proposed oil and gas operation.
 - f. Other information deemed by the Planning Commission or Board of Supervisors relevant to address public health and safety concerns regarding the proposed oil and gas operations
2. The applicant shall provide the Zoning Officer a routing plan for access to the site, identifying Commonwealth and Township roadways being utilized, including copies of any required road performance bonds, Commonwealth permits or other required local or Commonwealth permits.
3. Applicant shall provide the Zoning Officer with a copy of the Erosion and Sediment Control General Permit (ESCGP) approved by the Pennsylvania Department of Environmental Protection.
4. The applicant shall provide a copy of any access security measures approved by the Pennsylvania Department of Environmental Protection during the gas drilling operation phase on lands in zoning districts where such activity is permitted.
5. Any approved landscaping plan shall be visually consistent with the provisions of Section 20-1405.
6. At the time an application for a Township Zoning Permit is submitted, unless otherwise specified, a copy of all Pennsylvania Department of Environmental Protection required information regarding the rehabilitation-reclamation of the site shall be attached.
7. Notification requirements of the Pennsylvania Department of Environmental Protection shall be satisfied prior to commencement of those activities specified in this Section.

8. In lieu of a land development plan pursuant to Chapter 14, Subdivision and Land Development Ordinance, an applicant may instead present the Township Engineer and Planning Commission those plans, studies and reports submitted by the applicant to DEP, which substantially complies with Chapter 14, Subdivision and Land Development Ordinance, requirements, including, but not limited to the erosion and sediment control general permit ("ESCGP-2 Permit). This provision shall supersede any contrary requirements in Chapter 14. These items shall be reviewed by the Township Planning Commission and/or Township Engineer to determine substantial compliance.
- B. Setbacks from recorded property lines shall be in conformance with the provisions of Commonwealth of Pennsylvania Commonwealth Act 13 of February 2012 where applicable, unless such minimum setback is waived by the affected abutting property owner or is otherwise specified.
- C. Any operator utilizing Center Township owned and maintained weight restricted roads for Oil and Gas Operation activities shall be held to the minimum Township standards for purposes of bonding. It shall be the sole responsibility of the operator to keep the roadway segments being utilized passable and mud-free for all vehicular traffic at all times, in addition to the following:
 1. Where a Center Township owned and maintained road is to be used for an Oil and Gas Operation, a maintenance plan shall be provided to the Township showing all roadway segments being used and the reason Township roads need to be accessed. Such plan shall include a schedule to keep the roadway passable and mud-free.
 2. When the operator's maintenance plan for accessing Township owned and maintained roads for an Oil and Gas Operation is considered deficient by the Township Engineer due to excessive use related to such oil and gas operation, an agreement shall be executed to rebuild the roadway surface, subbase and drainage prior to use. Such roadway rehabilitation work shall be performed at a time deemed appropriate by the Board of Supervisors with input from the Township Engineer.
- D. Where such oil and gas operations are classified as conditional uses in certain zoning districts, the following review procedure and submittal information shall be provided and development standards met:
 1. An application for Conditional Use approval for an Oil and Gas Operation which involves an oil or natural gas well and impoundment area, compressor station or processing plant shall be filed with the Zoning Officer along with the required administrative fee and such application shall include information as outlined and processed as follows:
 - a. Identify and describe the property, its location and the present use.
 - b. Reasonably describe present improvements and any intended additions and changes.
 - c. Disclose the Conditional Use for which the application is being made, and show how the property, as it may be improved, meets the standards and criteria required for approval.
 - d. Upon receipt of such application for Conditional Use, the Zoning Officer shall forthwith refer the same to the Township Planning Commission. The application for conditional use shall be processed as per the provisions of the Pennsylvania Municipalities Planning Code, Section 9.13.2.

- e. The Township Board of Supervisors shall hold a public hearing pursuant to public notice, on the Conditional Use application, as per the provisions of the Pennsylvania Municipalities Planning Code, Section 908.
 - f. The Township Board of Supervisors may authorize Conditional Uses pursuant to express standards and criteria specified in this Ordinance for said uses and may attach such additional conditions and safeguards as it may deem necessary where such conditions and safeguards are not pre-empted by Commonwealth Act 13 of February 2012.
 - g. The Township Staff shall report the action of the Township Board of Supervisors as per the provisions of the Pennsylvania Municipalities Planning Code, Section 9.13.2.
2. For any Oil and Gas Operation, the Operator shall;
- a. Install temporary safety fencing, at least eight (8) feet in height or as specified in Section 20-1810 Fences, Hedges and Walls, around impoundment areas. Where applicable Federal or Commonwealth regulations require additional or alternative fencing, those standards shall dictate.
 - b. Install warning signs providing notice of the potential dangers at the well site.
 - c. Provide security personnel 24/7 at all times when a drilling rig or hydraulic fracturing equipment is on the well site.
 - d. Prior to development, the Operator shall provide to the Township's first responders, including the Volunteer Fire Department, Police Department and Ambulance service in addition to the Zoning Officer, a copy of its Preparedness, Prevention and Contingency ("PPC") Plan.
 - e. Prior to drilling, the Township shall ascertain whether the Township's first responders have secured adequate training to deal with any potential dangerous conditions that may result due to development activities. First responders shall have a minimum of five hours of training per year to meet this standard. Upon request from the Township, the Operator will, prior to drilling of its first oil and gas well in the Township, make available, with at least 30 days' notice, at its sole cost and expense, one appropriate group training program of up to five hours for first responders. Such training shall be made available at least annually during the period when the Operator anticipates drilling activities in the Township.
 - f. All reportable spills and accidents are to be reported in person and in writing to the Township Administrative Office at 150 Henricks Road, Butler, PA 16001-8472 in a timely manner.
 - g. An emergency response plan shall be submitted addressing methods to handle the following:
 - 1) Well leakage
 - 2) Spill containment
 - 3) Vandalism creating unknown conditions
 - 4) Defective casing or cementing
 - 5) Potential contamination between the well and the public and/or private water supply
3. A noise level not to exceed 50 dBA at the nearest property line or the applicable standard imposed by Commonwealth or Federal statutes shall be the maximum permitted at any compressor station or processing plant site. A noise level not to exceed 60 dba at the property line shall be maintained at the well drilling and impoundment area sites unless otherwise specified.

4. The primary access road to the oil and gas well site shall be improved with a dust-free, all weather surface and constructed in such a manner that no stormwater, sediment or debris shall be carried onto any public roadway.
5. Adequate and appropriate lighting is essential to the safety and welfare of those persons involved in the development of oil and gas, and the Operator shall take steps, to the extent practicable, to direct site lighting downward and inward toward the drill site, well head, or other area being developed so as to minimize glare on public roads and adjacent buildings within three hundred (300) feet measured from the property line or leased area line of the drill site, well head, or other area being developed.
6. In the event the access road to a well pad is located all or partially in a zoning district different than the well pad, the access road shall be authorized consistent with the requirements of this Ordinance applicable to the well pad with input from the Township Engineer.

§20-1416. Container Storage Area

In order to provide a safe and secure location for the temporary placement of portable re-useable storage containers, this section identifies standards which must be addressed. These standards must also acknowledge and address the possibility of the containers being used for harmful and/or illegal activities such as, but not limited to, those initiated and carried out by criminals and/or terrorists.

A. General Requirements

1. A container storage area, for the purposes of this Chapter, shall be as defined in Article II.
2. As used herein, the compound is that portion of the site entirely enclosed by fence.
3. As used herein, the site is the uninterrupted parcel of land on which the compound is located.
4. The minimum required compound area shall be one (1) acre.

5. The entire site shall be subject Chapter 14, Subdivision and Land Development Ordinance, requirements.
6. The primary access(s) to the compound shall have a minimum width of fifty (50) feet and shall have a maximum slope of two (2) percent for a length not less than one hundred (100) feet.
7. Site access shall be from local roads only. Access from private lane shall be prohibited.
8. All area inside fenced compound shall be made to be, and shall remain, dust free and vegetation free.
9. The compound shall be screened from adjacent properties and shall meet the standards established in Section 20-1406.
10. Landscaping of areas outside of the compound fence shall be as required by Section 20-1405.
11. All site landscaping and vegetation must be continually maintained and groomed.
12. All vegetation within ten (10) feet of the fence must be maintained and groomed to a maximum height of six (6) inches.
13. Associated access road or driveway shall be paved or concrete surface.
14. Exterior lighting shall be required and shall illuminate the entire compound. Such lighting shall be oriented away from and shall not produce glare on streets and/or adjacent properties.
15. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public is prohibited. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
16. Signs shall comply with Article XVII of this Chapter.
17. No products of any kind, new or used, shall be sold on or at the site.

18. Each container storage compound shall be located not less than five hundred (500) feet from the nearest container storage compound.
 19. Compound area shall contain no other structures.
 20. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
 21. Burning at site shall be prohibited.
 22. Trucks are prohibited from extended stays at site. All trucks must leave site within one (1) hour of arrival.
- B. Containers
1. The number of containers per acre of compound area shall be consistent with, and shall not exceed, industry standards.
 2. No compound shall allow the accumulation of more than one hundred (100) containers at any given time.
 3. All containers shall be located inside the compound fence.
 4. All containers must be of the type that is totally enclosed by metal.
 5. Containers shall NOT be stacked more than two (2) high.
 6. Loading/unloading of container contents shall be prohibited.
 7. Containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric and/or graphic signage and/or writing.
EXCEPTION: The container owner and/ or manufacturers name and logo, and the container tracking number.
 8. Any activity and/or container markings and/or graphics placed on containers or anywhere on the site, using and/or involving nudity, partial nudity, sexually oriented materials, sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
 9. All containers shall be totally and securely closed and locked.
 10. All containers shall be identified by a legible tracking number specific to the container. Duplicate numbering is prohibited.
 11. Containers shall be positioned so the tracking number is not obstructed from view at ground level.
 12. Immediately upon request, the site owner must provide the Township and/or law enforcement with the following information with respect to any and all containers;
 - a. Container owner
 - b. Container contents
 - c. Container arrival date
 - d. Container content shipping history. The site owner shall retain this information for a period of one (1) year after the container is removed from the site.
 13. Materials stored within containers are subject to review, inspection and approval by the Township Zoning/Code Enforcement Officer and/or local law enforcement, upon request.
 14. Containers containing hazardous and/or explosive material shall be prohibited.
 15. Containers weeping/seeping liquids and/or dust shall be prohibited
 16. Containers containing organic waste shall be prohibited.
 17. The following shall NOT be considered compliant containers and shall be prohibited;
 - a. Containers or trailers with permanently attached axles.
 - b. Railroad cars, truck vans, mobile homes, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials

18. Any container which emits any odor sufficient to disturb the peace and general tranquility of the neighboring public shall be prohibited and shall be removed immediately upon notification from the Township or law enforcement. As used herein, any odor sufficient to disturb the peace and general tranquility of the neighboring public means an odor which annoys or disturbs a reasonable person of reasonable sensitivities.

19. Maximum time an individual container can remain on site is one (1) year. A thirty (30) day off site period is required before same container can be reintroduced to site.

C. Compound Fence and Gate

1. The entire compound area shall be fenced, with access limited to the owner and those using the facility.
2. The compound perimeter fence shall NOT enter into the minimum setback required by the applicable Zoning District.
3. Fence shall be of commercial grade corrosion resistant metal, minimum six (6) feet in height.
4. Fence shall be constructed so as to deter entry by unauthorized persons.
5. All entry driveways to compound shall be controlled by a gate that is to remain closed and locked except for entry/exit of a vehicle. The gate shall close immediately after passage of an individual vehicle.
6. All entry/exit gates to the site shall remain locked in the closed position between the hours of 9:00 pm to 7:00 am.
7. All entry gates shall be located so as to provide sufficient room for a truck with container to be completely off of street right of way prior to gate opening.
8. The site owner's name and twenty-four (24) hour contact phone number shall be conspicuously posted at all site entry areas in minimum four (4) inch high reflective lettering.
9. The 911 site address shall be conspicuously posted at all site entry areas in minimum four (4) inch high reflective lettering.

10. A Fire Department key box shall be installed at all gated areas.

§20-1417. Motor Vehicle Sales and/or Rental

- A. Parking and traffic areas shall be paved or concrete surface.
- B. The selling of food and/or drink shall be prohibited.
- C. Outdoor speakers shall be prohibited.
- D. Any activity using and/or involving nudity, partial nudity, sexually oriented materials sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
- E. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
- F. All public oriented events and/or activities must occur inside the main structure.
- G. All public oriented events and/or activities not directly applicable to sales and rental of Motor Vehicles shall be prohibited.
- H. Using any part of required parking area and/or any part of required traffic way and/or any part of any public way, for display of merchandise is prohibited.
- I. Outdoor storage areas shall be located and screened in compliance with Chapter 14, Section 14-904 of the Center Township Codification of Ordinances.
- J. When located adjacent to a residential area, hours of operation shall be limited to 8 AM through 9 PM.
- K. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
- L. No derelict or damaged vehicles shall be stored on the premises for more than one (1) month.

§20-1418. Motor Vehicle Service and/or Repair

- A. Parking and traffic areas shall be paved or concrete surface.

- B. The selling of food and/or drink shall be prohibited.
- C. Outdoor speakers shall be prohibited.
- D. Any activity using and/or involving nudity, partial nudity, sexually oriented materials sexually oriented entertainment, and/or sexually oriented services shall be prohibited.
- E. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public. As used herein, a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public means a noise or sound which annoys or disturbs a reasonable person of reasonable sensitivities.
- F. All public oriented events and/or activities must occur inside the main structure.
- G. All public oriented events and/or activities not directly applicable to service and/or repair of Motor Vehicles shall be prohibited.
- H. Using any part of required parking area and/or any part of required traffic way and/or any part of any public way, for display of merchandise is prohibited.
- I. Outdoor storage areas shall be located and screened in compliance with Chapter 14, Section 14-904 of the Center Township Codification of Ordinances.
- J. All new and used parts stored on the premises shall be stored inside a screened area.
- K. All un-useable parts stored on the premises shall be stored inside a screened area and removed periodically, but not less than monthly.
- L. When located adjacent to a residential area, hours of operation shall be limited to 8 AM through 9 PM.
- M. Solid waste management shall comply with Chapter 16 of the Center Township Codification of Ordinances.
- N. No derelict, damaged or unlicensed vehicles shall be stored on the premises for more than one (1) month. Vehicles waiting repair or painting shall be kept behind a fence at least four (4) feet high, obscuring their view from adjacent properties and roads

ARTICLE XV

CONDITIONAL USES

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-1501. Purpose

Conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration and potential impact of the proposed use shall be conducted by the Planning Commission, by comparing the use to established development standards and design guidelines. This review shall determine whether the proposed use addresses the specific standards identified in this Section, and whether it should be permitted, by evaluating the public need for, and the benefit to be derived from the use, against the impact caused by such proposed use.

§20-1502. Application

- A. The application form for conditional use approval, as provided by the Township shall be completed and filed, along with a land development plan, to the Township offices.
- B. Each application shall demonstrate that the development for which the conditional use is being applied for, will meet the criteria identified in this Section.
- C. Each application shall provide assurance that the conditional use:
 1. Will not endanger the public health, safety, morals and general welfare if located where proposed;
 2. Will not deteriorate the environment or create general nuisance conditions such as traffic congestion, noise, dust, smoke, glare and vibration;
 3. Meets all other requirements of this Chapter in the zoning district where the use is proposed;
 4. Is in general conformity, and is in harmony with, the neighborhood in which it is proposed;
 5. Is consistent with the Comprehensive Plan; and
 6. Is an appropriate use on the proposed site

as a conditional use.

- D. Each development plan shall show, to scale, the entire property to be ultimately developed and shall indicate the location, height and use of all structures, driveways, parking areas, and other improvements. The plan shall also indicate the topographic and natural features of the property.

§20-1503. Review

- A. Each conditional use application shall be analyzed to assure that the application is complete and consistent with the requirements of this Section.
 1. The Township Administrative Office shall accept the conditional use application and immediately forward such application to the Planning Commission for review and recommendation.
 2. The Planning Commission shall submit its recommendations to the Township Supervisors within thirty (30) days after receipt of the application.
 3. Upon receipt of the Planning Commission's recommendation, the Township Supervisors shall hold a public hearing, after due public notice, to gather additional testimony. Such public hearing shall be held not later than sixty (60) days following the receipt of the application.
 4. Within forty-five (45) days of the conclusion of the public hearing, the Township Supervisors shall determine whether the conditional use application is granted, denied or granted with such reasonable conditions and safeguards, in addition to those expressed in this Chapter, or may be deemed necessary to provide for the health, safety, morals and general welfare of the residents.
 5. Such decision shall be rendered in writing, and shall be delivered to the applicant personally, or mailed no later than the day following its date.
 6. Where the conditional use application is contested, or denied, such decision shall be accompanied by findings of fact, or conclusions based thereon, together with any reasons therefore.

7. Conclusions based on any provisions of this Chapter, or any other rules or regulations, shall contain a reference to the provisions relied upon, and the reasons why the conclusion is deemed appropriate in the light of the facts found.

§20-1504. Permit Expiration

Once a conditional use request has been granted approval, the applicant shall apply for a building permit and/or occupancy permit within twelve (12) months from the date of approval, or such approval shall become null and void.

§20-1505. Time Extension

The Township Supervisors may, upon written request being filed at least thirty (30) days prior to expiration, grant a time extension, not to exceed twelve (12) months. Upon granting any extension, the Township Supervisors shall ensure that the conditional use permit complies with all current regulations.

§20-1506. Performance Guarantee

The applicant may be conditioned to provide some type of performance guarantee to ensure the faithful performance of any, or all, conditions of approval.

§20-1507. Appeals

Any and all appeals from the Township Supervisor's decision shall be directed to the Butler County Court of Common Pleas.

§20-1508. Conditional Use Standards and Criteria

A. Each conditional use identified in Articles V through XII, shall address the following applicable standards and criteria, as identified. Additional conditions may be placed upon the applicant by the Township Supervisors as deemed necessary to provide for the health, safety, morals and general welfare of the neighborhood.

1. Conversion Apartments:

- a. Not more than one (1) such apartment shall occur within a single family dwelling, no more than three (3) such apartments shall occur in a former single-family dwelling converted completely to apartment use.

- b. Each apartment unit shall contain a minimum of six hundred (600) square feet of floor area.
- c. Each apartment unit shall contain a private bathroom with bathing and toilet facilities, and at least two (2) other habitable rooms, with one being for sleeping purposes.
- d. Each apartment unit shall contain separate cooking and food storage facilities.
- e. Each apartment unit shall have a minimum of two (2) means of egress directly to the outside, with one being to ground level.
- f. Each apartment unit shall be capable of providing adequate heating, lighting and ventilation services, as required by the Township's Building regulations, Chapter 2.
- g. There shall be a minimum of two (2) off-street parking spaces provided per unit.

2. Apartments in Commercial Structures:

- a. Only the owner, operator or an employee of the principal permitted use and the immediate family may occupy such units.
- b. The apartment unit is integral with the commercial building.
- c. Those requirements identified in Section 20-1508A.1, a. through g. above, shall be met.

3. Transitional Dwellings:

- a. The proposed use and operation thereof must comply with all applicable Federal, State, County and local rules and regulations.
- b. All required State and County permits and licenses shall have been issued prior to final action by the Township.
- c. Supervision of the dwelling shall be provided in accordance with all Federal, State, County and local regulations.

- d. There shall be full-time responsible professional supervisors employed by the administering agency on the premises whenever any of the residents are home, unless the administering agency can prove to the satisfaction of the Board of Supervisors that such professional supervisors, if not residing on the premises, will be available and on call at all times. Certification, in writing, from the Commonwealth or national corresponding body, will establish the condition. The name, address, and telephone number of the current supervisor shall be kept on file with the Township.
 - e. No transitional dwelling shall be located in a building that is occupied by any other residential use.
 - f. Buildings to be used as transitional dwellings shall not be closer to one another than two thousand (2,000) feet.
 - g. On-site parking shall be provided at the ratio of one space per every three (3) residents.
 - h. Prior to issuance of an occupancy permit, the owner/administrator of the dwelling shall provide a statement which identifies the number of bedrooms and the names of the residents. Such statement shall be updated as changes are made.
4. Commercial recreational areas including golf courses, country clubs, fishing lakes, swimming pools, parks, playgrounds and fishing preserves, and similar uses.
 - a. Structures shall be set back at least one hundred (100) feet from all property lines and property boundary areas if wooded areas, shall remain wooded.
 - b. Access drives shall be located to take advantage of maximum sight distances for motorists.
 - c. Parking areas shall be screened from adjacent residential properties, as per Section 20-1601E.1.
 - d. Lighting shall be oriented away from adjacent roads and properties and shall not produce glare or excessive light conditions on such roads or properties.
5. Clubs:
 - a. All structures shall be set back a minimum of fifty feet (50') from any property line.
 - b. Parking areas shall be located to the rear of the structure, where possible, and shall be screened from adjacent residential properties, as per Sec 20-1601E.1.
 - c. Exterior lighting shall be required in all structures; such lighting shall be oriented away from and shall not produce glare on adjacent residential properties.
 - d. Outdoor speakers shall be prohibited.
 - e. Access shall be from local roads only.
 - f. Signs shall comply with Article XVII of Chapter 20.
 - g. Clubs shall obtain a permit in compliance with Chapter 7.
 - h. Each club must be located not less than two hundred (200) feet from the nearest club, not less than three hundred (300) feet from the nearest school, hospital, church, charitable institution, or public playground, not less than two hundred (200) feet from the nearest establishment holding a liquor license and not less than five hundred (500) feet from the residence of any inhabitant of the neighborhood, to who's welfare, health, peace and/or morals such club would be detrimental.
 - i. No club shall allow occupancy by more than two hundred (200) persons at any given time.

EXCEPTION: Clubs approved by the Township prior to January 1, 2013.
 - j. Clubs where alcohol is consumed shall maintain a security camera system capable of recording and retrieving video images. Cameras must be

activated and recording video images of the entrance and exit doors. Recorded images must be stored a minimum of 30 days. Each club required to have cameras pursuant to this provision shall prominently display signage on the premises to notify patrons of the presence and use of security cameras.

EXCEPTION: Clubs approved by the Township prior to January 1, 2013

6. Essential/Municipal Services:

- a. Structures and/or outbuildings shall be designed to be compatible with the surrounding architecture.
- b. Structures and/or outbuildings shall be sited so as to provide the least environmental disturbance.
- c. All parking and/or loading areas shall be screened from adjacent properties, as per Section 20-1601E. 1.
- d. Access to the site shall be located so as to provide the maximum sight distance available.
- e. All required Federal, State and County permits shall be provided prior to the issuance of an Occupancy Permit by the Township.
- f. All utilities shall be placed underground with a minimum easement of twenty (20) feet.

7. Hospital, Nursing Home, Retirement/Convalescent Home:

- a. The proposed use shall be licensed by applicable State and/or Federal Agency.
- b. The minimum lot size for a facility of up to forty (40) residents, shall be two (2) acres. For every twenty (20) additional residents, or fraction thereof, one additional acre of lot size shall be provided.
- c. Structures shall be set back from the property lines by at least one hundred (100) feet.

- d. Maximum lot coverage shall not exceed forty-five (45) percent.
- e. All parking and loading areas shall be screened from adjacent residential properties, as per Section 20-1601E. 1.
- f. Areas of the property not occupied by buildings or paved shall be landscaped and maintained, or left in natural vegetative cover.

8. Churches:

- a. Access drives shall be from secondary or local streets where feasible.
- b. Access drives shall be located to provide the maximum sight distances possible for motorists.
- c. Parking areas shall be screened from adjacent properties, as per Section 20-1601E. 1.
- d. Lighting shall not create glare for adjacent residential properties.
- e. Areas not occupied by structures or paving shall be landscaped and maintained or left in natural vegetative cover.

9. Real Estate Sales Office:

- a. The structure shall be similar to that being built within the development.
- b. Parking shall be provided on the same lot, for a minimum of five (5) vehicles.
- c. Parking areas shall be screened from adjacent homes, as per Section 20-1601E. 1.
- d. Only one (1) sign shall be permitted, and shall not exceed twenty-four (24) square feet in size.
- e. Such structure and sign shall be removed upon the sale of the final lot in the plan.

10. Apartments:

- a. Each dwelling unit shall have at least two (2) off-street parking spaces.
- b. Parking areas shall be located in the rear of the site where feasible.

- c. Parking areas shall be screened from adjacent residential properties, as per Section 20-1601E.1.
 - d. If more than one building, the minimum distance between buildings shall be fifty (50) feet.
 - e. Buildings within one hundred (100) feet of the perimeter property lines shall be screened from adjacent residential properties, as per Section 20- 1406.
 - f. Areas of the property not occupied by buildings or paving shall be landscaped and maintained.
 - g. Open and unobstructed passageways shall be provided at grade level to inner courts for the passage of emergency equipment.
11. School Facilities:
- a. All required Federal, State and County permits shall be acquired prior to final action by the Township.
 - b. The minimum lot size shall be five (5) acres.
 - c. The educational facility shall be the sole occupant of the property.
 - d. All structures shall be set back a minimum of one hundred (100) feet from all property lines.
 - e. All parking areas shall be screened from adjacent residential properties as per Section 20-1601E.1.
 - f. All lighting shall be directed away from, and shall not create glare towards, adjacent residential properties.
12. Professional Offices:
- a. If more than one structure, the minimum distance between structures shall be fifty (50) feet.
 - b. All parking, loading and access areas shall be screened from adjacent residential properties.
 - c. All required parking shall be in the rear of the structures, where feasible, as per Section 20-1601E.1.
- d. All structures within one hundred (100) feet of the perimeter property lines shall be screened from adjacent residential properties, as per Section 20-1406.
 - e. All property not covered by structures or paving shall be landscaped and maintained.
13. Dry Cleaning, Pressing or Tailoring Shop:
- a. Any dry cleaning, pressing or tailoring shop using cleaning solvents shall be approved for service by the Butler Area Sewer Authority.
 - b. The storage of all hazardous materials shall meet Federal, State, County and Township laws.
 - c. No outdoor storage of materials is permitted.
14. Motor Vehicle Fuel Dispensing Facility:
- a. No structure, whether above or below ground, shall be permitted in any front, side, or rear yard area.
 - b. Canopy structures are permitted to overhang the required yard areas, but may not be closer than twenty (20) feet to the road right-of-way.
 - c. No derelict, damaged or unlicensed vehicles shall be stored on the premises.
 - d. The design and arrangement of the station shall be compatible with the surrounding residential development, if applicable.
15. Drive-In, Drive-Through and Outdoor Service Restaurants:
- a. Access drives shall provide adequate sight distance for motorists entering and exiting the property, and shall not disrupt the parking pattern of the lot.
 - b. There shall be separate access lanes and service areas identified for customers.
 - c. All areas not occupied by structures or paved shall be landscaped and maintained.

- d. All parking and/or service areas shall be screened from adjacent residential properties, as per Section 20-1601E.1.
16. Adult Entertainment Establishment: In addition to the following conditions, an Adult Entertainment Establishment shall address the standards identified in Section 20-1413).
 - a. No adult entertainment establishment shall be located outside the "M-2" Heavy Industrial District.
 - b. No adult entertainment establishment shall be located within one thousand (1,000) feet of any of the following land uses, as measured from the edge of the property lines closest to each other:
 - 1) churches
 - 2) schools
 - 3) school bus stop
 - 4) child care facility
 - 5) nursery school
 - 6) park
 - 7) playground
 - 8) community center
 - 9) No adult entertainment establishment shall be located within two thousand (2,000) feet of another such establishment.
 - 10) No sign, stock, and/or trade which can be viewed by the public may be permitted which depicts, describes or relates to sexual activities.
 17. Motor Vehicle Service and/or Repair:
 - a. Autobody repair shall take place within a completely enclosed structure.
 - b. All service and/or repair activities shall be completely screened from adjacent properties.
 - c. All unusable parts and material stored on the premises shall be removed periodically, but not less than bi-monthly.
 - d. All service and repair equipment must be kept entirely within a completely enclosed building.
18. Light Industrial Uses of a Nature Similar to Principal Permitted Uses:
 - a. All operations shall be carried on entirely within an enclosed building, except as permitted under accessory uses.
 - b. Outdoor storage areas shall be screened from all adjacent properties, as per Section 20-1406.
 - c. Areas of the property not occupied by buildings or paving shall be landscaped and maintained.
 - d. The Performance and Development standards identified in Section 20-1105F and Section 20-1402, respectively, shall be strictly adhered to.
 19. Heavy Industrial Uses of a Nature Similar to Principal Permitted Uses: Same standards and criteria as found in Section 20-1508A.18, above.
 20. Manufacture or Processing of Food Products, Fertilizer, Wood Pulp, Disinfectants or Soap.
 - a. The standards identified in Sections 20-1105F and Section 20-1402 of this Chapter shall be met.
 - b. All proposed uses shall acquire the necessary County, State and Federal permits prior to final action by the Township.
 - c. All operations shall be carried on entirely within an enclosed structure, except as permitted under accessory uses.
 - d. Outdoor storage areas shall be completely screened from adjacent properties, as per Section 20-1406.
 - e. Areas of the property not occupied by structures or paving shall be landscaped and maintained.

21. Flea Market:

- a. Long-term or permanent flea markets shall be required to be within an enclosed structure.
- b. Outdoor spaces may be provided for use on weekends only.
- c. Off-street parking shall be provided at the rate of one (1) space per one hundred (100) square feet of display area.
- d. No outdoor storage shall be permitted.
- e. All applicable State and County permits and licenses must be presented prior to issuance of Township permits.

22. Building Materials and Supply Sales:

- a. All storage of materials shall be within a structure.
- b. All storage yards shall be screened from adjacent properties, as per Section 20-1406.
- c. All off-street parking shall be separate from loading areas.
- d. All property not occupied by structures or parking/loading areas shall be landscaped and maintained.

23. Municipal Landfills:

- a. Landfills shall be located on sites with a minimum of one hundred (100) acres in land area.
- b. All landfill disposal areas shall be set back a minimum of one hundred (100) feet from all public roads.
- c. All landfill disposal areas shall be set back a minimum of three hundred (300) feet from an existing dwelling, school or church.
- d. The landfill disposal area shall be screened from public view by dense foliage, topography or fencing. In addition, a security fence, a minimum of six (6) feet in height, shall be erected around the perimeter of the site and maintained in good condition.
- e. A traffic and road condition study shall be submitted to determine the

adequacy of the road network and the structural condition of the roads serving the landfill for the traffic to be generated by the landfill.

- f. Access to the landfill shall not be through any residential subdivision or development and shall be from a collector or arterial road.

24. Groups of two (2) or more commercial, retail and/or service businesses on the same property:

- a. Access to the businesses shall be from an arterial road.
- b. Access lanes shall not be through parking areas.
- c. The parking area shall provide adequate spaces, as provided for in this Chapter, for all uses.
- d. Each structure shall have a common integrated architectural character and design.
- e. Loading areas shall be separate from parking areas.
- f. Pedestrian circulation shall be separate from automobile access lanes.
- g. All areas not paved or occupied by structures shall be landscaped and maintained.
- h. All edges of paved areas abutting landscaped areas shall be curbed.

25. Campgrounds

- a. A campground shall consist of a minimum ten (10) acres and shall be under single ownership.
- b. Individual campsites shall contain a minimum area of two thousand (2,000) square feet.
- c. The minimum width of an individual campsite shall be thirty (30) feet.
- d. Only one camping unit may be placed on an individual campsite.
- e. The maximum number of campsites permitted per acre shall not exceed twenty (20).

- f. No campsite, accessory structure or recreational structure/facility shall be placed closer than one hundred (100) feet to any property line and/or road right-of-way (except interior driveway access to campsites).
 - g. All applicable requirements of Section 20-1414, shall be addressed.
 - h. All camping units must be removed from the park between January 15 and March 15.
 - i. All camping units must have current registration and inspection, if applicable. Exception: Ground tents.
 - j. The maximum number of campsites in the campground shall not exceed fifty (50).
 - k. Any existing or proposed campground shall not be located within one thousand (1,000) linear feet of any part of any other existing or proposed mobile home park or campground. This includes parks and campgrounds in other municipalities.
 - l. An application for permit must be made to the Township for ALL construction, repairs, and renovations inside the campground.
26. Mobile Home Park
- a. A minimum of ten (10) acres, under single ownership, is required for the development of a mobile home park.
 - b. A net density of six (6) manufactured housing units per net acre of land.
 - c. All applicable provisions of Chapter 14, Subdivision and Land Development Ordinance, regulations shall be addressed.
 - d. All park service and accessory structures shall comply with the Pennsylvania Uniform Construction Code (see Chapter 2), Chapter 14, Subdivision and Land Development Ordinance, and all other local, state, and federal regulations.
- e. Mobile home units in the park shall comply with ALL the following conditions:
 - 1) Units shall meet all State and Federal construction standards for manufacture housing.
 - 2) Units shall be titled by the bureau of motor vehicles as a Mobile Home (MH).
 - 3) Units shall be consistent with the definition of "Mobile Home" found in Section 20-202.
 - 4) Units shall be installed on concrete footings and masonry unit piers, all compliant with the Pennsylvania Uniform Construction Code. (See Chapter 2).
 - 5) Units shall be secured to the ground in compliance with the Pennsylvania Uniform Construction Code (see Chapter 2), with approved manufactured ground anchors. Homemade ground anchors are not permitted.
 - 6) Units shall have an exterior exit landing/stairway area (deck, stop, etc.) located at the home's primary exit door installed as follows:
 - a) Landing/stairway area shall permit entry of Emergency Medical Service's gurney directly into the unit's primary exterior door without turning, OR, the landing shall be constructed to permit an unobstructed turning radius of eight (8) feet. The landing shall be located at a horizontal height consistent with the home's interior floor surface.
 - b) Landing/stairway area shall be installed in such a manner as to resist movement due to winter freeze/thaw cycles.
 - c) Landing/stairway area shall be secured to the ground in such a manner as to resist tipping

- or movement from above grade sources.
- 7) Units shall be skirted within thirty (30) days of arrival on the lot. A one (1) time extension of not more than thirty (30) days may be granted by the Zoning/Code Enforcement Officer upon written request by the unit owner.
- f. Accessory structures
- 1) Maximum permitted overall height of accessory structure shall be fifteen (15) feet from finished grade.
- 2) Distance between principal and/or accessory or attached structures - a clear area of not less than ten (10) feet must be maintained between any principal and/or accessory structure on a mobile home lot and the closest lot boundary line.
- g. All applications for required permits shall be made by the owner of the mobile home park to the Township including all mobile home set-ups, construction, repairs, and renovations including the placement of pre-manufactured accessory structures not limited to storage sheds and carports.
- h. No manufactured/mobile home shall be removed from the Township until all current and back municipal and school district taxes have been paid in full. The property occupied by the home may be liened for the unpaid taxes whether or not such property is owned by the occupants of the mobile home.
- i. No existing or proposed mobile home park and/or RV park or campground or expansion of such use, shall be located within one thousand (1,000) linear feet measured from boundary line to boundary line, or any part of any other existing or proposed mobile home park and/or RV park or campground. This shall include mobile home parks and/or RV parks or campgrounds in adjoining municipalities.
27. Junkyard
- a. Shall be enclosed by fencing.
- b. Shall be screened from adjacent properties and roadways.
- c. Off-street parking shall be separate from storage area.
- d. Shall be setback a minimum of one hundred (100) feet from all property lines.
- e. Shall be subject to licensing requirements and other restrictions.
28. Cemetery:
- a. Grave sites shall be set back from all property lines a minimum of one hundred (100) feet.
- b. Areas of the site that are not forested shall be used first. Existing trees shall be removed only to the extent necessary to accommodate projected new grave sites.
- c. All structures shall be screened from view of adjacent dwellings and public roads/streets.
- d. There shall be no crematorium on the property.
29. Communication Facility for a Tower Less than 200 feet: All Communication Facilities shall be processed and reviewed as land developments in accordance with the provisions of, Chapter 14, Subdivisions and Land Development Ordinances, as amended. The colocation of a communication facility, as defined, on an existing building or structure, shall be classified as conditional use in every zoning district. Communication Facilities as stand-alone structures shall be classified as conditional use in the "R-1A", Low Density Residential District, "C-1", Retail and Service District, and "C-2", Highway Commercial District only.
- a. The applicant shall demonstrate, using technological evidence, that the Telecommunications Tower must be

- located where proposed in order to satisfy its function in a company's grid system.
- b. For a telecommunications tower, the applicant shall demonstrate that it contacted the owners of tall structures, buildings and towers within a ¼ mile radius of the site proposed, sought permission to install an antenna on those structures, buildings, and towers and was denied for one of the following reasons:
- 1) The proposed antenna and related equipment would exceed the structural capacity of the existing building, structure, or tower, and its reinforcement cannot be accomplished at a reasonable cost.
 - 2) The proposed antenna and related equipment would cause radio frequency interference with other existing equipment for that existing building, structure, or tower and the interference cannot be prevented at a reasonable cost.
 - 3) Such existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - 4) A commercially reasonable agreement could not be reached with the owner of such building, structure, or tower.
- c. The applicant shall demonstrate that the proposed height of the telecommunications tower is the minimum height necessary to perform its function. In no case shall the height of the telecommunications tower exceed one hundred and ninety-five (195) feet, as measured vertically from the ground level to the highest point on the tower including antennas mounted on the tower.
- Towers shall be of the monopole type construction.
- d. The telecommunications tower shall be designed to have the least practical adverse visual effect on the residential areas which can view it.
 - e. An antenna shall not exceed a maximum height of thirty-five (35) feet above the top of the tower to which it is attached.
 - f. The foundation and base of any telecommunications tower shall be set back from property lines (not lease lines) by the largest of the following:
 - 1) The minimum building setback in the underlying zoning district.
 - 2) One hundred (100) feet from residential property lines and any residential district boundary.
 - 3) Fifty (50) feet from other property lines.
 - g. A telecommunications equipment building shall meet the height and setback requirements for principal buildings in the zoning district in which the building is located. When a zoning district contains more than one set of setback requirements, the largest setbacks shall apply.
 - h. In order to reduce the number of telecommunication towers needed in the township, any proposed telecommunications tower shall be designed to accommodate a minimum of two other users, including other commercial wireless telecommunication companies, and local police, fire, ambulance and municipal companies.
 - i. All telecommunication towers shall be fitted with anti-climbing devices as approved by the manufacturers.
 - j. A security fence shall be required around the telecommunications tower and other equipment. The fence shall

- be a minimum of six (6) feet in height and shall not exceed eight (8) feet in height.
- k. Landscaping shall be installed to mitigate for the visual impact of a telecommunications tower. Such landscaping shall meet the following requirements:
- 1) Landscaping shall be installed to screen and buffer the tower and any ground level features, such as an equipment building, from adjacent properties.
 - 2) The landscape screen shall consist of a mix of evergreen trees planted in a staggered double row. The plantings shall be a minimum height of six (6) feet at planting and shall grow to a minimum of fifteen (15) feet at maturity.
 - 3) Existing vegetation on and around the site shall be preserved to the greatest extent possible.
 - 4) The Township may permit a combination of existing vegetation, topography, walls, decorative fences or other features when it achieves the intent of this Section.
- l. All guy wires associated with a guyed telecommunications tower shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure. Guy wires and their anchors shall be set back at least twenty-five (25) feet from property lines.
- m. No signs or lights shall be mounted on a telecommunications tower, except as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), another governmental agency which has jurisdiction, or which may be needed for emergency repair. All lighting shall be shielded and reflected away from adjoining properties.
- n. Access shall be provided to the telecommunications tower and telecommunications equipment building by means of a public street or easement to public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a driveway for its entire length. Two (2) parking spaces must be provided for maintenance personnel.
- o. A telecommunications tower may occupy a leased area within a lot provided that the lease area is a minimum of six thousand (6,000) square feet. The lot shall meet the minimum lot area of the district in which it is located.
- p. A proposed telecommunications tower shall comply with all applicable Federal and State regulations. The applicant shall request a written statement of compliance from the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), and other regulatory agencies. Such statement shall be sent by the agency to the Township. The applicant shall provide to the Township a copy of the appropriate form submitted to each such agency, copy of a written request to each agency for a written statement of compliance, and a return receipt from each agency for delivery at least thirty (30) days prior to the public hearing of such application and of such request for a written statement of compliance.
- q. A telecommunications tower shall be securely anchored in a fixed location of the ground and the applicant shall provide qualified evidence that the proposed structure will withstand wind and other natural forces.
- r. Prior to the issuance of a Building/Zoning Permit, the applicant shall provide the following:
- 1) A copy of its current Federal Communications License;

- 2) Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000.00 per occurrence, and property damage coverage in the minimum amount of \$1,000,000.00 covering the Communication Facility and any communications antennae.
- s. Any telecommunications tower that is no longer licensed and active receiving or transmitting facility shall be removed at the owner's expense within one hundred eighty (180) days of the last date that the tower was licensed by the FCC. If there are two or more users of a single tower, this provision shall not become effective until all users cease using the tower. Furthermore, prior to construction of any tower, a bond or escrow account shall be posted with the Township in an amount sufficient to ensure such removal. The bond or escrow shall be held by the Township for a maximum of twenty (20) years and shall be used by the Township in the event that the owner or operator of the telecommunications tower fails to remove the facility within the time period prescribed above. Any portion of the bond or escrow not used by the Township shall be returned to the owner or operator.
- t. By January 31st of each year, the owner or operator of any commercial communication facility or antenna, as defined, shall pay the required registration fee established, from time to time, by resolution of the Board of Supervisors and shall file with Center Township the following information.
- 1) The name and address of the owner of the communication facility or commercial communications tower/antenna and telephone number of contact person in case of emergency.
 - 1) The name and address of the property owner on which the communication facility or commercial communications tower/antenna is located.
 - 2) The location of the communication facility or commercial communications tower/antenna by geographic coordinates, indicating the latitude and longitude.
 - 3) Output frequency of the transmitter.
 - 4) The type of modulation and class of service.
 - 5) Antenna gain.
 - 6) The effective radiated power of antenna.
 - 7) The number of transmitters and antennas.
 - 2) A copy of Federal Communications Commission (FCC) authorization.
30. Communication Facility: All Communication Facilities shall be processed and reviewed as land developments in accordance with the provisions of, Chapter 14, Subdivision and Land Development Ordinance, as amended. The colocation of a communication facility, as defined, on an existing building or structure is proposed, shall be classified as a conditional use in every zoning district. Communication Facilities as stand-alone structures shall be classified as a conditional use in the "R-1A", Low Density Residential District, "M-1" Light Industrial District and "M-2" Heavy Industrial District only.
- a. The minimum site area required for a single communications facility shall be five (5) acres. The site shall also be capable of meeting the requirement of Section 20-1508.29.g. hereinafter set forth.

- b. Any existing or proposed site, within Center Township, shall not be located within three thousand (3,000') linear feet of any other existing or proposed site, within Center Township, measured from the nearest property line to nearest property line. Where the proposed site would result in the location of a communication tower within three hundred (300) linear feet of an occupied dwelling unit, the Board of Supervisors may require additional separation between proposed communication towers of up to five thousand (5,000) linear feet. A proposed site is one for which application has been made and required fees paid consistent with the requirements of Center Township.
- c. In order to reduce the number of antennae support structures necessary within the Township, shared use or colocation of antenna and antenna sites is provided for and is preferred. If shared use of an existing or approved antenna or an existing site is not proposed, the applicant shall demonstrate that the proposed equipment cannot be accommodated on an existing or approved antenna, or an existing or approved site for the following reasons:
 - 1) The proposed equipment would exceed the structural capacity of the existing or approved antenna(e) and reinforcement of the existing or approved antenna(e) cannot be accomplished at a reasonable cost;
 - 2) The proposed equipment will cause RF (Radio Frequency) interference with other equipment for that antenna or that existing or approved site;
 - 3) Existing or approved antenna, or the existing or approved site, do not have adequate space to accommodate the proposed equipment;
 - 4) Addition of proposed equipment would result in NIER (Nonionizing Electromagnetic Radiation) levels which exceed any adopted local, federal or state standards;
- d. Shared use or colocation of a proposed antenna shall be the responsibility of the applicant through a building agreement between parties whose facilities and/or structures, are involved.
- e. The applicant shall demonstrate that he or she has contacted owners of tall structures within a one (1) mile radius of the proposed site, requested permission to install its antenna (or other transmission and receiving device) on those structures and was denied permission for reasons other than economic ones. Tall structures include, but are not limited to, smoke stacks, water towers, tall buildings, antenna support structures, electric transmission structures, abutting communication facilities, and other communication towers, within and under the jurisdiction of Center Township.
- f. If conditional use status is granted to a communication facility, it shall be subject to the condition that the use of the tower will be made available to other users (even if they are in direct or indirect competition with the applicant) so long as the following apply:
 - 1) There is space available on the tower.
 - 2) The proposed antenna (or other transmission and receiving device) will not be located within three hundred (300) linear feet of an occupied dwelling unit.
 - 3) The proposed antenna (or other transmission and receiving device) will not be located within three thousand (3,000') linear feet of any other existing or proposed antenna (or other transmission and receiving device), within Center Township, measured from the nearest property line to nearest property line.
 - 4) The proposed antenna (or other transmission and receiving device) will not be located within three hundred (300) linear feet of an occupied dwelling unit, the Board of Supervisors may require additional separation between proposed communication towers of up to five thousand (5,000) linear feet.
 - 5) There are other valid reasons that make it impractical to place the proposed equipment on any existing or proposed antenna on any existing or approved site.
 - 6) Any approval of a new site shall be subject to the agreement of the applicant to construct the antenna with capacity to accommodate additional communications facilities which might be required in the future by the applicant or by another party.

- 2) The additional user(s) will not cause interference with the existing user(s).
 - 3) The additional user(s) will not cause any health or safety problems or be hazardous to the surrounding area.
 - 4) The tower has the structural capability to safely contain the communication transmitting and receiving device(s) which may be installed by any additional user(s) on the tower.
 - 5) The additional user(s) has agreed to pay a fair and reasonable market rent for the use of the tower.
 - 6) Any additional user(s) obtains conditional use approval and agrees to comply with all Township ordinances.
- g. Communications facilities and their associated structures may exceed the height limitations of the Zoning District, provided they shall be set back from any property line or public street right-of-way a minimum distance equal to one hundred and twenty (120) percent of the height of the communication tower, to guarantee that, in the event of collapse, the structure shall not fall on any adjacent property; and, all ice-fall or debris from antenna failure shall be contained on site.
- h. Unless the essential communications facility is located on a building, the antenna structure shall be completely enclosed by an eight (8) foot high chain link or similar fence, with self-latching gate, to limit accessibility by the general public, unless the entire property is secured by such a fence.
- i. The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that exceeds this minimum height shall be approved.
- j. All guy wires and all guyed towers shall be clearly marked so as to be visible at all times. All guy wires shall be located a minimum of twenty-five (25) feet from any property line.
- k. All communication towers will be a monopole construction, unless the applicant demonstrates, to the satisfaction of the Township at the Conditional Use hearing, that lattice-type construction is more suitable for the intended application.
- l. All communication towers over thirty-five (35) feet in height must meet ANS/EIA/TIA-222E (American National Standards Institute, Institute, Electrical Industry Association, and Telecommunications Industry Association tower specifications) requirements or its latest revision. Further, due to local weather conditions, the tower must be built to withstand one hundred (100) MPH sustained winds with a uniform loading of fifty (50) pounds, or short duration gusts of up to one hundred fifty (150) MPH. An independent structural engineer registered in Pennsylvania shall attest to the proposed tower's ability to meet this requirement and certify proper construction of the foundation and erection of the tower.
- m. The antenna shall be subject to any applicable Federal Aviation Administration (FAA) and Airport Zoning regulations.
- n. No sign or other structure shall be mounted on the antenna, except as may be required or approved by the FCC, FAA or other federal agency.
- o. All lighting shall be shielded and reflected away from adjoining properties. No high intensity white lights, whether continuous or "strobe," shall be permitted. Red obstruction lights and paint shall be the preferred type of markings. The proposed obstruction marking system shall meet all FAA requirements.

- p. A minimum of two (2) off-street parking spaces shall be provided on the antenna site, plus one (1) off-street parking space for each on-site personnel.
 - q. Existing vegetation on the site shall be preserved to the maximum extent possible, and the exterior of the fencing enclosing the antenna structure shall be landscaped to buffer the visual impact of the antenna base from adjoining properties.
 - r. A right-of-way access, with a minimum twenty (20) foot easement or right-of-way, to be maintained by the landowner or lessee, shall be provided to the antenna which is adequate to accommodate maintenance and emergency vehicles and which is improved with a dust-free, all weather surface, sufficient to accommodate the weight of vehicles proposed to use the access, subject to approval by the Township Board of Supervisors.
 - s. If the acreage of the site permits, an antenna may be located on a lot or parcel of land devoted to another principal use.
 - t. Prior to the issuance of a Building/Zoning Permit, the applicant shall provide the following:
 - 1) A copy of its current Federal Communications Commission license;
 - 2) A Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000.00 per occurrence, and property damage coverage in the minimum amount of \$1,000,000.00 per occurrence covering the Communication Facility and any communications antennae located thereon;
 - 3) Certification that the equipment on the tower shall not cause interference with other electronic equipment in the area; and
- 4) Financial security, for example a performance bond or escrow account, in an amount determined to be adequate by the Township Engineer to guarantee removal of the communication facility or antenna within twelve (12) months of the cessation of use.
 - 5) The applicant shall execute an agreement with the Township, in a form legally sufficient to the Township, requiring the removal of the communication tower and/or antenna within one (1) year after the tower and/or antenna ceases to function as such.
- u. By January 31st of each year, the owner or operator of any commercial communication facility or antenna, as defined, shall pay the required registration fee established, from time to time, by resolution of the Board of Supervisors and shall file with Center Township the following information. Failure to provide such information by the date specified shall subject the operator to all enforcement remedies provided in this Chapter.
 - 8) The name and address of the owner of the communication facility or commercial communications tower/antenna and telephone number of contact person in case of emergency.
 - 1) The name and address of the property owner on which the communication facility or commercial communications tower/antenna is located.
 - 2) The location of the communication facility or commercial communications tower/antenna by geographic coordinates, indicating the latitude and longitude.
 - 3) Output frequency of the transmitter.
 - 4) The type of modulation and class of service.

- 5) Antenna gain.
 - 6) The effective radiated power of antenna.
 - 7) The number of transmitters and antennas.
 - 8) A copy of Federal Communications Commission (FCC) authorization.
31. Self-Storage Facility
- a. No storage may take place outside of a storage unit.
 - b. No self-storage facility shall have water or sanitary sewer service.
 - c. Access shall be from a main highway/road only.
 - d. The maximum height of any structure shall be fifteen (15) feet
 - e. The maximum length of any structure shall be two hundred (200) feet
 - f. The maximum width of any building shall not exceed fifty (50) feet
 - g. Minimum distance between buildings:
 - 1) face to face - thirty (30) feet
 - 2) end to end - twenty (20) feet
 - h. The access road, or driveway, shall be paved.
 - i. The access areas to each storage unit and/or structure, shall be made permanently mud and dust free.
 - j. The entire facility shall be fenced, with access limited to the owner and those using the facility.
 - k. The facility shall be screened from adjacent properties and shall meet the standards established in Section 20-1406.
 - l. Lighting shall be required for each structure and shall not interfere with adjacent properties or streets and shall meet the standards established in Section 20-1402B.6.
- m. Any activity which causes a noise or sound sufficient to disturb the peace and general tranquility of the neighboring public is prohibited and shall meet the standards established in Section 20-1402.
32. Climate Controlled Self Storage:
- a. No storage shall take place on the exterior of the storage facility.
 - b. Access to the storage facility shall be through a controlled access point and/or loading dock.
 - c. Climate controlled self-storage unit may have water and sanitary sewer service.
 - d. Construction of Climate Controlled self-storage units shall be in accordance with the latest Uniform Construction Code requirements.
 - e. Signage for facility shall meet the current ordinances.
 - f. Parking requirements shall be no less than two (2) spaces per one hundred (100) storage units.
 - g. Storage of Vehicles, gas powered equipment and hazardous materials shall be prohibited.
33. Mineral Extraction Including Oil and Gas Extraction
- a. Wellheads, vent flames, and ventilation openings shall be set back a minimum of two hundred fifty (250) feet from all adjacent property lines and street right of ways.
 - b. Wellheads, vent flames, and ventilation openings shall be set back a minimum of one thousand (1,000) feet from an existing dwelling, school or church.
 - c. The wellhead, mine opening and/or ventilation opening area, shall be screened from public view by dense foliage, topography or fencing. In addition, a security fence, a minimum of six (6) feet in height, shall be erected

around the perimeter of the site and maintained in good condition.

- d. A traffic and road condition study shall be submitted to determine the adequacy of the road network and the structural condition of the roads serving the site.
- e. Access to the site shall not be through any residential subdivision or development and shall be from a collector or arterial road.

34. Container Storage Area

- a. As used herein, the compound is that area entirely enclosed by fence.
- b. As used herein, the site is the uninterrupted parcel of land on which the compound is located.
- c. No site shall allow the accumulation of more than fifty (50) containers at any given time.
- d. All containers must be of the type that is totally enclosed by metal.
- e. Each container storage compound shall be located not less than one thousand (1,000) feet from the nearest container storage compound.
- f. Containers containing organic waste shall be prohibited.
- g. Containers shall NOT be stacked or in any way elevated.

EXCEPTION: Loading and unloading of container onto truck

- h. Loading/unloading of container contents shall be prohibited.
- i. All entry/exit gates to the site shall remain locked in the closed position between the hours of 9:00 pm and 7:00 am.
- j. The following shall be conspicuously posted at all site entry areas in minimum four (4) inch high reflective lettering.
 - 1) Name and twenty-four (24) hour contact phone number of site owner.

- 2) No drop off or pick up between the hours of 9:00 pm and 7:00 am.

35. Bed and Breakfast (BNB)

- a. Must submit Application for a Conditional Use Change. (See Section 20-1502)
- b. Owner of property must reside on premises.
- c. Property can only contain six (6) guest rooms.
- d. Additional parking should be provided for guests at the rear of the structure when possible. On street parking is prohibited.
- e. Obtain an Occupancy Permit annually after an onsite inspection for fire safety (See Section 20-1903.B)
- f. Noise: Fifty (50) decibels, whether intermittent or steady, measured at the property boundaries
- g. Patrons must arrive for check-in before 9 P.M.
- h. Structural changes to the building must meet the UCC Building Code (Chapter 2) and Sewage Ordinances. (See Chapter 15)
- i. Exterior signage is permitted (See Section 20-1705.A. 2).

36. Boarding House

- a. Must submit Application for a Conditional Use Change. (See Section 20-1502)
- b. Owner of property must reside on premises.
- c. Additional parking should be provided for guests at the rear of the structure when possible. On street parking is prohibited.
- d. Obtain an Occupancy Permit annually after an onsite fire safety inspection. (See Section 20-1903 B)
- e. Noise: Fifty (50) decibels, whether intermittent or steady, measured at the property boundaries
- f. Tenants may occupy premises for up to four (4) months at a time.

- g. Structural changes to the building must meet the UCC Building Code (Chapter 2) and Sewage Ordinances. (See Chapter 15)
 - h. Exterior signage is permitted. (See Section 20-1705.A. 2)
37. Event/Wedding Barn
- a. Must submit Application for a Conditional Use Change. (See Section 20-1502)
 - b. Lot size must permit ample parking for guests. On street parking is prohibited.
 - c. Must meet the current UCC Building Construction Code. (See Chapter 2)
 - d. Obtain an Occupancy Permit annually, after an onsite fire safety inspection.
 - e. Meet storm water guidelines of the Township for impervious surfaces. (See Chapter 21 Stormwater Management)
 - f. Occupancy Permit must be displayed at or near the main entrance with maximum occupancy included.
 - g. No event may start before 12 noon, except for employees or caterers needing access for setup. All outside event activities must cease by 10:00 P.M. Inside activities must cease at midnight, except for cleanup by employees and caterers.
 - h. Noise: Fifty (50) decibels, whether intermittent or steady, measured at the property boundaries.
 - i. Access drives shall be located to provide maximum sight distance for motorists.
 - j. Exterior lighting shall be orientated away from adjacent roads and properties and shall not produce glare or excessive light conditions on such roads or properties.
 - k. Exterior signage is permitted. (See Section 20-1705.A. 2)
38. Garage Apartments
- a. Must submit Application for a Conditional Use Change. (See Section 20-1502).
 - b. Must meet UCC Building Code (Chapter 2) and Sewage Ordinance (Chapter 15).
 - c. Must meet Minimum Yard Setbacks for Zoning District. Otherwise, must meet the Minimum Yard Setbacks as the primary structure for the Zoning District.
 - d. Not considered as an Accessory Structure.
 - e. Provide at least two (2) off-street parking spaces.
39. Tiny House/Yurt
- a. Must submit Application for a Conditional Use Change. (See Section 20-1502).
 - b. Must meet UCC Building Code (Chapter 2) and Sewage Ordinance (Chapter 15).
 - c. Must meet Minimum Yard Setbacks for Zoning District when in addition to an existing Primary Structure. Otherwise, must meet the Minimum Yard Setbacks as the primary structure for the Zoning District.
 - d. Provide at least one (1) off-street parking space.
 - e. When considered as a Manufactured Home Park (Chapter 14).
 - f. When considered as a Campground (See Chapter 20, Section 20-1414, and Section 20-1508A.25)
 - g. Not considered as an accessory structure
40. Short Term Rental
- a. Must submit Application for a Conditional Use Change. (See Section 20-1502)
 - b. Owner of property may or may not reside on premises.
 - c. Additional parking should be provided for guests at the rear of the structure

- when possible. On street parking is prohibited.
- d. Obtain an Occupancy Permit annually after an onsite fire safety inspection. (See Section 20-1903 B)
 - e. Noise: Fifty (50) decibels, whether intermittent or steady, measured at the property boundaries.
 - f. Tenants may occupy premises for up to sixty (60) consecutive days at a time.
 - g. Structural changes to the building must meet the UCC Building Code (Chapter 2) and Sewage Ordinances. (See Chapter 15)
 - h. Exterior signage prohibited.
41. Shipping Container
- a. As a storage unit:
 - 1) Considered as an accessory structure.
 - 2) Meet setback requirements. (See Section 20-406 B)
 - b. As a Tiny House (See Section 20-1508.A.39)

ARTICLE XVI
OFF-STREET PARKING AND LOADING
REQUIREMENTS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

Wherever a building or structure is erected, enlarged or capacity increased, or the use is changed in any zoning district, improved and usable off-street parking and loading areas shall be provided in accordance with the provisions of this Article.

§20-1601. Requirements For Parking

A. General: Off-street parking shall be as defined in Article XVI herein and shall be a part of the open space associated with the permitted use and shall not be reduced or encroached upon in any manner.

The area required for off-street parking shall be in addition to the yard areas herein required, except that the side or rear yards of "R-1" Single Family Residential District may be used for the uncovered parking associated with residential use provided that:

1. The area shall not create a nuisance to adjacent residential lots.
2. The area used is surfaced with an asphalt or cement binder pavement or similar durable gravel and dustless surface.

B. Size and Access: Each off-street space shall have an area of not less than one hundred sixty-two (162) square feet (9' x 18'), exclusive of access drives or aisles and shall be of usable shape and condition. Except in the cases of single family and duplex dwellings, no parking area provided hereunder shall be established for less than three (3) spaces.

1. There shall be provided an adequate number of handicapped parking spaces, the number, design and location as provided by State and Federal laws.
2. There shall be adequate provisions for ingress and egress to all parking spaces: however, driveway openings shall not exceed twenty-five (25) feet in width exclusive of curb returns in all areas and all public parking areas. Access to off-street parking shall be limited to well defined

locations, and in no case shall there be permitted unrestricted access along the length of the street or alley upon which the parking area abuts.

C. Type: Parking spaces may consist of enclosed areas, such as basements, attached or detached garages or open space parking areas, including open lots, deck and roof parking areas.

D. Location: All permitted and required accessory off-street parking spaces, regardless of type, shall be located on the same zoned lot as the use to which such spaces are accessory. Spaces may be provided elsewhere, but shall be provided at no greater walking distance than five hundred (500) feet from the zoned lot, provided that the required spaces off the site are in accordance with the provisions set forth herein, and that the parking spaces are in the same ownership as the use to which they are accessory and that such spaces conform to all regulations of the Zoning District in which they are located. Notwithstanding the foregoing, the location of required accessory off-street parking spaces for the shopping center use permitted in the "C-1" Retail And Service Commercial District shall be based upon the site for the entire Shopping Center and not any individual Lot.

E. Design: Whenever off-street parking lots are designed for six (6) or more vehicles and are located within, adjacent or contiguous to a residential or commercial zoning district, the off-street parking shall conform to the following provisions:

1. Screening and Landscaping: Off-street parking shall be effectively screened on each side which adjoins or faces either a residential or commercial zoned district by an opaque ornamental fence or dense evergreen hedge. Such fence or hedge shall be not less than five (5) feet nor more than six (6) feet in height and shall be maintained at all times in good condition without any advertising thereon. Any space between such fence or hedge and the side lot adjoining premises or the front lot line facing premises in any residential or commercial zoning district shall be landscaped with lawn, hardy shrubs or

evergreen ground cover and maintained in good condition.

2. In the case of a parking lot on any intersection, no wall, fence, evergreen hedge or any structure or green planting shall be permitted to exceed three (3) feet in height above the crown of the adjacent roadway surface, in the triangle formed by measuring thirty (30) feet on the front and side lot line, from the point of intersection, and connecting the points there established.
3. Where more than ten (10) parking spaces are proposed, a minimum twelve (12) foot wide landscape partition shall be provided. (See Figure #30, Appendix B)
4. Parking Aisle Arrangement: In all parking areas of more than fifty (50) spaces, the aisles shall be perpendicular to the structure in order to provide for pedestrian safety. (See Figure #31, Appendix B)
5. Intersections: In case of a parking lot on any intersection, no ingress or egress driveway shall be located closer to the intersection than thirty (30) feet from the center of the curb radius of that corner.
6. Mixed Uses: In the case of mixed uses, the total requirements of off-street parking spaces shall be the sum of the requirements for the various uses computed separately.
7. Collective Use of Off-Street Parking Facilities: Nothing in this Article, unless specifically provided, shall allow for off-street parking spaces supplied collectively, that is, less than the sum of the requirements for the various uses computed separately.
8. Lighting: Intensity of light and arrangement of reflectors shall be such as not to interfere with contiguous residential districts or adjacent streets.
9. Signs: No sign of any kind shall be erected except information signs used to guide traffic and to state the conditions and terms of use of the lot.
10. Surfacing: All off-street parking or loading areas shall be surfaced with an asphaltic or cement binder pavement or similar durable gravel and dustless surface which shall be so graded and drained as to dispose of all

surface water accumulated within the area (without disposal onto adjacent lots) and shall be so arranged and marked as to provide for the orderly and safe loading and parking of vehicles.

11. Minimum Distance and Setbacks: No off-street parking or loading area or part thereof for six (6) or more vehicles shall be closer than fifteen (15) feet to any school, hospital or other institution for human care located on an adjacent lot. No parking area shall be located less than five (5) feet from the established legal street and not less than two (2) feet from an alley right-of-way. Said right-of-way shall include and not be limited to street pavement, tree lines or sidewalks.
- F. Number of Parking Spaces Required: The number of parking spaces required shall be as set forth in the following "Schedule for Minimum Off-Street Parking Spaces."
1. Providing, further, that in any Residential Zoning District, on any lot having an area of one (1) acre or less, private garage space may be provided for not more than four (4) vehicles. Space for one (1) additional motor vehicle may be provided for each one-fifth (1/5) acre by which the area of the lot exceeds one (1) acre.
 2. In the case of a building, structure or premises, which is not specifically mentioned on the following schedule, the provisions for a use which is so mentioned and to which said use is similar, in the opinion of the Board of Supervisors, shall apply.

Schedule for Minimum Required Off-Street Parking Spaces	
USES	Required Parking Spaces
Apartment Buildings	1.5 spaces for each dwelling unit
Laundromat	2 spaces per laundry machine
Automobile Sales or Service Garages	1 for each 400 sq. ft. of floor area
Banks or Professional Offices	1 for each 300 sq. ft. of floor area
Boarding and Rooming House	1 for each 2 guests provided overnight accommodations
Bowling Alleys	5 for each alley
Churches and Schools	1 for each 5 seats in an auditorium (sanctuary) or 1 for each 17 classroom seats, whichever is greater. Churches can provide up to 50% of parking jointly with public institution if within 500 ft. walking distance

Community Buildings and Social Halls	1 per each 100 sq. ft. of floor area
Dwellings	2 per family or dwelling unit
Food Supermarkets	1 per each 200 sq. ft. of floor area
Funeral Homes, Mortuaries	10 per each parlor

Schedule for Minimum Required Off-Street Parking Spaces (cont)	
USES	Required Parking Spaces
Furniture or Appliance Stores	1 per each 400 sq. ft. of floor area
Hospitals, Nursing and Convalescing	1 per each patient bed, plus 1 per each staff or visiting doctor, plus 1 per each 4 employees
Hotels or Motels	1 per each living or sleeping unit
Housing for the Elderly	1 per each 4 dwelling units
Library, Museum, Lodge, Club, Commercial Amusement or Recreation	1 per 50 sq. ft. gross floor area
Manufacturing Plants, Research or Testing Laboratories, Bottling Plants	1 per each 2 employees on maximum shift
Medical or Dental Clinics or Offices	5 per each doctor or dentist
Restaurants, Taverns and Night Clubs	1 per each 2.5 seats
Retail Stores and Shops	1 per each 300 sq. ft. of floor area
Rooming Houses and Dormitories	1 per each 2 beds
Self-service Stations (fueling only)	2 per each pump
Shopping Centers	5 per each 1,000 sq. ft. of gross leasable area
Full-service Stations for Autos	4 per each pump
Sports Arenas, Auditoriums, Theaters, Assembly Halls	1 per each 5 seats
Trailer or Monument Sales or Auctions	1 per each 2,500 sq. ft. of lot area
Wholesale Establishments or Warehouse	1 per each 3 employees on maximum shift

G. Review and Approval: Any proposal to provide new parking areas or to expand existing areas, regardless of the zoning district in which occurring, shall be submitted to the Zoning/Code Enforcement Officer at the same time that application for constructing the building for which such parking is to be provided. The Zoning/Code Enforcement Officer, in addition to satisfying himself that adequate parking in compliance with this Chapter is provided, shall also determine that safe access to parking areas from the public highway is available and, that advantage is given the pedestrian in the parking area. The submission shall show the layout of the parking area, including each parking space, lighting, sidewalk, proposed grading at two (2) foot intervals, storm inlets and storm drainage systems to existing drainageway, all buildings on the property, access from the public highway location of loading areas, and a cross-section through pavement and base showing

construction and materials.

§20-1602. Requirements for Loading

In any District, in connection with every building or building group or part thereof hereinafter erected or enlarged, and having a gross floor area of five thousand (5,000) square feet or greater, which is to be occupied by commercial or industrial uses, or distribution of material or merchandise by vehicles, there shall be provided and maintained on the same lot with such building, off-street loading berths in accordance with the requirements as set forth in the "Schedule for Minimum Required Off-Street Loading Space."

The developer shall provide on his drawings the location of off-street loading on his property, the layout of loading spaces and access to them. This shall also apply to expansions.

- A. Size: Each loading space shall be at least ten (10) feet wide by thirty-five (35) feet long with clear height of fifteen (15) feet.
- B. Design: Off-street loading spaces shall conform to the following provisions:
 - 1. Screening and Landscaping: Shall be as for parking requirements.
 - 2. Surfacing: Shall be as for parking requirements.
 - 3. Maneuvering Space: Shall be provided adjacent to the loading area as necessary so that vehicles may change direction and leave, as well as enter, the loading area moving in a forward direction. Township streets adjacent to the loading area shall not be used for loading or maneuvering, nor shall areas established for off-street parking be so utilized.
 - 4. Lighting: Shall be as for parking requirements.
 - 5. Signs: Shall be as for parking requirements.
 - 6. Grading and Drainage: Loading areas shall be sloped and drained as per parking requirements.
 - 7. Minimum Distances and Setbacks: Shall be as for parking requirements.

8. Minimum Space: Shall be in addition to the required area for parking spaces.
- C. General: When several buildings comprise the same use, one building may be designated to receive and/or ship goods, but the floor area of all the buildings shall be combined to determine the number of loading spaces to be provided.

Schedule for Minimum Off-Street Loading Space Requirements		
Uses	Sq. Ft. of Floor Area	Required Off-Street Loading Berths
Schools	15,000 or more	1
Hospitals (in addition to space for ambulance)	10,000 to 300,000 for each additional 300,000 or major fraction thereof	1 1 additional
Undertakers and Funeral Parlors	5,000 for each 5,000 or major fraction thereof	1 1 additional
Hotels and Offices	10,000 or more	1
Commercial, Wholesale, Industrial and Storage	10,000 to 25,000	1
	25,001 to 40,000	2
	40,001 to 60,000	3
	60,001 to 100,000	4
	For each additional 50,000 or fraction thereof	1 additional

ARTICLE XVII

SIGNS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-1701. Purpose

The purpose of this Article is to permit and regulate such signs that will not, by reason of size, location, construction or manner of display, obstruct the vision necessary for traffic safety, and will support and compliment the land use objectives set forth in this Chapter.

§20-1702. Applicability

- A. Signs may be erected, altered, maintained, used, moved or removed only when in compliance with the provisions of this Chapter, and any and all other applicable ordinances or regulations of the Township.
- B. No sign, or temporary sign, unless exempted by this Article, shall be constructed, erected, altered, moved or removed without first receiving a permit for such activity. Repainting or changing the message of a sign shall not, in and of itself, be considered a substantial alteration.
- C. Each application for a sign permit shall be accompanied by a fee established by the Township Supervisors, and a drawing, to scale, showing:
 1. Proposed design, size, character and color of letters, lines and symbols.
 2. Method of illumination.
 3. Location of electric service.
 4. Exact location of sign in relation to building and property.
 5. Details and specifications for construction.
- D. Sign permits shall be issued by the Zoning/Code Enforcement Officer only after all requirements of this Article have been met.

§20-1703. General Provisions

The following provisions apply to all signs in all districts.

- A. All signs shall be maintained in good condition. The Zoning/Code Enforcement Officer may require the owner of a sign to repair it if, in his opinion, it has become dilapidated.

Dilapidated signs shall include, but not be limited to, those signs which are:

1. Leaning and in danger of collapse.
 2. Faded, peeling, in need of repainting.
 3. Broken, damaged, with pieces missing.
 4. Upon the passing of thirty (30) days from the date of issuance of a notice to repair by the Zoning/Code Enforcement Officer to the sign owner, the sign has not been repaired, the Zoning/Code Enforcement Officer may order it removed within a period of ten (10) days, with all costs being the responsibility of the sign owner.
- B. Signs advertising businesses which cease to be operational shall be removed within ninety (90) days.
 - C. No sign or other advertisement shall be painted on the face of a structure.
 - D. No sign shall exceed the height of the roof line, nor shall a sign be attached to the roof.
 - E. No portable, temporary or changeable-letter sign of any type shall be permitted that is attached to any vehicle and parked to let stand upon the premises and used exclusively for advertising purposes.
 - F. Existing signs made nonconforming by the passage of this Chapter shall be maintained and kept in good repair; however, they may not be structurally-altered, changed or moved unless made conforming.
 - G. For the purpose of calculating the area of signs composed of individual letters or symbols, a square or rectangle encompassing the outermost edges of all letters or symbols shall be drawn. The area inside the square or rectangle will be the area of the sign. (See Figure #24, Appendix B)
 - H. Temporary signs, political signs or real estate signs erected on public right-of-ways, or obscuring the vision of the motoring public and any sign prohibited by Section 20-2206 may be removed by the Zoning/Code Enforcement Officer. The Zoning/Code Enforcement Officer may direct removal of specific signs to the Public Works Department.

- I. Any reference to temporary signs in this Chapter shall be those which are removed within thirty (30) days of erection.
- J. All "awning signs" shall be painted or printed flat against the surface of the awning. The bottom of the awning shall be a minimum of ten (10) feet from finished grade.
- K. A sign permit shall lapse if the business activity on the premises is discontinued for a period of forty-five (45) days and is not renewed within thirty (30) days of receipt of a notice from the Zoning/Code Enforcement Officer, mailed to the address of the premises upon which the sign is located.
- L. The size of permitted signs in nonresidential zoning districts shall be as follows, unless specified:

- 1. Wall signs: The total area of all wall signs in a nonresidential district shall not exceed an area of the building face or wall, including window and door areas to which they are attached, in accordance with the following table:

Distance from road/street	% of Sign Area	Maximum Sign Area
1 - 100 feet	10%	100 sq. ft.
101 - 300 feet	10%	200 sq. ft.
301 or more	15%	300 sq. ft.

§20-1704. Permitted Signs

- A. Permitted signs by district:

SIGN	ZONING DISTRICT							
	R-1A	R-1	R-2	R-3	C-1	C-2	M-1	M-2
Awning sign	N	N	N	N	Y	Y	Y	Y
Billboards	N	N	N	N	N	N	N**	N**
Changeable letter	N	N	N	N	N*	N*	N*	Y
Construction	Y	Y	Y	Y	Y	Y	Y	Y
Directional	N	N	N	Y	Y	Y	Y	Y
Electronic message	N	N	N	N	N	N	N**	N**
Freestanding	N	N	N	N	Y	Y	Y	Y
Internally-illuminated	N	N	N	N	Y	Y	Y	Y
Memorial	Y	Y	Y	Y	Y	Y	Y	Y
Monument	Y	Y	Y	Y	Y	Y	Y	Y
Political	Y	Y	Y	Y	Y	Y	Y	Y
Real estate	Y	Y	Y	Y	Y	Y	Y	Y
Temporary	Y	Y	Y	Y	Y	Y	Y	Y
Wall	N	N	N	Y	Y	Y	Y	Y

*See Section 1706 D

- B. All signs must comply with the provisions of this Article. Examples of the various types of permitted signs may be found in Figures #32, #33, and # 34, Appendix B.

§20-1705. Regulations

- A. Only the following types of non-illuminated, signs are permitted in the "R-1A" Low Density Residential District, "R-1" Single Family Residential District and "R-2" Multi-Family Residential District. Such sign shall be located only on the property containing the use identified by the sign(s).
 - 1. Property identification sign limited to name and address of occupancy and/or name and nature of home occupation conducted in the dwelling, such sign shall not exceed two (2) square feet in area each face.
 - 2. Sign indicating property for sale, rental or lease identifying the broker's or owner's name, address, and telephone number and nature of proposed transaction; such sign not to exceed four (4) square feet in area, each face, and located only on the property for sale, rent or lease.
 - 3. A monument sign identifying a residential development, public or semi-public institution and activities carried on by the institution; such sign shall not exceed thirty (30) square feet in total area and six (6) feet in height, and shall be limited to one (1) per development.
 - 4. Sign identifying designers or contractors employed on the property, such sign not exceeding twelve (12) square feet, each face, limited to one (1) sign per designer or contractor. Such sign shall be removed upon completion or within one (1) year from time of erection, whichever is sooner.
 - 5. Temporary sign advertising affairs of cultural, religious, political, education or public organizations; such sign not to exceed six (6) feet square in area, each face.
 - 6. Memorial tablet erected by a public or non-profit organization; traffic or other governmental sign authorized and/or erected by a public body.
 - 7. Signs shall be located only between the front of the principal structure on the property and an adjacent street and no closer to an abutting property than ten (10) feet.
- B. The following types of signs may be erected in an "R-3" High Density Residential District:

1. A wall sign erected on the structure containing a business or profession, limited to twelve (12) square feet per business or profession, and may not exceed sixty (60) square feet of total signage per structure.
 2. A property containing one (1) business or profession will be permitted a monument sign not to exceed twenty-four (24) square feet in total area (both faces.)
 3. A property containing two (2) businesses or professions in one (1) structure will be permitted a monument sign not to exceed thirty-two (32) square feet.
 4. A property containing three (3) or more businesses or professions in one (1) structure will be permitted a monument sign not to exceed forty-eight (48) square feet.
 5. Monument signs shall be located between the principal structure and the road to which the property has access, no closer than five (5) feet to the right-of-way and ten (10) feet to the side property line. Such signs shall not obscure the vision of motorists entering or leaving the property.
 6. Monument signs shall not exceed eight (8) feet in height.
 7. Illuminated signs, or signs with flashing or revolving lights shall not be permitted.
 8. Signs erected on the building shall not project more than eleven and three-fourth (11-3/4) inches from the mounting surface.
 9. Home occupation signs shall comply with Section 20-1705A.1.
- C. Signs in the "C-1" Retail and Service Commercial District, "C-2" Highway Commercial District, "M-1" Light Industrial District and "M-2" Heavy Industrial District, and Gateway Sign Overlay District:
1. Permitted Kinds of Signs:
 - a. Any kind of sign permitted in residential districts.
 - b. Signs identifying an on-premise business or industry.
 - c. Subject to the specific limitations contained in Section 1302, off-premises signs identifying business, products, services or industry.
 2. Permitted Types of Signs:
 - a. On-premise wall signs, but not painted directly on the wall surface.
 - b. On-premise ground signs.
 - c. On-premise projecting signs.
 - d. On-premise temporary signs.
 - e. On-premise canopy signs.
 - f. On-premise window signs.
 - g. On-premise portable signs.
 - h. On-premise freestanding signs, including electronic changeable copy signs, subject to the standards set forth in this Section.
 3. Standards for Permitted Signs: In addition to the general requirements and regulations contained in this Section, all signs permitted in the "C-1" Retail and Service Commercial District and "C-2" Highway Commercial District shall comply with the following standards:
 - a. On-Premise Wall Signs: In addition to the on-premise signs permitted according to the regulations in this Section, there shall be allowed one additional sign for each lot or principal structure on each lot affixed to the wall or the principal structure, subject to the following requirements:
 - 1) The sign shall identify the principal user of the building or lot.
 - 2) The sign shall extend no further than twelve (12) inches from the wall to which it is attached.
 - 3) The sign shall be attached to the wall so that the face of the sign is substantially parallel to the wall.
 - 4) The maximum vertical dimension of the sign shall be no greater than four (4) feet and shall not extend beyond any wall or parapet of the building.

b. On-Premise Ground Signs: On-premise ground signs shall be subject to the following requirements:

- 1) Height: The sign shall not exceed a maximum height of five (5) feet, including any base, provided that special logo identification features may be constructed to the height of seven (7) feet. The total square footage of the logo shall not exceed nine (9) square feet on each face.
- 2) Maximum Length: The sign face shall not exceed twenty (20) feet in length, and the overall length, including the base structure, shall not exceed thirty (30) feet.
- 3) Maximum Surface Area: The sign face shall not exceed sixty (60) square feet in surface on each face, including any logo feature. No ground sign shall have more than two (2) faces, and such faces shall be parallel to one another.
- 4) Minimum Setbacks: The sign shall be set back at least five (5) feet from the property line, except that no sign shall be erected within fifteen (15) feet of the SR 08 right-of-way, or within ten (10) feet of the West Sunbury Road and Oneida Valley Road rights-of-way, except as otherwise provided.
- 5) Spacing Between Signs: The minimum spacing between on-premise ground signs shall be fifty (50) feet between the closest sign edges.

c. On-Premises Free-Standing Signs: On-premises free-standing single or collective signs shall be subject to the following requirements:

	Single Use Site	Collective Use Site	Single Use Logo	Collective Use Logo
1. Height:	20 feet	30 feet	9 sq ft	18 sq ft
2. Maximum Length:	15 feet	20 feet	--	--
3. Maximum Surface Area:	60 sq ft	100 sq ft	--	--
4. Minimum Setback:	The sign shall be set back at least five feet (5') from the property line, except that no sign shall be erected within fifteen feet (15') of SR 08 right-of-way, or within ten feet (10') of the West Sunbury Road or Oneida Valley Road rights-of-way, except as otherwise provided.			

d. On-Premise Projecting Signs: All on-premise projecting signs in the "C" Commercial and "M" Industrial Districts shall comply with the following requirements:

- 1) The sign area shall not exceed thirty-five (35) square feet.
- 2) A use may display both ground and projecting signs if only one of these signs is more than sixteen (16) feet in area.
- 3) The sign must clear sidewalks by at least eight (8) feet and may project no more than four (4) feet from a building or one-third (1/3) the width of the sidewalk, whichever is less.
- 4) The sign must be pinned away from the wall at least six (6) inches and must project from the wall at an angle of ninety (90) degrees.
- 5) Projecting signs must be spaced at least fifty (50) feet apart. This spacing requirement does not apply to a projecting sign that displays only symbols.
- 6) The sign shall not extend vertically above the window sill of a second story.

e. On-Premise Temporary Construction Signs: The sign area of any temporary construction sign shall not exceed thirty-two (32) square feet, and the height of such sign shall not exceed six (6) feet.

f. On-Premise Canopy Signs: The characters or letters of all canopy or awning signs shall not exceed six (6) inches and shall appear only on the apron of the canopy or awning.

g. On-Premise Window Signs: All window signs shall comply with the following requirements: The total area of all window signs on display at any one time, including temporary window promotional signs, shall not exceed thirty-three (33) percent of the total area of the window they are located. A series of windows that are separated

by frames less than six (6) inches shall be considered as a single window for purposes of this computation.

h. On-Premise Portable Signs:

- 1) The sign area of any portable sign shall not exceed thirty-two (32) square feet.
- 2) The height of such sign shall not exceed four (4) feet, including any base.
- 3) The sign shall be setback at least five (5) feet from the right-of-way of any adjacent public road or street.
- 4) The sign shall be placed in a location that does not substantially interfere with or impair vehicular or pedestrian traffic on any public street, way, or sidewalk.

i. Dynamic Displays:

- 1) Dynamic displays may occupy no more than fifteen (15) percent of the actual copy and graphic area. The remainder shall not have the capability to have dynamic displays even if not used. Only one (1), contiguous dynamic display area is allowed on a single face;
- 2) Dynamic displays may occupy no more than fifteen (15) percent of the actual copy and graphic area. The remainder shall not have the capability to have dynamic displays even if not used. Only one (1), contiguous dynamic display area is allowed on a single face;
- 3) A dynamic display may not change or move more often than once every five (5) seconds. Time, date, or temperature information is considered one dynamic display and may not be included as a component of any other dynamic display. A display of time, date, or temperature shall remain for at

least one (1) minute before changing to a different display, but the time, date, or temperature information itself may change no more often than once every five (5) seconds;

- 4) The messages displayed shall be static, and the transition from one static display to another shall be instantaneous without any special effects. Informational content shall be alphabetic or numeric only; the messages displayed shall be complete in themselves without continuation in content to the next message or to any other sign;
- 5) Every line of copy in a dynamic display shall be at least seven (7) inches in height on a road with a speed limit of 25 to 34 miles per hour, nine (9) inches on a road with a speed limit of 35 to 44 miles per hour, twelve (12) inches on a road with a speed limit of 45 to 54 miles per hour, and fifteen (15) inches on a road with a speed limit of 55 miles per hour or more. If there is insufficient room for copy of this size in the area allowed under the zoning district, then no dynamic display shall be permitted;
- 6) Dynamic displays shall be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the Zoning Officer, verbally or in writing, that it is not in compliance with the standards of this Section.

4. Maximum Number and Placement of Signs

- a. Maximum number: Only two (2) of the permitted types of on-premise signs shall be allowed on any property or lot, provided that no more than one

- freestanding sign (including both on- and off- premise signs, where permitted) shall be allowed on any lot. However, where an establishment is part of a larger retail, commercial, or industrial development, shopping center, or similar land use with multiple occupants or tenants, the total number of freestanding on-premise signs shall be limited to two (2) signs per lot that identify the development or center, not individual occupants or businesses therein, provided that a uniform sign plan has been submitted and approved for the entire development. No freestanding on-premise signs shall be allowed for individual establishments within a larger shopping center, commercial, or industrial development, or similar land use with multiple occupants or tenants.
- b. Any off-premise sign in the Gateway Sign Overlay District shall be considered a principal use of the lot on which it is located, and no other permitted or accessory use shall be allowed on the same property as where an off-premise sign is located.
 - c. Wall signs shall occupy only the area between the heads of windows or doors opening into the ground floor of a building and the sills of windows opening into the second story, or the top of the wall parapet if the building is only one (1) story in height.
 - d. Where a freestanding sign extends over a vehicular or pedestrian way on the property where the sign is located, the lowest point of such a sign surface shall not be less than fourteen (14) feet for vehicular passage or eight (8) feet for pedestrian passage.
5. Illumination
 - a. Signs may be lighted internally or externally, provide that illumination is low voltage and from an indirect hidden source shining upon the sign surface and that no glare occurs on adjacent streets or properties.
 - b. Signs shall be illuminated only by steady, stationary, shielded, or shaded light sources directed solely at the sign or internal to it so that the light intensity or brightness does not create either a nuisance to adjacent property or a traffic hazard for motorists or pedestrians.
 - c. No exposed reflective-type bulb and no strobe light or incandescent lamp shall be used on the exterior surface of any sign.
 - d. Illuminated signs shall be produced no more than thirty (30) foot candles of illumination, four (4) feet from the sign.
 - e. Whenever external illumination is used for a sign, the source of light shall be located, shielded, and directed in such a manner that the light source is not visible from a public street or private residence.
 6. **Exemptions:** The following signs shall be allowed without a sign permit as per this Section, provided such signs comply with all size, placement, and other standards and requirements set forth in this Section.
 - a. Holiday signs or decorations displayed for recognized holidays or other community events.
 - b. Memorial plaques, historic markers, or other similar signs.
 - c. Official government signs, owned and maintained by a government entity including but not limited to traffic signs, public notices, government flags, and other signs warning of hazardous or dangerous conditions.
 - d. Street number signs indicating the address of a building or establishment on the premises.
 - e. Vehicle signs attached to any operative vehicle that relate to the purpose or use of a the vehicle, such as taxi signs and delivery vehicle signs, provided that the vehicle is currently registered, is properly insured, and is in good operating condition. Signs affixed to vehicles that are not related to the

function of the vehicle shall be subject to the off-premise sign regulations contained herein.

§20-1706. Prohibited Signs

The following signs are expressly prohibited unless specifically stated otherwise in this Article:

- A. Portable signs (those not permanently affixed to the ground or a structure).
- B. Roof signs.
- C. A sign of any type which is attached to any vehicle standing on the premises, which advertises a product or business, or directs people to a business or activity. For the purpose of this Article, these types of signs shall not include business logos or identification on vehicles used for other business purposes.
- D. Changeable-letter signs except for churches, off-premises signs in the Gateway Sign Overlay District, restaurants, schools, service station gasoline price signs, and theaters.
- E. Changeable letter electronic signs except for; those as permitted in the "C" and "M" Zoning Districts, churches in any Zoning District, and off-premises signs as permitted in the Gateway Sign Overlay District.
- F. Signs which make use of words such as "STOP," "LOOK," "DANGER," etc., or any phrases, symbols or characters in such a manner as to interfere with, mislead or confuse vehicular traffic or cause an otherwise dangerous or hazardous condition or situation to exist.
- G. Snipe signs are specifically prohibited in all zoning districts.

§20-1707. Permits

- A. All signs, except those specified in Section 20-2208, shall require permits:
 - 1. All sign permit applications shall be accompanied by the application fee as established by the Board of Township Supervisors from time to time by resolution.
 - 2. A sign permit application shall contain the following information provided by the applicant:

- a. Name, address and telephone number of the applicant, the contractor to erect the sign, and the owner of the property, as well as address of property if different from owner's.
 - b. Statement of permission granted by the owner of the property to erect the sign if owner and applicant are not the same.
 - c. Plan indicating the location of the sign on the property relative to building and property lines and height of sign from ground level to top of sign, with dimensions noted.
 - d. Insurance coverage, in writing, or separate insurance policy holding Center Township permanently harmless from liability as a result of bodily injury or property damage caused by the sign's collapse during erection or afterwards.
- 3. The cost of sign permits shall be established by resolution of the Board of Township Supervisors.
 - 4. A permit shall be required for the replacement, enlargement or movement of any sign.
- B. The following types of signs shall not require a fee:
 - 1. Signs put up by public, charitable or religious institutions when located on the same property as the institution.
 - 2. Temporary signs advertising special events of such institutions which do not exceed six (6) square feet in area may be approved in other locations.
- C. Review and Approval Procedure: Persons desiring to erect a sign or signs, whether as a separate project or part of other construction requiring a permit, shall complete an application and submit two (2) copies of all required information including the following, in addition to information required in Subsection 2 of this Section:
 - 1. A plot plan indicating dimensions to property lines of the proposed sign, where applicable;

2. Dimensions of the proposed sign(s);
 3. Construction details indicating materials to be used;
 4. Method of attachment of the sign to the building or ground including guying;
 5. Type of message or graphic component;
 6. Type of illumination
- D. The Zoning Officer shall issue a permit within thirty (30) days if all applicable parts of this Article and Section are adhered to.

§20-1708. Exemptions

The following types of signs shall not require permits for erection:

- A. Real estate signs not exceeding four (4) square feet in area and located on the advertised property.
- B. Signs denoting designer and/or contractors when placed on the property where the firm is doing work, limited to twelve (12) square feet in area, and to be removed when the work is complete or before one (1) year from time of erection, whichever is sooner.
- C. Home occupation or other personal name plate or sign not more than two (2) square feet in area.
- D. Memorial tablets erected by public or non-profit organizations.
- E. Traffic or other governmental signs authorized or erected by a public agency.

ARTICLE XVIII
NONCONFORMING USES

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

The provisions of this Article shall apply to buildings, structures, signs, lands and uses which were legal prior to the original adoption of this Chapter, but which would not be permitted as the result of the application of this Chapter to their location or use in the Township, or as a result of the reclassification of the property containing them, or of the adoption of other amendments to this Chapter after the initial passage. This Article is concerned with properties of inadequate area and/or frontage, uses of land where such land and/or structures are located and structures placed on a property too close to property boundary lines or too high for compliance with standards of the zoning district in which they are located.

A nonconforming building or structure existing at the time of original adoption of these zoning regulations may be continued and maintained, except as otherwise provided in this Article.

§20-1801. Alteration or Enlargement of Nonconforming Buildings and Structures

- A. A nonconforming building or structure shall not be added to or enlarged in any form unless said building or structures, including additions and enlargements, is made to conform to all of the regulations of the zoning district in which it is located; provided, however, that if a building or structure is conforming as to use but nonconforming as to yards, height or off-street parking spaces, said building or structure may be enlarged or added to, provided that the enlargement or addition complies with the yard and height requirements, and the existing building and the addition complies with the off-street parking requirements of the zoning district in which said building or structure is located.
- B. No nonconforming building or structure shall be moved, in whole or in part, to another location on the lot unless every portion of said building or structure is made to conform to all of the

regulations of the zoning district in which it is located.

- C. Replacement of existing manufactured homes on single lots (not a part of a park) may be permitted as long as the new home conforms to all of the regulations of the zoning district in which it is located.
- D. Any advertising sign, billboard, or commercial advertising structure, which was lawfully existing and maintained at the time these regulations originally became effective and which does not conform with the provisions hereof, shall not be structurally altered, unless to conform with this Chapter.

§20-1802. Building Vacancy

A nonconforming building, structure or portion thereof, which is or hereafter becomes vacant and remains unoccupied for a continuous period of one (1) year, and the intent to abandon the use can be determined, shall not thereafter be occupied except by a use which conforms to the use regulations of the zoning district in which it is located.

§20-1803. Nonconforming Uses of Structures

- A. No structure housing a nonconforming use, but capable of being enlarged without violating other requirements of this Chapter, may be increased in volume by more than fifty percent (50%) over the volume occupied at the time of adoption of this Chapter, or subsequent amendments which would make the use nonconforming.
- B. A nonconforming use which occupies part of a structure may be extended throughout the structure it occupies, except a home occupation. Such expansion shall not be extended to occupy land outside the structure.
- C. A vacant or partially vacant nonconforming building or structure may be occupied by a use for which the building or structure was designed or intended if occupied within a period of one (1) year after the effective date of this Chapter.
- D. Use Change to a More Restrictive District: The nonconforming use of a structure and/or premises may be superseded by a use permitted in the zoning district where the structure is located, and the use of the structure and/or

premises shall thereafter conform to the regulations of this Chapter.

§20-1804. Reconstruction

If a nonconforming use or structure is destroyed by fire, explosion or other cause to the extent of fifty (50) percent or more of its assessed valuation or its bulk, it may be rebuilt or reconstructed to the same or a comparable structure and use if same rebuilding or reconstruction is commenced and completed within eighteen (18) months from the date of destruction. Otherwise, any such subsequent use must be in conformity to the zoning district regulations that said nonconforming use is located.

§20-1805. Nonconforming Use of Land

- A. Any property in separate ownership legally recorded in the Butler County Recorder of Deeds Office prior to enactment of this Chapter and abutting properties in a different ownership may be developed for any use permitted in the zoning district where such property is located regardless of the property area, width or shape, except that if the proposed development includes a reduction of minimum yard widths or required parking or loading areas, a variance shall be obtained from the Zoning Hearing Board before development may commence.
- B. The Planning Commission may prepare, within one (1) year after adoption of this Ordinance, a map of the Township showing the location of each nonconforming use of land and/or structure present at the time of adoption. The Commission may keep the map current, with the help of the Zoning/Code Enforcement Officer, in whose charge the map shall be kept, by the addition of nonconforming uses as amendments to this Ordinance are adopted and by the deletion of nonconforming uses as they are eliminated.

ARTICLE XIX
ADMINISTRATION

History: Amended by Ordinance No. 2022-06-04, June 8, 2022 and Ordinance No. 2023-07-02, July 12, 2023

§20-1901. Duties of the Zoning/Code Enforcement Officer

The Zoning/Code Enforcement Officer shall be appointed by the Board of Supervisors and may hold no elective office in the Township of Center. The Zoning/Code Enforcement Officer shall have the following duties and responsibilities:

- A. Shall administer and enforce the Township zoning regulations in accordance with their literal terms;
- B. Shall receive applications for Zoning Permits, Building Permits and Occupancy Permits and process them in accordance with Section 20-1902 and Section 20-1903 of this Article;
- C. Shall review development applications after a site visit before deciding to issue or deny a permit or refer the proposal to the Planning Commission or Zoning Hearing Board;
- D. Shall testify at hearings of the Zoning Hearing Board on contested determinations he has made;
- E. Shall halt construction where it is not proceeding in accordance with the permit, or the permit has expired or never existed;
- F. Shall visit approved construction in progress to verify continued compliance with the permit;
- G. All questions of interpretation of this Chapter shall be first presented to the Zoning/Code Enforcement Officer; and such questions shall be considered by the Zoning Hearing Board only on appeal from the determination of the Zoning/Code Enforcement Officer;
- H. May keep a current record of nonconforming uses throughout the Township;
- I. May be delegated the job of preparing advertising for public hearings, preparing lists of property owners to be notified by mail of hearings and posting notices of hearings and proposed rezoning; and
- J. Shall submit a monthly report of his activities to the Board of Township Supervisors. The report

shall be submitted in time for the next regularly scheduled Board meeting.

§20-1902. Zoning/Building Permit

- A. An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change of occupancy of a structure or erect, install, enlarge alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system shall first apply the Zoning/Code Enforcement Officer and obtain the required permit(s). Permits shall not be required for residential detached; yard and garden equipment sheds, greenhouses, woodsheds, children's playhouses, with highest floor level less than thirty (30) inches above adjacent grade and of less than one (100) square feet of total floor area so long as the structure is in compliance with Sections 20-406, 20-503E, 20-603 F, 20-703F or 20-803. Permit(s) shall not be required for residential; children's swings and other playground equipment and prefabricated swimming pools that are less than twenty-four (24) inches deep. However, if located within an identified floodplain, all buildings and structures shall require a permit, regardless of size.
- B. An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change of occupancy of a structure or any part of a structure or erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system shall first apply to the Zoning/Code Enforcement Officer and obtain the required permit(s). Permits shall not be required for residential detached; yard and garden equipment sheds, greenhouses, wood sheds, children's playhouses, with highest floor level less than thirty (30) inches above adjacent grade and of less than one hundred (100) square feet of total floor area so long as the structure is in compliance with Sections 20-406, 20-503.e, 20-603.H, 20-703.F or 20-803. Permit(s) shall not be required for residential; children's swings and other playground equipment and prefabricated swimming pools that are less than twenty-four (24) inches deep. However, if located within an identified floodplain, all buildings and structures shall require a permit, regardless of size.
- C. An application shall include the following in duplicate:

1. A description of the proposed work and the proposed use of the structure, if a new building, indicating the number of dwelling units or commercial units the building is designed to accommodate.
 2. A site plan shall be prepared showing the boundary lines of the property to receive the new construction, if a new building or expansion of an existing building is proposed, indicating bearings and distances of each line, area of the property and name of owner of record.
 3. The site plan shall also show public streets abutting the property, any public utilities serving the property, the location of freestanding signs and parking and loading areas, with the number of spaces indicated, if a commercial or industrial development.
 4. The proposed building shall be shown on the site plan, with dimensions and height noted and distances indicated between it and adjacent roads and property lines.
 5. If the building is for commercial, industrial, multi-family or public use, a certificate of approval from the State Department of Labor and Industry shall be provided as well as all other applicable governmental agencies as may be required by law. In addition, the proposed site plan must be approved by the Board of Supervisors after review and recommendation by the Planning Commission as required in Chapter 14 Subdivision and Land Development Ordinance, regulations.
 6. Existing buildings already on the property and topographical features, such as steep slopes, swamps and streams, shall be shown on the site plan.
 7. The Zoning/Code Enforcement Officer may waive those portions of this paragraph which do not apply, as for interior work or construction not affecting the outside dimensions of an existing building.
 8. Stormwater Management and Soil Erosion and Sedimentation Plans, as required by Chapter 21, Stormwater Management, and the Pennsylvania Department of Environmental Protection.
 9. Proof of Workman's Compensation insurance coverage for contractor completing the work or proof of compliance with Act 44 of 1993 on affidavit provided by the Township.
- D. If the application is satisfactory, the Zoning/Code Enforcement Officer shall inspect the premises where the construction is proposed to occur. If new construction is proposed, the Zoning/Code Enforcement Officer shall verify on the site the location of the construction relative to adjacent property lines and may order the owner to have stakes positioned by a registered land surveyor to indicate the property line and the outline of the new construction. Upon completing his inspection and finding the application and premises compatible, the Zoning/Code Enforcement Officer shall approve the application and return one (1) copy of the documents, together with a signed building permit authorizing the applicant to proceed.
 - E. If the application is not satisfactory, the Zoning/Code Enforcement Officer shall return one (1) set of the application documents, together with a letter indicating the specific reasons why the application cannot be approved and the changes necessary to make it acceptable.
 - F. The Zoning/Code Enforcement Officer shall visit the property whereon the approved construction is taking place in order to assure himself that the work is proceeding in accordance with the application documents. The Zoning/Code Enforcement Officer shall not be denied access to the property in order to inspect the construction in progress and may order the work halted pending appeal to the Zoning Hearing Board or corrected to conform to the approved application documents.
 - G. If an applicant wishes to amend the use, arrangement or construction of his building from that shown on the application documents after such documents are approved, he shall file with the Zoning/Code Enforcement Officer an application for a building permit to cover the proposed amendment.
 - H. A building permit shall become void, if after six (6) months from the date of issue, construction for which the permit was issued has not commenced and was not continuously pursued.

The life of a building permit shall be one (1) year from the date of issue. Permits may be extended at the discretion of the Zoning Officer for not more than one (1) additional year on large projects or where the applicant can show just cause for delay.

- I. The Zoning/Code Enforcement Officer shall keep records of all applications, either approved or disapproved, including one (1) copy of each permit issued, shall maintain a journal of his activities and shall submit a monthly report, in time for each regular meeting, to the Board of Supervisors.

§20-1903. Occupancy Permits

A. For new use or expansion of existing uses:

1. Upon completion of any residential, commercial, public, semi-public or industrial building, or a structure containing more than one (1) dwelling unit, the contractor or builder shall apply to the Zoning/Code Enforcement Officer for an occupancy permit.
2. The Zoning/Code Enforcement Officer shall inspect the premises, and if satisfied that all conditions of the building permit have been met, shall issue an occupancy permit certifying that the premises complies with the provision of this Article and may be used for the purposes set forth on the building permit.
3. If the Zoning/Code Enforcement Officer, upon inspection, finds the premises to have been developed in violation of any of the conditions of the building permit, he shall order the violations corrected to conform to the Building Permits and shall not issue an occupancy permit until satisfied that these corrections have been made. The contractor shall be responsible for requesting a reinspection after violations have been corrected, and the Zoning/Code Enforcement Officer shall not issue an occupancy permit until he verifies all violations have been corrected.

B. For Changing Existing Uses:

1. If a property owner wishes to change the use of any building, structure or premises, or if a new owner seeks to occupy a

property that is used for commercial or industrial purposes, he shall apply to the Zoning/Code Enforcement Officer for an occupancy permit. Changes for which an occupancy permit shall be required include addition of a dwelling unit or units in the structure, introduction of a home occupation, conversion of a use or continuation of the use of a commercial or industrial property by a new owner. The Zoning/Code Enforcement Officer shall first determine that no building permit is required to effect the proposed change, but if so, the developer shall proceed as under Section 20-1902.

2. If the Zoning/Code Enforcement Officer is satisfied that such change is in conformance with all requirements of this Chapter, he shall issue an occupancy permit.
3. It shall be the responsibility of the owner of a property to determine that any person leasing or subleasing the premises will use them only for activities permitted by this Chapter; and if a use is contemplated or undertaken by a lessee or sublessee which is not permitted or is permitted only as a conditional use or special exception, it shall be the responsibility of the owner to either secure permission from the Township for the use or to remove the use from the premises.

C. For New Tenants/Occupants:

1. If a property owner wishes to sell, or rent, to a new owner, tenant or occupant, any building, structure or property, including residential units, he/she owns, he/she shall apply for an Occupancy Permit for that building, structure, property or unit, providing the following information:
 - a. name, address and telephone number of property owner;
 - b. name, address and telephone number of the designated local property manager (if the property owner resides outside of Center Township);
 - c. the street address of the subject property;

- d. the name and number of occupants of said building, structure, property or unit.
2. A registration of each residential unit and its occupants, shall be made on an annual basis by January 31st of each calendar year, and within thirty (30) days of any change of occupants or occupancy.
3. If the Zoning/Code Enforcement Officer is satisfied that all requirements of this Chapter have been met, he/she shall issue an occupancy permit.

§20-1904. Enforcement

- A. If the Zoning/Code Enforcement Officer shall find that any provision of this Chapter is being violated, he shall notify the owner of the property upon which such violation is occurring by certified mail, return receipt requested.
- B. The 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.
- C. The notice shall state, at least, the following:
 1. The name of the owner of record and any other person against whom the municipality intends to take action.
 2. The location of the property in violation.
 3. The specific violation(s) 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 thirty (30) days of issuance of the notice.
 6. That failure to comply with the notice within the time specified, unless extended by an appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly defined.

- D. The Zoning/Code Enforcement Officer shall allow a period, not to exceed thirty (30) days, within which a violation shall be corrected. The Zoning/Code Enforcement Officer shall inspect the site of the violation at the conclusion of the period specified; and if he finds the violation still not corrected, shall take the owner before a magistrate who, if he/she finds the owner guilty, shall assess penalties in accordance with Section 20-1905.
- E. In any appeal of an enforcement notice to the Zoning Hearing Board, Center Township shall have the responsibility of presenting its evidence first.
- F. Any filing fee paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by Center Township should the Zoning Hearing Board, or any court of competent jurisdiction, rule in favor of the appealing party.

§20-1905. Enforcement Remedies

- A. Any person, partnership or corporation who or which has violated or continued a violation of this Chapter beyond the thirty (30) day period referred to in Section 20-1904D, above hereof shall, upon being found liable thereof in a civil enforcement proceeding, pay a judgment of not more than five hundred dollars (\$500.00), plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Magistrate. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Magistrate, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating the Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the District Justice. Thereafter, each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable

attorney fees collected for the violation of this Chapter shall be paid over to the Township.

- B. The owner or tenant of any building, structure, premises or part thereof and any architect, engineer, landscape architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains a violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- C. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation, or to bring an action to enjoin any violation of this Chapter.
- D. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine, pending a final adjudication of the violation and judgment.
- E. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity, other than the Township, the right to commence any action for enforcement pursuant to this Section.

square feet in size, that has deteriorated through natural causes and is in need of replacement.

§20-1906. Schedule of Fees

- A. The Board of Township Supervisors hereby establishes a schedule of fees, charges and expenses and a collection procedure for Building Permits, appeals and other matters pertaining to this Chapter. The schedule of fees identified by Resolution, shall be posted in the Township Office and may be altered or amended only by resolution of the Board of Township Supervisors. All money received shall be made payable to Center Township and shall be acknowledged as received by the Township in writing.
- B. No permit, certificate, special exception or variance shall be issued unless, or until, such costs, charges, fees or expenses listed below have been paid in full; nor shall any action be taken on proceedings before the Zoning Hearing Board unless or until preliminary charges and fees have been paid in full.
- C. A permit shall be required for all construction, except replacement of elements (windows, doors, roofs, painted surfaces, etc.) of any structure greater than one hundred (100)

ARTICLE XX
ZONING HEARING BOARD

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

The Zoning Hearing Board of the Township of Center, hereinafter in this Article known as the "Board," shall exercise the following powers as prescribed by the Pennsylvania Municipalities Planning Code.

§20-2001. Operation of the Board

A. Membership

1. The membership of the Board shall consist of three (3) persons, all residents of the Township of Center, who shall be appointed by the Board of Township Supervisors and may succeed themselves.
2. Members of the Board shall hold no other office in the Township.
3. The Board of Township Supervisors may appoint, by resolution, a maximum of three (3) residents of the Township to serve as alternate members on the Board. The term of office as an alternate member shall be three (3) years. When seated pursuant to the provisions of Section 20-2001D.6, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for a Board member, including specifically, the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Chapter, and as otherwise provided by law. Alternates shall hold no other office in the Township, including membership on the Planning Commission or as the Zoning/Code Enforcement Officer. Any alternate may participate in any proceeding or discussion of the Board, but shall not be entitled to vote as a member of the Board, nor be compensated, unless designated as a voting alternate member.

B. Terms of Office

1. Members of the Board shall be appointed for three (3) year, staggered terms, with one (1) appointment each year to refill a completed term.

2. Appointments to fill vacancies shall be made by the Board of Township Supervisors for the unexpired portion of a term only.

C. Removal of Members

1. Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office, or for other just cause by a majority vote of the Board of Township Supervisors, taken after the Board member has received at least fifteen (15) days' notice such vote will be taken.
2. The Board member thus accused, may request, by written communication to the Chairperson of the Board of Township Supervisors no later than seven (7) days prior to the meeting of the Board of Township Supervisors, at which the vote for removal is to be taken, for a hearing before the Board of Township Supervisors, after which the Board of Township Supervisors, at its discretion, may take a vote for removal of the Board member.

D. Organization of the Board

1. The Board shall annually elect officers from among its membership, to include a Chairman, Vice-Chairman and Secretary.
2. The Board shall hold meetings as necessary in order to conduct business.
3. The Board shall reorganize at its first meeting in each calendar year. Board members may succeed themselves in their positions.
4. The Chairman shall call and chair all meetings of the Board. The Vice-Chairman shall act in the absence of the Chairman.
5. The Secretary may keep the minutes of the proceedings, recording the vote of each member; may transcribe and distribute all testimony given at hearings under procedures described below, may draw up the agenda for each meeting, may be responsible for placing of notices for public hearings, and may handle all correspondence.
6. A quorum for the conduct of any hearing, or the taking of any action shall be not less than two (2) members. If, by reason of

absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to set on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case by case basis in rotation according to declining seniority among all alternates.

7. The Board may appoint one of its members as a Hearing Officer to conduct a hearing on behalf of the Board, and parties to such hearing may waive further action by the Board if satisfied with the Hearing Officer's ruling.
8. The Board may make, alter or rescind rules and forms for its procedure consistent with this and other regulations of the Township of Center and the laws of the Commonwealth.
9. The Board shall keep full public records of its business and shall submit an annual report of its activities to the Board of Township Supervisors as requested.

§20-2002. Jurisdiction

- A. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters:
 1. Substantive challenges to the validity of any land use chapter, except those brought before the Board of Township Supervisors pursuant to Section 20-2003 and Section 20-2004.
 2. Challenges to the validity of a land use chapter raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of this Chapter.
 3. Appeals from the determination of the Zoning/Code Enforcement Officer, including

but not limited to, the granting or denial of any permits; the failure to act on the application therefor; the issuance of any cease and desist order; or the registration or refusal to register, any nonconforming use, structure or lot.

4. Appeals from a determination by a municipal engineer or the Zoning/Code Enforcement Officer with reference to the administration of the Township's Floodplain regulations.
5. Applications for variance from the terms of the Zoning Chapter or Floodplain regulations.
6. Applications for special exceptions under the Zoning Chapter or Floodplain regulations.
7. Appeals from the Zoning/Code Enforcement Officer's determination under Article XXIII.
8. Appeals from the determination of the Zoning/Code Enforcement Officer or municipal engineer in the administration of any land use chapter or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving the Subdivision and Land Development or Planned Residential Development (PRD) applications.

- B. The Board of Township Supervisors shall have exclusive jurisdiction to hear and render final adjudication in the following matters:
 1. All applications pursuant to Section 20-1403, for approval of land development plans.
 2. Applications for conditional use under the express standards and criteria of this Chapter pursuant to Article XV.
 3. Applications for curative amendment to this Chapter pursuant to Sections 20-1903 and Section 20-1904)
 4. All petitions for amendments to land use ordinances, pursuant to the procedures set forth in Section 20-1403.

5. Appeals from the determination of the Zoning/Code Enforcement Officer or the municipal engineer in the administration of any land use chapter, or provisions thereof, with reference to erosion and sedimentation controls and stormwater management, insofar as the same relate to an application for land development under Section 20-1903. Where such determination relates only to development not involving a land development application, the appeal from such determination shall be to the Zoning Hearing Board pursuant to Section 20-2002A.
- C. Applicability of Judicial Remedies - Nothing contained in this Article shall be construed to deny the appellant the right to proceed directly to court, where appropriate, pursuant to the Pennsylvania Rules of Civil Procedure, No. 1091 (relating to action in mandamus).

§20-2003. Hearings

The Board shall conduct hearings and make decisions in accordance with the following:

- A. The Board shall call and hold a public hearing within sixty (60) days of receiving an application of appeal, requesting a hearing, accompanied by the required filing fee.
- B. Notice of the hearing shall be placed in the classified section of a newspaper of general local circulation once in each of two (2) consecutive weeks, the first notice appearing not more than thirty (30) days and the second, not less than seven (7) days prior to the hearing. Notices shall indicate the date, time and place of the hearing, and the particular nature of the matter to be considered, as well as the street address of the specific property involved. In addition, written notice of said hearing shall be conspicuously posted on the tract of land at least one (1) week prior to the hearing.
- C. Written notice shall be given to the applicant, the Zoning/Code Enforcement Officer, the Secretaries of the Board of Township Supervisors and the Planning Commission, to the owners of property within three hundred (300) feet of the boundary of the property to which the hearing applies, and to other parties who have filed a timely request to receive notice.
- D. The parties to the hearing shall be the Township, the party filing the application, any party affected by the application which has a request to appear with the Township Secretary prior to the hearing, and any other person, civic or community organization which the Board permits to appear after filing a request to appear.
- E. Hearings shall be conducted by the Board, or the Board may appoint any member as a Hearing Officer. The decision, or where no decision is called for, the findings, shall be made by the Board, but the parties may waive a decision or findings by the Board and accept the decision or findings of the Hearing Officer as final.
- F. The chairman or acting chairman of the Board, or the Hearing Officer presiding, shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and the documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and arguments and to cross-examine adverse witnesses on all relevant issues. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
- H. The Board or the Hearing Officer (if he is conducting the hearing), shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board, or the Hearing Officer, or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
- I. The Board, or the Hearing Officer, shall not communicate, directly or indirectly, with any

party and/or representative of any party in connection with any issue relevant to the hearing, except upon notice and opportunity for all parties to participate; shall not take legal notice of any communication reports or other material so noticed; shall not inspect the site or its surroundings with any party and/or representative of any party after the start of hearings, unless all parties are given an opportunity to be present.

- J. The Board or Hearing Officer shall render a written decision, or when no decision is required, make written findings on the application within forty-five (45) days after the conclusion of the hearing before the Board or Hearing Officer. Decisions shall be accompanied by findings of fact and conclusions based on them, together with the reasons therefore. Conclusions based on any provisions of this Chapter or any other chapter or regulation of the Township or the Municipalities Planning Code shall contain a reference to the provision relied on and the reason why a conclusion is deemed appropriate in the light of facts found.
- K. If the hearing is conducted by a Hearing Officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer.
- L. Where the Board fails to render the decision within the forty-five (45) day period required above, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed, in writing, or on record, to an extension of time.
- M. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of

said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in Section 20-2503 J, above. If the Board fails to provide such notice, the applicant may do so. Nothing in this section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

- N. A copy of the final decision, or the findings if no decision is required, shall be mailed to the applicant not later than the day after the date of the decision. All others requesting notice of the decision not later than the last day of the hearing, shall receive, by mail, a summary of the findings or decision and a statement of the place at which the full decision or findings may be examined.

§20-2004. Mediation Option

- A. Parties to proceedings authorized in this Article may utilize mediation as an aid in completing such proceedings. In proceedings before the Zoning Hearing Board, in no case shall the Zoning Hearing Board initiate mediation or participate as a mediating party. Mediation shall supplement, not replace, those procedures in this Article once they have been formally initiated. Nothing in this Section shall be interpreted as expanding or limiting the Township's police powers or as modifying any principles of substantive law.
- B. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. The Township assures that, in each case, the mediating parties, assisted by the mediator as appropriate, will develop terms and conditions for:
 - 1. Funding mediation.
 - 2. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 - 3. Completing mediation, including time limits for such completion.

4. Suspending time limits otherwise authorized in this Chapter, provided there is written consent by the mediating parties, and by an applicant or municipal decision-making body if either is not a party to the mediation.
 5. Identifying all parties and affording them the opportunity to participate.
 6. Subject to legal restraints, determining whether some, or all, of the mediation sessions shall be open or closed to the public.
 7. Assuring that mediated solutions are in writing and signed by the parties, and become subject to review and approval by the appropriate decision-making body pursuant to the authorized procedures set forth in this Chapter.
- C. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

§20-2005. Functions of the Board

A. Variances:

1. The Board shall hear requests for variances where it is alleged that the provisions of the zoning regulations inflict unnecessary hardship upon the applicant. An appeal for a variance may be filed with the Board by any landowner, or any tenant, with the landowner's permission.
2. The Board may grant a variance provided that all of the following findings are made where relevant in the given case:
 - a. That there is a unique physical circumstances or conditions, including, but not limited to, irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located;

- b. That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- c. That such unnecessary hardship has not been created by the appellant;
- d. That the variance, if authorized, will not alter the essential character of the neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, or be detrimental to the public welfare; and
- e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

3. If the Board finds in favor of the appellant, it may prescribe appropriate conditions and safeguards deemed necessary to implement the purposes and intent of this Chapter and the Comprehensive Plan.

- B. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this Chapter in the zoning district containing the property for which the variance is sought, or any use expressly, or by implication, prohibited by the terms of this Chapter in the zoning district.

§20-2006. Zoning Appeals

- A. No person shall be permitted to file an appeal with the Board later than thirty (30) days after an application for development, whether preliminary or final, has been approved by the appropriate municipal office or body, if such appeal is intended to reverse or limit the approval in any manner. Only if the appellant is able to prove that he/she had no notice or knowledge of the approval can the Board extend the time limit. Successor owners shall be bound by the knowledge of their predecessors in interest.

- B. All appeals from determinations adverse to the landowner shall be filed by the landowner within thirty (30) days after notice of the determination is issued.
- C. Upon the filing of an appeal, and while an appeal is pending before the Board, any development pursuant to any challenged chapter, order or approval of the Zoning/Code Enforcement Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning/Code Enforcement Officer certifies to the Board, facts indicating that such stay would cause imminent peril to life or property; in which case, the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or the Court having jurisdiction of zoning appeals, on petition, after notice to the Zoning/Code Enforcement Officer or other appropriate agency or body.
- D. Zoning Appeals to the Court:
 - 1. Shall include any appeals from the decisions of the Board;
 - 2. Shall be to the Court having jurisdiction, that is the Butler County Court of Common Pleas;
 - 3. May be taken to Court by any party before the Board, or any officer or agency of the Township of Center;
 - 4. Shall be filed not later than thirty (30) days after the issuance of notice of the decision or report of the Board;
 - 5. A developer having received approval from the Township for his/her development and faced with an appeal brought by others before the Board, may petition the Court to order those bringing the appeal to post a bond in an amount established by the Court as a condition of the appeal's continuation before the Board.
- E. Rehearing - If any application for a variance, special exception or appeal from the Zoning/Code Enforcement Officer is denied by the Board, another application for the same request shall not be filed within a period of one (1) year from the date of denial.

ARTICLE XXI
AMENDMENTS

History: Amended by Ordinance No. 2022-06-04, June 8, 2022

§20-2101. Initiation

An amendment, supplement, change or repeal of this Chapter may be initiated by:

- A. A resolution or request by the Board of Township Supervisors;
- B. An official proposal by the Planning Commission; or
- C. A petition presented to the Planning Commission by a property owner.

§20-2102. Procedure

- A. Upon receipt of a petition for an amendment to this Chapter or the Township zoning map, the Planning Commission shall review the proposal and submit recommendations, with specific reasons in support of either adopting the proposal, rejecting it or adopting it with conditions to the Board of Township Supervisors within sixty (60) days of the meeting at which it officially received the petition.
- B. The Planning Commission may hold a public hearing, pursuant to public notice, if it feels the proposal is of such a controversial nature or is so widespread in its jurisdiction that additional testimony should be gathered.
- C. The Board of Township Supervisors shall review the Planning Commission's recommendations and shall call a public hearing, properly noticed, after which the Board of Township Supervisors shall vote approval or disapproval of the proposed amendment within ninety (90) days of the conclusion of the hearing. At least thirty (30) days prior to the hearing the Supervisors shall submit the amendment proposal to the Butler County Planning Commission for comment, stating the date of the public hearing.
- D. When the Board of Township Supervisors proposes an amendment, it shall allow the Planning Commission at least thirty (30) days to review the proposal and submit recommendations before holding a public hearing.
- E. If a proposed amendment is either changed substantially or is revised before final approval

to include property not previously affected, the Board of Township Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the change.

- F. Appeal from a decision of the Board of Township Supervisors on an amendment proposal shall be to the Center Township Zoning Hearing Board unless otherwise required by statute, law or case law decision.
- G. Public Hearing Requirements:
 - 1. Public notice shall be published in a newspaper of general local circulation once (1) in each of two (2) consecutive weeks, the first notice appearing not more than thirty (30) days and the second not less than seven (7) days before the hearing.
 - 2. In addition, where a change of zoning district boundaries is sought, the property or group of properties affected shall be posted in at least two (2) conspicuous point, deemed sufficient by the Township, at least seven (7) days prior to the hearing, indicating the date, time and place of the hearing and the nature of the amendment sought. A notice shall simultaneously be posted at a conspicuous location at the Township Building.
 - 3. Owners of property within three hundred (300) feet of the boundary of a property or properties for which a change in the zoning district boundaries is sought, as evidenced by tax records within the possession of the municipality, shall be informed by mail by letter sent at least thirty days (30) days prior to the hearing, indicating the date, time and place of the hearing and describing the proposed change.
- H. The municipality may offer a mediation option as an aid in completing proceedings authorized by this Section. In exercising such an option, the municipality and mediating party shall meet the stipulation and follow the procedures set forth in Section 20-1904.
- I. Within thirty (30) days after enactment, a copy of the amendment to this Chapter shall be forwarded to the Butler County Planning Commission.

- J. Rehearing: If a petition for amendment, supplement, change or repeal of this Chapter is denied by the Board of Supervisors, another petition for similar change shall not be filed within a period of one (1) year from the date of denial, except upon the initiation of the Board of Township Supervisors upon the recommendation of the Planning Commission based upon a change in circumstances.

§20-2103. Procedure for Landowner Curative Amendments

- A. A landowner who desires to challenge on substantive grounds the validity of a zoning regulations or map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the Township Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in Section 20-2003. The Township Supervisors shall commence a hearing thereon within sixty (60) days of the request. The curative amendment and challenge shall be referred to the Planning Commission as provided in Section 20-2002, and notice of the hearing thereon shall be given as provided for.
- B. The hearing shall be conducted in accordance with Section 20-2003, and all references therein to the Zoning Hearing Board shall, for purposes of this Section be references to the Township Supervisors. If the Township does not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for the entire zoning regulation and map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.
- C. If the Board of Township Supervisors determines that a validity challenge has merit, they may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. The Township Supervisors shall consider the curative amendments, plans and explanatory material submitted by the

landowner and shall also consider:

1. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
2. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the regulation or map;
3. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features;
4. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and
5. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

§20-2104. Procedure for Municipal Curative Amendment

If the Township determines that its zoning regulations, or any portion thereof, is substantially invalid, it shall take the following actions:

- A. The Township shall declare by formal action, its zoning regulations, or portions thereof, substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal, the governing body of the municipality shall:
1. By resolution make specific findings setting forth the declared invalidity of the zoning regulations which may include:

- a. References to specific uses which are either not permitted or not permitted in sufficient quantity;
 - b. Reference to a class of use or uses which require revision; or
 2. Reference to the entire regulation which requires revisions.
 3. Begin to prepare and consider a curative amendment to the Zoning regulations to correct the declared invalidity.
- B. Within one hundred eighty (180) days from the date of the declaration and proposal, the Township shall enact a curative amendment to validate or reaffirm the validity of its Zoning regulations
- C. Upon the initiation of the procedures, as set forth in Section 20-2004A. the Township Supervisors shall not be required to entertain or consider any landowner's curative amendment filed under Section 20-2003 nor shall the Zoning Hearing Board be required to give a report request under Sections 20-2003 and/or Section 20-2004, subsequent to the declaration and proposal based upon the grounds identical to or substantially similar to those specified in the resolution required by Section 20-2004. Upon completion of the procedures as set forth in Section 2004A and Section 20-2004B, no rights to a cure pursuant to the provisions of Section 20-2004 shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning regulations for which there has been a curative amendment pursuant to this Section.
- D. The Township, having utilized the procedures as set forth in Sections 20-2004A and Section 20-2004B, may not again utilize said procedure for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of its Zoning regulations, pursuant to Section 20-2004 provided, however, if after the date of declaration and proposal, there is a substantially new duty or obligation imposed upon the Township by virtue of a change in statute or by virtue of a Pennsylvania Appellate Court decision, the Township may utilize the provisions of this Section to prepare a curative

amendment to its chapter to fulfill said duty or obligation.

ARTICLE XXII

PLANNED RESIDENTIAL DEVELOPMENT

History: Adopted by the Board of Supervisors of Center Township as Ordinance NO. 2017-03-02, dated March 8, 2017 and further amended by Ordinance No. 2022-06-04, June 8, 2022

§20-2201. Purpose

- A. The purpose of this Section is to encourage residential development and renewal so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings; so that greater opportunities for better housing and recreation may extend to all citizens and residents of this Township; and in order to encourage a more efficient use of land and of public services and to reflect changes in the technology of land development; and, in aid of these purposes, to provide a procedure which can relate the type, design and layout of residential development to the particular site and the particular demand for housing existing at the time of development in a manner consistent with the preservation of the property values within existing residential areas, and to ensure that the increased flexibility of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay.
- B. A planned residential development is a permitted use in the "R-2" Multi-Family Residential District.

§20-2202. Plans for Tentative Approval

The developer shall submit for review by the Planning Commission a plan with the following information:

- A. A written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of Center Township;
- B. The location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed;

- C. The density of land use to be allocated to parts of the site to be developed;
- D. The location and size of the common open space and the form of organization proposed to own and maintain the common open space and services;
- E. The use and the approximate height, bulk and location of buildings and other structures;
- F. The feasibility of proposals for the disposition of sanitary wastes and storm water;
- G. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities;
- H. The provisions for parking of vehicles and the location and width of proposed streets and public ways;
- I. In the case of development plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed, and this schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted;
- J. The location, size and type of planting for buffer yards.

§20-2203. Tentative Review and Approval

- A. Prior to the issuance of a planned residential development permit by the Zoning Officer, a plan must be reviewed by the Township Planning Commission and the Butler County Planning Commission and approved by the Township Board of Supervisors. The County Planning Commission shall be required to report to Center Township within thirty [30] days or forfeit the right to review.
- B. Upon review of the plan and recommendations by the Butler County Planning Commission, the Township Planning Commission shall present to the Board of Supervisors their recommendations. Before approving the plan, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice,

within sixty [60] days after filing of the application. The Board of Supervisors may continue the hearing from time to time, provided, however, that in any event the hearings shall be concluded within one hundred [100] days after the date of the first public hearing. The Board of Supervisors, within forty-five [45] days following the conclusion of the public hearing, shall by official written communication to the applicant, either:

1. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 2. Deny tentative approval of the development plan. Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within thirty [30] days after receiving a copy of the official written communication of the Board of Supervisors, notify such Board of its refusal to accept all said conditions, in which case the Board shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the governing body of his refusal to accept all said conditions, they shall stand as granted.
- C. Subsequent to the written grant or denial of tentative approval by official written communication, the Township shall submit, within thirty [30] days, findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial, and said communications shall set forth with particularity in what respects the development plan would or would not be in the public interest, including but not limited to findings of fact and conclusions of the following:
1. In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of the municipality;
 2. The extent to which the development plan departs from zoning and/or subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departure are or are not deemed to be in the public interest;
3. The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
 4. The physical design of the development plan and the manner in which said design does or does not make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of light and air and visual enjoyment;
 5. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and
 6. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
- D. In the event a development plan is granted tentative approval, with or without conditions, an application for final approval of the development shall be filed not later than one [1] year. In the case of a development plan which provides for development over a period of years, applications for final approval of each part of the plan shall be filed within twelve [12] months of the previous application for final approval of a portion of the development.
- E. A copy of the official written communication provided for in this Article shall be filed in the office of the Township, and the original shall be mailed to the landowner or the applicant, as the case may be for Planned Residential Development approval. Where tentative approval has been granted, this shall be recorded on the Township zoning map.

- F. Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan, which has been given tentative approval as submitted or which has been given tentative approval with conditions which have been accepted by the landowner, shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application for final approval is filed or, in the case of development over a period of years, provided applications are filed within the periods of time specified in the official written communications granting tentative approval.
- G. In the event that a development plan is given tentative approval, and thereafter but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the Township in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the Township map and in the records of the Secretary of the Township.

§20-2204. Plans for Final Approval

The developer shall submit for review by the Planning Commission a plan with the following information:

- A. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, when applicable, with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves;
- B. Name and right-of-way width of each street or other right-of-way;
- C. Location and dimension and purpose of easements;

- D. Number to identify each lot and/or site, when applicable;
- E. Purpose for which sites other than residential are dedicated or reserved;
- F. Minimum building setback line on all lots and other sites;
- G. Location and description of survey monuments;
- H. Names of record owners of adjoining unplotted land;
- I. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
- J. Certification by surveyor or engineer certifying to accuracy of survey and plat;
- K. Certification of title showing that applicant is the landowner;
- L. Statement by owner dedicating streets, right-of-way and sites for public uses;
- M. Title, scale, north arrow and date.

§20-2205. Final Approval

- A. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Township Secretary within the time set forth in Section 27-102, above. The application shall include any drawings, specifications, covenants, easements, performance bond and such other requirements as may be specified by the Board of Supervisors, as well as any conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or part thereof, shall not be required provided the development plan, or the part thereof, submitted for final approval, is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto.
- B. In the event the application for final approval has been filed together with all drawings, specifications and other documents in support

thereof, and as required by the Ordinance and the official written communications of tentative approval, Center Township shall, within thirty [30] days of such filing, grant such development plan final approval.

- C. In the event the development plan as submitted contains substantial variations from the development plan given tentative approval, the governing body shall refuse to grant final approval and shall, within thirty [30] days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one, or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
1. Re-file his application for final approval without the variations objected, or
 2. File a written request with the governing body that it hold a public hearing on his application for final approval. If the landowner wishes to take either such alternate action, he may do so at any time within which he shall be entitled to apply for final approval, or within thirty [30] additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within thirty [30] days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this article for public hearings on applications.
- D. A development plan, or any part thereof, which has been given final approval, shall be so certified without delay by the governing body and shall be filed of record forthwith in the office of the recorder of deeds before any development shall take place in accordance therewith. Upon filing of, record of the development plan, the zoning and subdivision regulations otherwise applicable to the land

included in such plan shall cease to apply thereto, Pending completion within a reasonable time of said planned residential development nor of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made by the Township except with the consent of the landowner.

- E. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, and shall so notify the governing body in writing or, in the event the landowner shall fail to commence and carry out the planned residential development, no further development shall take place on the property included in the development plan until after said property is re-subdivided and is reclassified by enactment of an amendment to the Center Township Zoning Ordinance unless written request for an extension of the time period is granted by the Board of Supervisors to the landowner.

§20-2206. Permitted Uses

- A. Permitted Residential Uses:
1. Single family, detached;
 2. Single family, semi-detached or duplex;
 3. Single family, attached [townhouses, triplexes or quadraplexes];
- The above listed physical structures are permitted regardless of form of ownership; i.e. planned communities, condominium ownership are permitted.
- B. Auxiliary Structures: Structures such as clubhouse, pool and other recreational facilities serving the permitted residential uses are permitted so long as there is residential development of the auxiliary structures planned alongside the development of auxiliary structures.
- C. Accessory Uses:
1. Private garages;
 2. Parking areas for guests; and
 3. Garden and storage sheds.

§20-2207. Density

The maximum gross density for the total acreage within the Planned Residential Development Program of a specific developer, shall not exceed eight (8) dwelling units per gross acre.

§20-2208. Setbacks Generally

- A. All structures shall have a front yard setback from both public and private street right-of-way lines not less than thirty [30] feet. All structures shall have a setback not less than fifty [50] feet from all perimeter property lines to the Planned Residential Development tract.
- B. If there are sidewalks to be included in the front yard which are outside of the public or private street right-of-way lines, then it is further required that all structures shall be set back from the pedestrian easement not less than thirty [30] feet.

§20-2209. Building Height

No building shall be erected to a height in excess of thirty-five [35] feet.

§20-2210. Minimum Plot

The minimum plot for a Planned Residential Development shall be not less than twenty-five [25] acres.

§20-2211. Interior Yards

Interior yards and/or structural spacing shall be provided in accordance with the following schedule:

- A. One [1] Dwelling Unit Per Structure:
 - 1. Front to Front - Seventy (70) feet
 - 2. Front to Side - Fifty (50) feet
 - 3. Front to Rear - Seventy (70) feet
 - 4. Side to Rear - Thirty (30) feet
 - 5. Side to Side - Twenty (20) feet
 - 6. Rear to Rear - Fifty (50) feet
 - 7. Corner to Corner - Twenty (20) feet
- B. Two [2] Dwelling Units Per Structure:
 - 1. Front to Front - Seventy (70) feet
 - 2. Front to Side - Fifty (50) feet

- 3. Front to Rear - Seventy (70) feet
- 4. Side to Rear - Thirty (30) feet
- 5. Side to Side - Twenty (20) feet
- 6. Rear to Rear - Fifty (50) feet
- 7. Corner to Corner - Twenty (20) feet

§20-2212. Vegetative Cover

At least forty [40] percent of the gross area of the Planned Residential Development shall be maintained with a vegetative material.

§20-2213. General Regulations

Any development plan shall comply with the parking, loading and unloading, highway access, stream protection and any other applicable General Regulations of the Township.

§20-2214. Utilities

A development shall be served by the existing sewerage system and treatment facility and water supply system or tied into these systems or a separate water and sewerage system to support the entire development. All plans shall be subject to review and approval by the Township and the Pennsylvania Department of Environmental Resources.

§20-2215. Parking

See Chapter 20, Article XVI of the Center Township Codified Ordinances.

§20-2216. Drainage, Grading and Stormwater Management Control

All areas of a planned residential development shall comply with the stormwater management requirements of Chapter 21 of the Center Township Codified Ordinances.