

ARTICLE XV
CONDITIONAL USES

History: Amended by Ordinance No. 2022-06-04, June 8, 2022, Ordinance No. 2023-07-02, July 12, 2023, and Ordinance No. 2024-07-05, July 10, 2024.

§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 one-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, step, 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.
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. Failure to provide such information by the date specified shall subject the operator to all enforcement remedies provided in this Chapter.
- 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;
 - 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.
 - 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 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, 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 one hundred (100) 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 five hundred (500) 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 more than two (2) high.
- 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) and Sewage Ordinance (See Chapter 15).
 - 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)