

GLENBURN TOWNSHIP

LACKAWANNA COUNTY, PENNSYLVANIA

ZONING ORDINANCE

MARCH 30, 2001

COMMUNITY PLANNING & MANAGEMENT ASSOCIATES

CARSON HELFRICH

HCR #1 BOX 59, PAUPACK, PA 18451

570-857-0282 (TELEPHONE & FAX)

TABLE OF CONTENTS

ARTICLE I GENERAL PROVISIONS

	Page I-
100 Title	1
101 Short Title	1
102 Purpose	1
103 Community Development Objectives	2
104 Interpretation	3
105 Severability	3
106 Effective Date	3

ARTICLE II ZONING DISTRICTS AND ZONING MAP

	Page II-
201 Designation of Districts	1
202 Official Zoning Map	2
203 District Boundaries	2

ARTICLE III DISTRICT REGULATIONS

	Page III-
301 District Regulations	1
Schedule of Uses and Development Standards	3

ARTICLE IV SUPPLEMENTARY REGULATIONS

	Page IV-
400 Introduction	1
401 Deviations From Required Sizes	1
402 Lots, Yards Width and Depth, and Building Locations	1
403 Accessory Structures and Uses	3
404 Off-Street Parking and Loading	8
405 Signs	15

ARTICLE V STANDARDS FOR SPECIFIC USES

	Page V-
501 Adult Businesses	1
502 Reserved	
503 Agricultural Uses -- Crop Production and Livestock Operations	4
504 Reserved	
505 Animals, Keeping of	4
506 Reserved	
507 Bed and Breakfast Establishments	8
508 Bulk Fuel Storage Facilities	8
509 Commercial Communication Devices	9

510 to 512 Reserved

513 Detention Facilities 12

14 Reserved

515 Forestry Enterprises 13

516 to 519 Reserved

520 Junk Yards 14

521 to 525 Reserved

526 Natural Resource Uses 18

527 to 529 Reserved

530 Recreational Vehicle parks and Campgrounds 18

531 Recycling Facilities 19

532-535 Reserved

536 Restaurants, Fast Food 21

537-540 Reserved

541 Self-Storage Facilities 21

542 to 543 Reserved

544 Shooting Ranges and Archery Ranges – Outdoor 22

545 to 547 Reserved

548 Solid Waste 23

549 Reserved

550 Storage Yards for Forest Products and Stone 25

551 Swimming Pool, Commercial 26

552 to 555 Reserved

556 Theaters, Drive-In 26

557 Reserved

558 Treatment Centers/Clinics, Medical Offices, and Health Facilities 27

559 Reserved

560 Vehicle Related Uses 28

**ARTICLE VI
PERFORMANCE STANDARDS AND ENVIRONMENTAL PROTECTION**

Page VI-

600 Design of Commercial Establishments and Nonresidential Uses 1

601 Performance Standards Applicable to Non-Residential Uses 2

602 Placement and Screening of Waste Containers 8

603 Environmental Impact Statement 8

604 Special Conservation Standards 12

605 Reserved

606 Property Line Buffer Areas 13

607 Major Impact Development 14

**ARTICLE VII
NONCONFORMITIES**

Page VII-

701 Purpose, Applicability, Registration, and Continuation and Change 1

702 Definitions 1

703 Nonconformities Under Development 2

704 Nonconformities by Variance 2

705 Normal Maintenance and Repair Activities 2

706 Changes of Nonconforming Uses 3
 707 Extension of Nonconforming Uses 3
 708 Reconstruction 4
 709 Abandonment and Reestablishment of Nonconformities 5
 710 Alterations and Expansions of Nonconforming Structures 5
 711 Use of Nonconforming Lots of Record 5
 712 Review Factors 6

**ARTICLE VIII
 RESIDENTIAL STANDARDS**

Page VIII-

801 Land Conservation Overlay District (DEVELOPER'S OPTION) 1
 802 Two Family Dwellings 16
 803 Multi-Family Dwellings 16
 804 Conversion to Dwellings 19
 805 Group Homes 19
 806 Reserved
 807 Mobile Home Parks 20
 808 Mobile/Manufactured Homes on Individual Lots 23
 809 Minimum Single-Family Dwelling Size 24
 810 Bed and Breakfast Establishments 24
 811 Hotels, Motels, and Lodging Facilities 24
 812 Open Land, Recreation Land, Development Improvements and Common
 Facilities -- Ownership and Maintenance 24

**ARTICLE IX
 FLOODPLAIN REGULATIONS**

Page IX-

901 General Provisions 1
 902 Administration 1
 903 Identification of Floodplain Areas 4
 904 Technical Provisions 5
 905 Existing Structures in Identified Floodplain Areas 9
 906 Variances 10
 907 Definitions 10

**ARTICLE X
 DEFINITIONS**

Page X-

1001 Rules of Construction and Definitions 1
 1002 Terms, Phrases and Words Not Defined 1
 1003 Definitions 1

**ARTICLE XI
 ADMINISTRATION**

Page XI-

1100 Applicability 1
 1101 General Procedure for Permits 1
 1102 Permits and Certificates 2
 1103 Fees 5

1104 Zoning Officer 6

1105 Zoning Hearing Board 7

1106 Zoning Hearing Board -- Hearings and Decisions 8

1107 Variances 11

1108 Conditional Uses and Special Exceptions 12

1109 Time Limits on Permits and Variances 15

1110 Mediation 16

1112 Appeals to Court and Other Administrative Proceedings 16

1113 Public Utility Exemptions 16

1114 Limited Township Exemption 17

1115 Amendments 17

1116 Violations 17

1117 Penalties and Remedies 18

1118 Liability 18

Planning Commission Responsibilities 19

**ARTICLE XII
LANDSCAPING STANDARDS**

1200 Landscape Requirements 1

1201 Legislative Intent 1

1202 Preservation of Existing Vegetation 2

1203 Parking Lot Landscaping 3

1204 Street Trees 3

1205 Stormwater Basins and Associated Facilities 4

1206 Buffers and Screens 5

1207 Materials Specifications, Maintenance, and Guarantee 11

1208 List of Acceptable Plants 12

1209 Plan Requirements 12

**ARTICLE XIII
ADOPTION**

Page XIII-

Adoption 1

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Glenburn Township, Lackawanna County, Pennsylvania by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

ARTICLE I GENERAL PROVISIONS

100 Adoption and Conflict

The Glenburn Township Zoning Ordinance of May 20, 1985, as amended, is hereby amended and restated in its entirety as hereinafter set forth. This Zoning Ordinance is not intended to and shall not be construed to affect or change any other ordinance, code or regulation of the Township of Glenburn. If any other ordinance, code or regulation of the Township of Glenburn is in conflict or inconsistent with the requirements of this Zoning Ordinance, the most restrictive standards and provisions shall apply.

101 Title and Short Title

101.1 Title

AN ORDINANCE PERMITTING, PROHIBITING, REGULATING, RESTRICTING, AND DETERMINING THE USES OF LAND, WATERCOURSES, AND OTHER BODIES OF WATER; THE SIZE, HEIGHT, BULK, LOCATION, ERECTION, CONSTRUCTION, REPAIR, MAINTENANCE, ALTERATION, RAZING, REMOVAL AND USE OF STRUCTURES; THE AREAS AND DIMENSIONS OF LAND AND BODIES OF WATER TO BE OCCUPIED BY USES AND STRUCTURES AS WELL AS COURTS, YARDS, AND OTHER OPEN SPACES AND DISTANCES TO BE LEFT UNOCCUPIED BY USES AND STRUCTURES; THE DENSITY OF POPULATION AND INTENSITY OF USE; CREATING ZONING DISTRICTS AND ESTABLISHING THE BOUNDARIES THEREOF; AUTHORIZING THE APPOINTMENT OF A ZONING OFFICER; CREATING A ZONING HEARING BOARD; AND PROVIDING FOR THE ADMINISTRATION, AMENDMENT, AND ENFORCEMENT OF THE ORDINANCE, INCLUDING THE IMPOSITION OF PENALTIES.

101.2 Short Title

This ordinance shall be known and may be cited as the "GLENBURN TOWNSHIP ZONING ORDINANCE."

102 Purpose

This Ordinance is adopted in accordance with an overall land use control program and with consideration for the character of the municipality, its various parts and the suitability of the various parts for particular uses and structures. This Ordinance is enacted for the following purposes:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare; coordinated and practical community development; density of population; civil defense and disaster evacuation, airports, and national defense facilities; the provisions of adequate light and air; police protection; vehicle parking and loading space; transportation; natural resources, agricultural land and uses; the safe use of natural or artificial bodies of water, boat docks and related facilities; reliable, safe and adequate water supplies; safe and adequate sewerage disposal, schools, public grounds and other public requirements and other purposes set forth in the Pennsylvania Municipalities Planning Code.
- B. To prevent one or more of the following: overcrowding of land, contamination of watercourses and other bodies of water, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

103 Community Development Objectives

This statement of the Community Development Objectives is included under the authority of Section 606 of the Pennsylvania Municipalities Planning Code. The Community Development Objectives include, but are not limited to the following:

- A. To achieve the best use of the land within the Township, insuring that varying use of land and water bodies will complement one another and thus improve the economic, social, and aesthetic character of the community, while preserving the community's natural viewsheds, land forms, and unique historical attributes such as stone walls, barns, etc.
- B. To establish realistic population densities in order to insure health standards, privacy and open space and in order to provide utilities, police protection, and community services and facilities in the most convenient and efficient manner.
- C. To maintain and improve the road system for better internal circulation and movement of through traffic, which will facilitate the efficient and safe movement of people and goods.
- D. To encourage the creation and preservation of greenways and non-motorized trails to allow interconnection of the community.
- E. To guide the location of future development and establish developmental standards in such a way that negative impacts on the natural environment and natural resources are minimized, and to minimize existing and future water, air, land and noise pollution.
- F. To provide the opportunity for a wide-range and variety of housing types to meet the needs of all Township residents; newly-formed households, growing families and senior citizens.
- G. To preserve open space for residential neighborhoods for passive and active recreation.
- H. To update and revise planning goals and objectives, and the operational tools necessary for implementation, in light of new data and changing conditions.
- I. To expand local business and strengthen the economy by encouraging well-planned commercial, industrial, residential, and recreational growth which will provide for local employment, shopping facilities, and recreational opportunities which in turn will strengthen the local tax base while preserving the rural character and architectural integrity of the community.
- J. To strive for coordination between policies, plans, and programs in the community through cooperation among governing officials, community interest groups, and the general populace.

Specific Objectives for Conservation Design for Residential Development

- A. To conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, flood plains and wetlands, by setting them aside from development.
- B. To provide greater design flexibility and efficiency in the siting of services and infrastructure, including the opportunity to reduce length of roads, utility runs, and the amount of paving required for residential development.
- C. To reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of

development on steep slopes.

- D. To provide for a diversity of lot sizes, building densities, and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the community's population diversity may be maintained.
- E. To implement adopted municipal policies to conserve a variety of irreplaceable and environmentally sensitive resource lands, including provisions for reasonable incentives to create a greenway and trail system for the benefit of present and future residents.
- F. To implement adopted land use, transportation, and community policies, as identified in the Township's Comprehensive plan.
- G. To protect areas of the Township with productive agricultural soils for continued or future agricultural use, by conserving blocks of land large enough to allow for efficient farm operations.
- H. To create neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity.
- I. To provide for the conservation and maintenance of open land within the Township to achieve the above-mentioned goals and for active or passive recreational use by residents.
- J. To provide multiple options for landowners in order to minimize impacts on environmental resources (sensitive lands such as wetlands, flood plain, and steep slopes) and disturbance of natural or cultural features (such as mature woodlands, hedgerows and tree lines, critical wildlife habitats, historic buildings, and fieldstone walls).
- K. To provide standards reflecting the varying circumstances and interests of individual landowners, and the individual characteristics of their properties.
- L. To conserve scenic views and elements of the Township's rural character, and to minimize perceived density, by minimizing views of new development from existing roads.

104 Interpretation

In interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and the general welfare of the Township and its citizens. It is not intended to interfere with or abrogate or annul other rules, regulations, or ordinances of the Township except that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of a building, or requires larger open spaces than are imposed by such other rules, regulations, or ordinances, the provisions of this Ordinance shall control.

105 Severability

In the event that any provision, section, sentence, or clause of this Ordinance shall be held to be unconstitutional, such invalidity shall not affect or impair any remaining part of this Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

106 Effective Date

This Zoning Ordinance shall take effect immediately upon its adoption.

ARTICLE II ZONING DISTRICTS AND ZONING MAP

201 Designation of Districts

201.1 Designation

For the purposes of this Ordinance, Glenburn Township is hereby divided into the following Zoning Districts:

A-1	Agriculture	S-P	Special Purpose
A-2	Agriculture	C-1	Local Commercial
R-1A	Low Density Residential	C-2	Highway Commercial
R-1B	One-Family Residential	M-1	Light Manufacturing
R-2	Medium Density Residential		

201.2 Intent of Districts

The intent of each District and the uses permitted in each District are set forth in this §201.2 or in the specific sections establishing any overlay district.

A-1 Agriculture

To permit, protect and encourage the continued use of land for agriculture and forestry enterprises. The district is composed of those areas of the Township where agriculture and forestry enterprises are the predominant land uses. The regulations applicable in the district are designed to protect and stabilize the essential elements of the district's existing character, to minimize conflicting land uses detrimental to agriculture and forestry enterprises, to limit development which requires community facilities in excess of those required for agriculture and forestry enterprises, and to maintain land in parcels of adequate size to support economically viable agricultural and forestry operations. Concurrently, a number of non-agricultural uses, not suitable for development in other zoning districts, are permitted as conditional uses.

A-2 Agriculture

To meet the same intent as the A-1 District along with permitting as conditional uses, campgrounds and recreational vehicle parks and mobile home parks.

R-1A Low Density Residential

To provide areas adequate to accommodate the Township's single-family housing needs at a maximum density of one dwelling per acre, and to limit unnecessary intrusions of incompatible uses which might pose a threat to the health, safety, or welfare of families and individuals occupying said housing, and to allow certain public and semi-public uses compatible with residential neighborhoods.

R-1B One-Family Residential

To provide areas adequate to accommodate the Township's single-family housing needs at a higher density than the R-1A District, and to limit unnecessary intrusions of incompatible uses which might pose a threat to the health, safety, or welfare of families and individuals occupying said housing, and to allow certain public and semi-public uses compatible with residential neighborhoods.

R-2 Medium Density Residential

To provide areas where two family and multi-family dwellings can be developed to meet the needs for higher density housing, and to limit unnecessary intrusions of incompatible uses which might pose a threat to the health, safety, or welfare of families and individuals occupying said housing, and to allow certain public and semi-public

uses compatible with residential neighborhoods.

S-P Special Purpose

To recognize the ownership and importance of public lands to conservation and public recreation.

C-1 Local Commercial

To provide areas within the Township for the location of retail and service establishments and commercial enterprises catering primarily to the needs of local residents.

C-2 Highway Commercial

To provide areas within the Township for the location of businesses and commercial enterprises of all types catering to the needs of local residents as well as surrounding communities and the region, and travelers.

M-1 Light Manufacturing

Based on location, existing uses and facilities, and the relationship to other land uses, to reserve those areas in the Township best suited for manufacturing and industry, uses with potential for greater community impact, and other offensive uses.

201.3 Overlay Districts

A. Floodplain Overlay District

The Floodplain Overlay District is hereby created to be coterminous with the flood hazard areas established by the Federal Emergency Management Agency for the Township as shown on the most recent Federal Flood Insurance Rate Maps. In addition to all the other applicable standards of this Zoning Ordinance the floodplain regulations contained Article IX shall also apply.

B. Land Conservation Overlay District

The Land Conservation Overlay District is hereby created to promote the conservation of open lands in the Township. The District shall apply to all areas of the Township in Districts where residential development is permitted and in accord with §601 of this Zoning Ordinance

202 Official Zoning Map

The location and boundaries of said districts are hereby established as shown on the Official Zoning Map of Glenburn Township; which is hereby adopted by reference and declared to be a part of this Ordinance together with all amendments thereto.

203 District Boundaries

203.1 Establishment

District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads, and lot or property lines as they exist on a recorded deed or plan of record in the Lackawanna County Recorder of Deed's Office and on the Lackawanna County Tax Maps at the time of the enactment of this Ordinance, unless such district boundary lines are fixed by dimensions or otherwise as shown on the Official Zoning Map.

203.2 Interpretation

Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries

shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

203.3 Uncertainty

In the event of uncertainty as to the true location of a district boundary line in a particular instance, the Zoning Officer is authorized to determine the correct district boundary in accord with the guidelines of this Zoning Ordinance. Any decision of the Zoning Officer may be appealed to the Zoning Hearing Board.

ARTICLE III DISTRICT REGULATIONS

301 District Regulations

District regulations are of two types, Use Regulations and Development Standards, which shall apply to any proposed new use, expansion of an existing use or change of use of any land or structure.

301.1 Use Regulations

District Use Regulations are provided in the following Schedules.

- A. Zone Restrictiveness - Where a use is specifically enumerated in a less restrictive zone, such use shall not be permitted in a more restrictive zone unless it is specifically enumerated as a use permitted therein.
- B. Permits - Permits for principal permitted uses and accessory uses shall be issued by the Zoning Officer provided such uses comply with the standards in this Ordinance.
- C. Conditional Uses and Special Exceptions - Conditional uses and special exceptions shall be subject to the additional review procedures and criteria as specified in this Ordinance.
- D. Listed Uses - No land and no structure in a particular zoning district shall be used for any use which is not specifically listed on the Schedule for that particular district, and only in accord with all other requirements of this Ordinance. Larger lot sizes, greater setbacks, buffers and other more restrictive standards may be required by other provision of this Ordinance. In cases where this Ordinance provides different requirements for the same use, the most restrictive requirement shall apply.

301.2 Uses Not Specified in the Schedule

- A. Jurisdiction - Whenever a use is neither specifically permitted nor specifically denied in any zoning district established under this Ordinance and an application is made to the Zoning Officer for such use, the application shall be submitted to the Zoning Hearing Board which shall have the authority to permit the use or deny the use as a special exception.
- B. Findings - The use may be permitted only if the Zoning Hearing Board makes all of the following findings; and, the burden of proof shall be upon the applicant:
 - 1. The use is similar to and compatible with the uses listed for the subject zoning district by the Schedule Regulations.
 - 2. The use in no way conflicts with the intent of the zoning district and the general purpose and intent of this Zoning Ordinance.
 - 3. The use is not permitted in any other zoning district.
- C. Planning Commission Review - At the time the application is submitted to the Zoning Hearing Board, the Zoning Officer shall also provide a copy to the Township Planning Commission for its recommendation. The Zoning Hearing Board shall not conduct a public hearing on the application until the comments from the Planning Commission are received or thirty (30) days have passed from the time the application was referred to the Planning Commission.

- D. Conditions - The Zoning Hearing Board may attach reasonable conditions and safeguards to any special exception approval granted for a use not specified in the schedule of uses, incorporating standards in this Zoning Ordinance for similar uses in the district and such other conditions as the Zoning Hearing Board may deem necessary to protect and promote the public health, safety, morals and welfare and to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

301.3 Development Standards

The Development Standards in the Schedules which follow establish minimum standards for lot area; lot depth, average lot width and front, side and rear yards; and establishes maximum standards for building height and lot coverage. The standards also establish specific standards and criteria that apply to the use as may be appropriate to protect the public health, safety and welfare. Larger lot sizes, increased setbacks and other more restrictive standards may be required in accord with other Ordinance sections.

R-1A LOW DENSITY RESIDENTIAL	R-1B ONE-FAMILY RESIDENTIAL	R-2 MEDIUM DENSITY RESIDENTIAL
PRINCIPAL PERMITTED USES		
- Forestry - Single family detached dwellings		- Forestry - Single family detached dwellings - Two-family dwellings
ACCESSORY USES		
- Accessory uses customary to approved uses - Essential services - Home gardens, home greenhouses and home nurseries	- Home occupations* - Pets, keeping of - Private garages, carports, sheds - Private swimming pools - Required parking and loading areas	- Signs accessory to approved uses - Satellite dish antennae - Stable, private and boarding - Yard sales *NOTE: see §403.3 which classifies certain home occupations as conditional uses.
CONDITIONAL USES		
- Day care, adult - Day care, child - Group homes - Places of worship	- Bed and breakfast establishments - Day care, adult - Day care, child - Group homes - Multi-family dwellings - Places of worship	
SPECIAL EXCEPTIONS		
- Public and semi-public buildings and uses - Recreational facilities, public - Schools, public or private, primary or secondary		
MINIMUM LOT SIZE (except as may be required for specific uses by other provisions of this Zoning Ordinance) (See §602 for two-family dwellings and §603 for multi-family dwellings)		
1 acre	15,000 sq. ft. (1)	10,000 sq. ft. (1)
MINIMUM YARDS (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
40 feet front 15 feet one side 35 feet both sides 50 feet rear	25 feet front 8 feet one side 20 feet both sides 25 feet rear	
MINIMUM LOT FRONTAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
150 feet	100 feet	80 feet
MINIMUM LOT DEPTH (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
200 feet	150 feet	100 feet
MAXIMUM LOT COVERAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
15%	20%	30%
MAXIMUM BUILDING HEIGHT (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
2.5 stories up to 35 feet Multi-family Dwellings: 4 stories up to 50 feet		

NOTES: (1) - A minimum lot area of one (1) acre shall be provided if either on-lot sewage disposal or on-lot water supply is used.

A-1 and A-2
AGRICULTURE

PRINCIPAL PERMITTED USES

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> - Commercial greenhouses and nurseries - Crop production - Forestry - Livestock operations - Retail sales of agricultural/forestry products produced and/or processed on | <ul style="list-style-type: none"> the premises - Retail sales limited to 1,000 sq. ft. of agricultural / forestry related products produce with an active agriculture / forestry use | <ul style="list-style-type: none"> - Single-family detached dwellings - Stables, commercial, and horses for hire - Stables, private and boarding, in association with a single-family detached dwelling - Storage yards for forest products or stone |
|--|---|--|

ACCESSORY USES

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> - Accessory uses customary to approved uses - Essential services - Home gardens, home greenhouses and home nurseries | <ul style="list-style-type: none"> - Home occupations* - Pets, keeping of - Private garages, carports, sheds - Private swimming pools - Required parking and loading areas | <ul style="list-style-type: none"> - Signs accessory to approved uses - Satellite dish antennae - Yard sales *NOTE: see §403.3 which classifies certain home occupations as conditional uses. |
|--|---|---|

CONDITIONAL USES

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> - All R-1 conditional uses - Agricultural products processing only for products raised on the premises - Airports, private and commercial - Amusement parks - Archery ranges, outdoor - Bed and breakfast establishments - Campgrounds and recreational vehicle parks in A-2 District only - Cemeteries | <ul style="list-style-type: none"> - Commercial communication device sites - Country clubs - Crematoriums and mausoleums - Golf courses excluding miniature golf and driving ranges - Group homes - Health facilities - Heliports, accessory - Heliports, commercial - Kennels | <ul style="list-style-type: none"> - Land conservation residential development - Mobile home parks in A-2 District only - Natural resource uses - Nursing homes - Race tracks - Recreational facilities, private outdoor - Sawmills - Shooting ranges, outdoor - Veterinary clinics |
|--|---|--|

SPECIAL EXCEPTIONS

- Public and semi-public buildings and uses
- Recreational facilities, public
- Schools, public or private, primary or secondary

MINIMUM LOT SIZE (except as may be required for specific uses by other provisions of this Zoning Ordinance)
 (See §807 for mobile home parks and §530 for campgrounds and recreational vehicle parks)

1 acre for principal permitted residential uses // 5 acres all other uses

MINIMUM YARDS (except as may be required for specific uses by other provisions of this Zoning Ordinance)

35 feet front // 50 feet rear // 20 feet each side

MINIMUM LOT FRONTAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)

150 feet

MINIMUM LOT DEPTH (except as may be required for specific uses by other provisions of this Zoning Ordinance)

200 feet

MAXIMUM LOT COVERAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)

15%

MAXIMUM BUILDING HEIGHT (except as may be required for specific uses by other provisions of this Zoning Ordinance)

2.5 stories up to 35 feet

<p align="center">C-1 LOCAL COMMERCIAL</p>	<p align="center">C-2 HIGHWAY COMMERCIAL</p>	<p align="center">M-1 LIGHT MANUFACTURING</p>
<p>PRINCIPAL PERMITTED USES</p>		
<ul style="list-style-type: none"> - Auto repair operation, minor - Bakeries, retail - Banks - Bed and breakfast establishments - Convenience stores - Day care, adult - Day care, child - Exercise clubs - Forestry - Medical clinics - Office buildings - Places of worship - Professional offices - Recycling units, mobile - Restaurants, traditional - Retail businesses - Service establishments - Taverns 	<ul style="list-style-type: none"> - All C-1 principal permitted uses - Amusement arcade - Betting uses - Boarding and lodging houses - Car and truck washes - Clubs/lodges, private - Health facilities - Hotels - Motels - Nursing homes - Personal care homes or centers - Recreational facilities, private - Recycling collection facilities, small - Self-storage facilities - Shopping centers and malls - Storage yards for forest products or stone - Theaters, standard and drive-in - Trade schools - Vehicle or equipment repair operations, minor - Vehicle or equipment sales operation - Wholesale businesses 	<ul style="list-style-type: none"> - Forestry
<p>ACCESSORY USES</p>		
<ul style="list-style-type: none"> - Accessory uses customary to approved uses - Essential services - Home gardens, home greenhouses and home nurseries 	<ul style="list-style-type: none"> - Home occupations* - Pets, keeping of - Private garages, carports, sheds - Private swimming pools - Required parking and loading areas 	<ul style="list-style-type: none"> - Signs accessory to approved uses - Satellite dish antennae - Yard sales <p>*NOTE: see §403.3 which classifies certain home occupations as conditional uses.</p>
<p>CONDITIONAL USES</p>		
<ul style="list-style-type: none"> - Adult businesses - Funeral parlors - Veterinary clinics 	<ul style="list-style-type: none"> - Abused person shelter - Flea markets, outdoor - Funeral parlors - Restaurants, fast-food - Treatment centers/clinics - Vehicle or equipment repair operations, major - Veterinary clinics 	<ul style="list-style-type: none"> - Agricultural and food products processing - Bulk fuel storage facilities - Bus terminals - Construction contractors, including storage of heavy equipment - Crematoriums - Detention facilities - Junk yards - Manufacturing, light - Manufacturing and industry - Natural resources processing - Recyclable processing facilities - Recycling collection facilities, large - Slaughter houses - Solid waste facilities, commercial - Solid waste facilities, public - Solid waste staging areas - Truck terminals - Warehouses

C-1 LOCAL COMMERCIAL	C-2 HIGHWAY COMMERCIAL	M-1 LIGHT MANUFACTURING
SPECIAL EXCEPTIONS		
- Public and semi-public buildings and uses - Recreational facilities, public - Schools, public or private, primary or secondary		none
MINIMUM LOT SIZE (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
10,000 sq. ft. // A minimum lot area of one (1) acre shall be provided if either on-lot sewage disposal or on-lot water supply is used.		1 acre
MINIMUM YARDS (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
25 feet front 20 feet rear 20 feet each side		50 feet front 50 feet rear 20 feet each side
MINIMUM LOT FRONTAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
100 feet		
MINIMUM LOT DEPTH (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
100 feet		
MAXIMUM LOT COVERAGE (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
40%	25%	40%
MAXIMUM BUILDING HEIGHT (except as may be required for specific uses by other provisions of this Zoning Ordinance)		
2.5 stories up to 35 feet		

S-P SPECIAL PURPOSE	
PRINCIPAL PERMITTED USES	ACCESSORY USES
- Customary uses of public land - Forestry	- Accessory uses customary to approved uses
CONDITIONAL USES / SPECIAL EXCEPTIONS	
none	
MINIMUM LOT SIZE / MINIMUM LOT FRONTAGE / MINIMUM LOT DEPTH	
none	
MINIMUM YARDS	MAXIMUM LOT COVERAGE
35 ft front // 50 ft rear // 20 ft each side	15%
MAXIMUM BUILDING HEIGHT (except as may be required for specific uses by other provisions of this Zoning Ordinance)	
2.5 stories up to 35 feet	

ARTICLE IV SUPPLEMENTARY REGULATIONS

400 Introduction

The standards that follow shall be applied to the specific situations indicated and are intended to supplement the standards in Article IV. Standards contained in a specific section regulating a specific use shall not exempt said use from other applicable regulations contained in this Ordinance.

401 Deviations From Required Sizes

No part of any structure, whether attached to the principal structure or not; including but not limited to, porches, carports, decks, balconies, chimneys, bay windows or overhangs shall project into any required yard. No lot, yard, or other space shall be so reduced in area or dimension as to make it less than the minimum required by this Ordinance except as follows:

401.1 Nonconforming Lots of Record

See §711 of this Zoning Ordinance.

401.2 Reserved

401.3 Front Yard Exception

Where a vacant lot exists between two (2) improved lots, each of which has a building within twenty-five (25) feet of the property line separating the parcels, a building may be erected on the vacant lot with a front yard not less than the greater front yard of the two (2) adjoining buildings. However, the front yard setback shall not in any case be reduced to less than ten (10) feet.

401.4 Height Limitations

Unless otherwise regulated by this Ordinance, height regulations shall not apply to open amusement rides, spires, belfries, cupolas, domes, not used for human occupancy, nor to chimneys, ventilators, monuments, water towers, masts and aerials, television antennae, public utility structures that are not buildings, silos, chimneys, ventilators, and parapet walls extending not more than four (4) feet above the regulated height of the building, skylights, bulkheads, and ornamental or necessary mechanical appurtenances. Any such structure which exceeds a height of fifty (50) feet shall be considered a conditional use.

401.5 Extension of Non-Conforming Setbacks

A structure which is non-conforming as to a setback requirement may be extended along the non-conforming setback line.

401.6 Reserved

401.7 Reduction of Required Area or Space

The area or dimension of any existing lot, yard, parking area or other space shall not be reduced to less than the minimum required by this Ordinance.

402 Lots, Yards, Width and Depth and Building Locations

402.1 Minimum Lot Size if No Central Sewage Disposal

Unless a larger lot size is required by this Ordinance or other regulations, when central sewage disposal is not provided, the minimum lot area per dwelling unit shall not be less than one (1) acre with a minimum width of not less than one hundred and fifty (150) feet, and setbacks and lot coverage shall comply with R-1A District standards.

402.2 Two or More Uses on a Lot

- A. Development Standards - Two (2) or more principal buildings or uses located on a parcel in single ownership shall conform to all the requirements of this Ordinance which would normally apply to each building or use if each were on a separate district lot, including but not limited to setbacks, parking, lot coverage, and sewage disposal requirements.
- B. Residential Density - For the purposes of density of residential structures, lot size shall be increased to maintain the density required by this Ordinance. For example, the parcel size required for three (3) single-family dwellings on one parcel would be determined by multiplying the minimum lot size for one (1) dwelling by a factor of three (3).
- C. Non-Residential Uses - In the case of non-residential uses, there shall be no limit on the number of uses or structures on a single parcel provided all other standards of this Ordinance are satisfied. This shall not apply to adult businesses, junkyards, natural resource uses, solid waste facilities, or other uses with a special size requirement listed in this Ordinance, in which case the parcel size shall be increased to provide for the minimum land area for each use on the parcel.
- D. Residential and Non-Residential on the Same Lot - A-1 and A-2 Districts - Residential dwellings provided for in the District shall be permitted on the same lot as a permitted non-residential use provided the lot is of sufficient size to meet the residential unit density required by this Ordinance in addition to the land area needed to meet the density requirement for the non-residential use. For example, the parcel size required for one (1) single-family dwelling and a health facility on one parcel in the A-1 District would be six (6) acres, determined by adding one (1) acre, the minimum lot size for the dwelling, to five (5) acres, the minimum lot size required for the health facility.
- E. Structure Separation - Principal structures located on the same lot shall be separated by a distance at least equal to the height of the highest adjoining structure, but in no case less than twenty (20) feet. (See §403.1 for accessory structures.)

402.3 Street Frontage / Front Yards of Corner Lots

A principal building shall be permitted only upon a lot with frontage on a public road, and minimum lot frontage shall be measured along the minimum building setback line as required for the District. Each yard of a lot which abuts a street shall be equal in size to the front yard required for the district. Any other yards may be considered side yards.

402.4 Clear Sight Triangle

Visual obstructions at street intersection including, but not limited to, structures, opaque fences, vegetation and signs, (excluding an existing building, post, public utility structures, column or deciduous tree) thirty (30) inches in height shall be prohibited on any lot within the triangle formed by the street right-of-way lines and a line drawn between points along the street right-of-way lines thirty (30) feet distant from their points of intersection. More restrictive standards shall be required in cases where intersection alignment, topography or other circumstances dictate same to maintain adequate clear view.

402.5 Lot Width and Depth

The width of any lot in any district, except C and M Districts, shall not be less than thirty (30) percent of the depth of said lot at the front lot line, provided however, that no lot need exceed a width of three hundred (300) feet.

402.6 Through Lots

Where a single lot under individual ownership extends from a street to an alley or another street, the widest street shall be deemed the street upon which the property fronts and no principal structures and no dwelling shall be erected on the

rear of such a lot.

403 Accessory Structures and Uses

403.1 Accessory Structures

All accessory structures shall conform to the minimum regulations established in Article IV except as permitted below.

- A. Unattached Accessory Structures - All unattached accessory structures shall comply with yard requirements for principal structures. However, accessory structures which are not attached to a principal structure, do not exceed ten (10) feet in height and two hundred and fifty (250) square feet in total floor area, and are not located on a concrete slab or other permanent foundation, may be erected within the required side and rear yards of a principal structure, provided that no side or rear yard is reduced to less than five (5) feet; and no zoning permit shall be required.
- B. Attached Accessory Structures - An accessory structure attached to a principal building shall be considered to be a part of the principal building and shall conform to the setbacks for principal structures.

403.2 Fences and Walls

The erection of any fence or wall in all Districts shall not require a zoning permit, but walls and fences shall be subject to the following provisions unless such fences are required for safety, a buffer or screening in accord with another section of this Zoning Ordinance:

- A. All fences and walls shall comply with §402.4 of this Ordinance for clear sight triangles.
- B. Fences and walls may be erected in front yards; however, no such fence or wall shall encroach upon any public right-of-way, and shall not exceed a height of six (6) feet. A fence in the front yard may exceed a height of six (6) feet if the the ratio of the open portion of the fence to the solid portion of the fence is a minimum of four (4) to one (1).
- C. Fences and walls not greater than six (6) feet in height may be erected along a rear or side property line which is not a road right-of-way. Any fence or wall greater than six (6) feet in height erected along a side or rear yard shall maintain at a minimum fifty (50) percent of the required side and rear yard setbacks. A fence in the side or rear yard which exceeds a height of six (6) feet may be erected along the property line if the ratio of the open portion of the fence to the solid portion of the fence is a minimum of four (4) to one (1).
- D. All fence posts and other structural supports shall be located on the side of said fence towards the interior of the property owned by the person erecting the subject fence.
- E. The following fences and fencing materials are prohibited:
 - 1. Barbed wire except that surmounting a "man-proof" fence and said barbed wire is at least six (6) feet above ground level, except for agricultural purposes or keeping of horses.
 - 2. Electrically charged fences except for agricultural purposes.
 - 3. Broken glass surmounting a wall.
 - 4. Fabric, junk, junk vehicles, sheet metal, appliances, tanks, barrels or similar material.
 - 5. Fences which exceed a height of eight (8) feet or if the fence is at least seventy-five (75) percent open, a maximum of ten (10) feet.
- F. Engineered retaining walls necessary to hold back slopes are exempted from setback requirements and the regulations of this §403.2.

- G. Fences for agricultural purposes are exempted from the requirements of §§A, §§B, §§C, and §§D of this §403.2.

403.3 Home Occupations

It is the intent of this subsection to regulate the operation of home occupations so that the average neighbor, under normal circumstances, will not be aware of the existence of the home occupation. The burden of proof shall be on the applicant to demonstrate that the standards will be met. Based upon the potential nuisances of a proposed home occupation not specifically permitted by this section, the Board of Supervisors may determine that a particular type or intensity of use is unsuitable to be a home occupation or that the proposed lot area or setbacks are not adequate. The following standards shall apply:

- A. The home occupation must be conducted entirely inside a building and shall be clearly incidental and secondary to the use of the dwelling as a residence.
- B. The total area used by all home occupations on the premises does not exceed twenty-five (25) percent of the gross floor area of the dwelling unit, including basement, and accessory structures as existed at the effective date of this Ordinance.
- C. No outdoor display or display visible from outdoors, or outdoor storage of materials, goods, products, supplies, or equipment used in the home occupation(s) shall be permitted.
- D. There shall be no evidence visible from outside the dwelling (show windows, business displays, advertising, etc.) that the residence is being operated as a home occupation except for the required parking area and permitted sign.
- F. The home occupation shall be conducted only by members of the family residing in the dwelling and not more than two (2) persons other than residents of the dwelling shall be employed on the premises.
- G. Off-street parking shall be provided on the premises as required by this Ordinance to prevent parking on any public or private street right-of-way.
- H. No home occupation use shall generate nuisances such as traffic, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.
- I. No goods or items for retail or wholesale sale shall be permitted except for items hand crafted on the premises or goods and items incidental to the operation of an approved home occupation with the total display and/or storage area limited to two hundred (200) square feet.
- J. The use shall not involve the parking of more than one (1) truck of any type on the lot or on adjacent streets at any period of time. The use shall not require the parking or servicing by a vehicle with more than 26,000 pounds registered gross vehicle weight, except for deliveries of a maximum of two (2) times per day.
- K. One (1) two-sided, non-illuminated sign, identifying the home occupation(s), not to exceed a surface area of two (2) square feet on each street frontage of the lot, shall be permitted.
- L. §601, Performance Standards, shall also apply to home occupations.
- M. The following uses shall not be permitted as home occupations: commercial stables, veterinarians, commercial kennels or motor vehicle or small engine repair shops, retail or wholesale sales, restaurant,

funeral parlors or other uses not meeting the requirements of this §403.3.

N. The following types of uses shall be permitted as accessory uses in all districts:

1. Professional offices for individual practitioners
2. Rooming and/or housing of not more than two (2) persons.
3. Custom dressmaking or tailoring.
4. Foster family care for not more than four (4) children simultaneously.
5. Day care that provides care for six (6) or fewer children at any one time who are not relatives of the care giver.
6. Tutoring for not more than four (4) children simultaneously.
7. Mail order or sales businesses not involving customer contact on the premises or wholesale brokering not involving stock on the premises
8. Businesses involving the use of personal computers for sales or services and which do not involve customer contact on the premises
9. Single chair beauty shops and barbershops.

O. All applications for home occupations not specifically enumerated as permitted in §403.3,N shall be considered conditional uses, except that the uses enumerated in §403.3,M shall be prohibited.

403.4 Private Parking Areas, Garages

Accessory off-street parking areas or garages serving the residential or non-residential parking demand created by the principal building are permitted in accord with §404. Accessory garages shall conform with §403.1.

403.5 Home Gardening, Nurseries and Greenhouses

Home gardening, and accessory structures used for nurseries or as greenhouses, are permitted in residential areas, provided they are used by the residents thereof for non-commercial purposes.

403.6 Private Outdoor Swimming Pools

- A. A single private outdoor swimming pool per dwelling unit is permitted as an accessory use to a residential structure, provided that such swimming pool is for the private use of the residents of the dwelling unit or for their guests. Pools and decks shall comply with setbacks for accessory structures.
- B. A fence, wall or other enclosure not less than four (4) feet high and of a design to restrict access shall completely surround the area of any ground level swimming pool. This enclosure shall be designed to be difficult for children to climb or slip through. An electrically controlled pool cover capable of supporting a 250-pound load may be substituted for the fence. All gates or door openings through such enclosure shall be self-closing and include a self-latching device on the pool side for keeping the gate or door securely closed and all pool covers shall be in place when the pool is not in use.
- C. Above ground pools shall include a secure fence, wall or other enclosure a minimum of four (4) feet high above the surrounding ground level. This enclosure may include the walls of the pool itself. Such pools shall be equipped with an access ladder that can be raised and locked in a position so that it is a minimum of four (4) feet above the surrounding ground level or otherwise completely inaccessible to children when the pool is unattended.
- D. Access to all pools shall be restricted when the pool is not in use whether by fence, wall, pool cover or integrated in the design of the pool.
- E. A zoning permit or fence shall not be required for wading pools which are not normally filled on a constant basis. A zoning permit shall not be required for above ground pools, however the setbacks and safety requirements shall apply. A permit shall be required for all other pools.

- F. Glenburn Township does not assume the responsibility of guaranteeing to the public that all pools comply with the provisions of this §403.6.
- G. Farm ponds and decorative ponds shall be exempt from this §403.6.

403.7 Temporary Uses

- A. Definition - A use accessory to another permitted principal use that operates at a fixed location for a temporary period of time.
- B. Zoning permit required - No temporary use shall be established unless a zoning permit evidencing the compliance of such use with the provisions of this §403.7 and other applicable provisions of this Ordinance shall have first been issued.
- C. Particular temporary uses permitted - The following are temporary uses which are subject to the following specific regulations and standards, in addition to the other requirements specified in this Ordinance.
 - 1. Contractor's office and construction equipment sheds.
 - a. Permitted in any district where use is incidental to a construction project. Office or shed shall not contain sleeping or cooking accommodations.
 - b. Maximum length of permit shall be one (1) year.
 - c. Office or shed shall be removed upon completion of construction project.
 - d. Sanitary facilities shall be provided for contracto's offices..
 - 2. Real estate sales office.
 - a. Permitted in any district for any new subdivision approved in accord with the Glenburn Township Subdivision Ordinance. The office may not contain sleeping or cooking accommodations. A model home may be used as a temporary sales office.
 - b. Maximum length of permit shall be one (1) year.
 - c. The office shall be removed upon completion of the development of the subdivision.
 - d. Sanitary facilities shall be provided.
 - 3. Temporary shelter.
 - a. When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations.
 - b. Required water supply and sanitary facilities must be provided.
 - c. Maximum length of permit shall be twelve (12) months, but the zoning officer may extend the permit for a period or periods not to exceed sixty (60) days in the event of circumstances beyond the control of the owner. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.
 - d. The mobile home shall be removed from the property prior to issuance of any occupancy permit for the new or rehabilitated residence.
- D. Reserved.
- E. Temporary uses by conditional use - For temporary structures or uses that are not specifically permitted by right by this Ordinance, and other than customary accessory uses and other than those uses that were lawfully occurring on a periodic basis prior to the adoption of this Ordinance, conditional use approval shall be

required, subject to the following additional provisions:

1. Duration. The Board of Supervisors shall establish a limit on the duration of the use. In the case of a special event, except under special circumstances, this should be a maximum of seven (7) days in any sixty (60) day period. The Board of Supervisors may grant a single approval once for numerous occurrences of an event.
2. Statement from Owner. The applicant shall present a statement from the owner of record of the land accepting responsibility to ensure that the use or structure is removed once the permit expires.
3. Removal. Such structure or use shall be removed completely upon expiration of the permit without cost to Glenburn Township. If the structure or use is not removed in a timely fashion after proper notification, the Township may remove the use or structure at the cost of the person who owns the land upon which the structure or use is located.
4. Conditions. The temporary use or structure shall: 1) be compatible with adjacent uses and 2) clearly be of a temporary nature.
5. Fee. The Board of Supervisors may waive and/or return the required application fee if the applicant is an Internal Revenue Service recognized and well-established nonprofit organization, and the applicant clearly shows that the proposed use is temporary and will be used to clearly primarily serve a charitable or public service purpose.
6. Nonprofit. Only a well-established and Internal Revenue Service-recognized nonprofit organization proposing a temporary use to clearly primarily serve a charitable or public service purpose shall be eligible to receive approval for a temporary commercial use in a district where that use is not permitted.
7. Special Events. For a special event that will attract significant numbers of the public, the Board of Supervisors may deny the use if it determines that the following will not be generally appropriate: sanitary and water service, traffic control, off-street parking and protection of the public health and safety.

F. Additional Regulations

1. Documentation must be provided to the Township that adequate arrangement for temporary sanitary facilities has been made.
2. All uses shall be confined to the dates specified in the permit.
3. Hours of operation shall be confined to those specified in the permit.
4. Access and parking for the exclusive use of the facility shall be provided, and a stabilized drive to the parking area shall be maintained with a minimum of six (6) inches or as otherwise needed, of bank-run gravel or equal material.

403.8 Yard Sales

Individual private family yard sales are a permitted accessory use in all zoning districts. A permit shall not be required; however, yard sales shall be subject to the following specific regulations and requirements:

- A. Each individual property location may have a maximum of three (3) yard sales during any one (1) calendar year. Each sale shall last a maximum of three (3) consecutive days.
- B. Yard sales are meant to allow individuals to offer for sale accumulated normal household items or arts and crafts; and the buying and selling of commercial or surplus material shall be considered a commercial

operation and shall be prohibited except in Districts where permitted and in accord with the requirements of this Ordinance.

403.9 Private Cemeteries

Private cemeteries shall be permitted as an accessory use in association with parcels of ten (10) acres or more, with the cemetery to be on a separately deeded parcel of one-half (0.5) acre.

403.10 Stables, Private

Private stables are permitted in accord with the Schedule in Article III subject to the requirements of §505 of this Ordinance.

403.11 Airports and Heliports as an Accessory Use

Private airports and private heliports as accessory uses, in addition to all other applicable Ordinance requirements, shall comply with the following standards.

- A. Allowed only in the A-1 and A-2 District as a conditional use.
- B. The applicant shall document compliance with all applicable state and federal regulations.
- C. The runway and/or landing pad shall be a minimum of two hundred and fifty (250) feet from any residential district or any existing dwelling not located on the parcel for which the airport and/or heliport is proposed.

403.12 Freshwater Ponds

Any freshwater pond constructed in association with any residential, agricultural or commercial use shall comply with the property line setbacks as required by the applicable zoning district. However, no fence and no zoning permit shall be required.

403.13 Satellite Dish Antennae

All private satellite dish antennae shall be considered structures and shall maintain the setbacks required for accessory structures; however, a permit shall not be required for such antennae thirty-six (36) inches or less in diameter.

404 Off-Street Parking and Loading

404.1 Availability of Facilities

Off-street parking, loading, and unloading facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.

404.2 Size and Design of Parking Spaces

Parking shall be provided in accord with an overall parking plan prepared in accord with generally accepted design standards and which takes into consideration access design and control, size and shape of the parking area, types of vehicles using the parking area, traffic patterns and other applicable considerations. The net parking space per vehicle shall be not less than nine (9) feet wide and eighteen (18) feet long. Garages and carports not in the public right-of-way may be considered parking spaces. Notwithstanding the above, all parking spaces shall be ample in size for the vehicles for which use is intended.

404.3 Lighting

Any lighting used to illuminate any off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of-ways.

404.4 Public Right-of-Ways

Parking, loading and unloading of vehicles shall not be permitted on public right-of-ways, except in designated areas and in accord with Glenburn Township parking regulations. No parking area shall be designed which requires or encourages parked vehicles to be backed into a public street, except for single-family and two-family dwellings with access onto a local street or parking court.

404.5 Parking Between Principal Structure and Road

No parking shall be permitted anywhere between the public road right-of-way and the principal structure for any new commercial uses unless lot configuration or topography prevents such design.. This requirement shall not apply to additions or expansions of existing businesses or the conversion of one business use to another business use.

404.6 Number of Spaces To Be Provided

- A. Any structure or building which is hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used for commercial purposes, shall be provided with off- street parking spaces adequate to serve such use but with not less then the minimum spaces, as set forth in the following Table, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.
- B. For projects involving more than one use and/or structure the total number of parking spaces required shall be determined by summing the number of spaces for each individual use.
- C. Additional parking for the handicapped shall be provided in accord with §404.16.
- D. Should the applicant provide evidence that the number of parking spaces required by this §404 is not necessarily required to meet the immediate needs of the proposed use, the number of spaces provided may be reduced as a conditional use by a maximum of fifty (50) percent provided sufficient and suitable area is dedicated to future parking to meet the normal standards in this §404 and the applicant shall agree in writing to install the parking at the direction of the Township Board of Supervisors. Reserve parking areas shall be included in the calculation of lot coverage area. Parking facilities used jointly by two (2) or more principal uses may be considered for a parking reduction (See §404.12).

USE	PARKING SPACES REQUIRED
A. Dwellings	2 per dwelling unit
B. Homes for handicapped or infirm, nursing homes, group care homes, halfway houses and similar uses	3 per every 5 beds
C. Hotels, motels, boarding and tourist homes, bed and breakfast establishments and other uses providing overnight accommodations	1.1 per bedroom
D. Sales and rental of goods, merchandise and equipment	
1. Retail establishments	1 per 200 SFGFA open to the public
2. Wholesale establishments	1 per 800 SFGFA
3. Flea markets	1 per 200 square feet of lot area designated for display or sales

E. Offices, research facilities and services not primarily related to goods	
1. Serving customers or clients on premises such as attorneys, physicians, insurance and travel agents	1 per 200 SFGFA
2. Drive-in banks	1 per 200 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window
3. Serving little or few customers or clients on premises, such as corporate offices	1 per 240 SFGFA
4. Funeral homes	1 per 100 SFGFA open to the public
F. Manufacturing, processing, renovating, assembling goods, merchandise and equipment	1 per 600 SFGFA
G. Educational, cultural religious social, fraternal uses	
1. Public schools	1.75 per classroom for elementary and middle schools; and 5 per classroom for high schools
2. Trade and vocational schools, colleges	1 per 100 SFGFA open to the public
3. Churches, synagogues and temples	1 per every 4 seats used for services
4. Libraries and museums, social, fraternal clubs and lodges; and similar uses	1 per 300 SFGFA open to the public
H. Recreation, amusement and entertainment	
1. Bowling alleys, skating rinks, indoor athletic or exercise facilities and similar uses	1 per every 3 persons of fully utilized design capacity (if measurable in such fashion), otherwise 1 per 200 SFGFA
2. Movie theaters, stadiums and similar uses with seating accommodations	1 per every 4 seats
3. Public and private outdoor recreation facilities such as golf courses, swimming pools and similar uses	1 per 200 SFGFA open to the public plus 1 per every 3 persons of fully utilized design capacity
4. Commercial water craft docking facilities, including such facilities at waterfront marinas	2 per every 3 slips
I. Hospitals, clinics and other medical treatment facilities	1 per bed or 1 per 200 SFGFA, whichever is greater
J. Restaurants, bars, taverns and other eating establishments	1 per 40 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window
K. Vehicle related uses (See definition of "vehicle" in Article III.)	
1. Sales, service, repair	1 per 240 SFGFA
2. Gas sales	1 per 240 SFGFA plus sufficient parking area at pumps which does not interfere with other required spaces
3. Car wash	1 per 100 SFGFA plus 2 reservoir spaces in front of each stall for self-serve and 5 reservoir spaces for conveyor type
L. Warehousing and storage	1 per 4,000 SFGFA
M. Miscellaneous uses	

1. Veterinary	1 per 200 SFGFA open to the public
2. Nursery schools and day care	1 per 140 SFGFA open to the public
3. Greenhouses	1 per 200 SFGFA open to the public
4. Emergency services	1 per 200 SFGFA open to the public
5. Junk and scrap yards	1 per 200 SFGFA open to the public
6. Post office	1 per 200 SFGFA open to the public
<p>Note: SFGFA means "square feet of gross floor area". Gross floor area is the sum of the total horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for vehicles, or any space where the floor-to-ceiling height is less than six feet.</p>	

For uses not specifically provided above, the Township Board of Supervisors, with the recommendation of the Planning Commission, shall determine the required number of spaces based upon the similarity of the proposed use to the uses provided.

404.7 Loading and Unloading Areas

In addition to the required off-street parking spaces the developer of any building erected, converted or enlarged in any district for commercial, office building, hotel, motel, restaurant, manufacturing, wholesale, hospital or other non-residential uses, to provide adequate off-street areas for loading and unloading of vehicles. The applicant shall provide details on the type and frequency of vehicles operating in connection with the proposed use to justify the loading and unloading areas proposed. Each required space shall meet the following dimensions:

Largest Type of Truck Service	Minimum Width (feet)	Minimum Length (feet)
Tractor trailer	12	40 with 12 ft clear height
Trucks other than tractor trailers, pick-ups or vans	10	25
Pick-up truck or van	9	18

404.8 Access To Off-Street Parking and Loading Areas

There shall be adequate provisions for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people and/or the general public. Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well-defined separate or common entrances and exits and shall comply with the following provisions:

- A. Width - Unless otherwise required by Penn DOT for access to a state road, the width of the driveway/access way onto a public street at the edge of the cartway shall be as follows:

WIDTH	1-Way Use	2-Way Use
Minimum	12 feet	20 feet
Maximum	35 feet	40 feet

- B. Controlled Access - Each entrance and exit shall be clearly defined with curbing, fencing, landscaping or vegetative screening so as to prevent access to the area from other than the defined entrance and exit.
- C. Highway Occupancy Permit - A Township or State highway occupancy permit, as applicable, shall be required for any new or escalated access to any public street or any other regulated activity within the right-of-way.

404.9 Parking and Loading Area Setbacks

All parking and loading areas (not including parking decks) and parallel circulation and service lanes serving any commercial, industrial, institutional or multi-family use shall be separated from the any public road right-of-way or adjoining property lines by a buffer area not less than fifteen (15) feet in width unless adjoining uses share parking in accord with §404.12.

- A. Measurement - The width of the buffer shall be measured from the curb line or from the legal right-of-way line after development if no curbs will be provided.
- B. Uses Prohibited - The buffer area shall be maintained in natural vegetative ground cover and shall not include:
 - 1. Paving except for approved driveway/access way crossings
 - 2. Fences
 - 3. Parking, storage or display of vehicles
 - 4. Items for sale or rent
- C. Uses Permitted - The buffer area may include the following:
 - 1. Permitted freestanding signs
 - 2. Pervious storm water facilities
 - 3. Approved driveway/access way crossings
- D. Sidewalks - If sidewalks exist or will be provided, the buffer area may be provided between the sidewalk and the street or between the sidewalk and the paving.

404.10 Surfacing

Off-street parking areas and driveways/access ways shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as a gravel, concrete or bituminous concrete surface.

404.11 Off-Lot Parking

Required parking may be provided on a different lot than on the lot on which the principal use is located, provided the parking is not more than four hundred (400) feet from the principal use lot. Off-lot parking areas shall be permitted only in a district where the principal use is permitted. Both parcels shall be under the same control, either by deed or long-term lease, as the property occupied by such principal use, and the owner shall be bound by covenants of record filed in the office of the County Recorder of Deeds requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of said principal use.

404.12 Joint Use Parking

In cases where two principal uses share a common property line, shared parking facilities may be utilized. The arrangement for joint-use parking shall be provided by deed restriction for the portion of each parcel included in the shared arrangement. The joint-use parking area may span the common property line thereby eliminating the setback required in §404.9. The standards in §404.6 for number of spaces to be provided shall apply to joint-use parking. To the extent that principal uses operate at different times, the same spaces may be credited to both uses. (Example: If a

church parking lot is generally occupied only to ten (10) percent of capacity on days other than a Sunday, another development not operating on a Sunday could make use of the unused church lot spaces on weekdays.)

404.13 Landscaping

All non-residential improved off-street parking areas not entirely contained in a garage or building shall comply with the requirements of Article XII.

404.14 Existing Parking Areas

No existing parking area or any off-street parking shall be eliminated, reduced in size or otherwise altered so that any use is served by less parking than is required by this Ordinance.

404.15 Parking for Residential Use

Off-street parking shall be provided in accord with this §404 for all residential uses in all Districts.

404.16 Handicapped Parking

- A. **Number of Spaces** - Any lot including four (4) or more off-street parking spaces shall include a minimum of one (1) handicapped space. The following number of handicapped spaces shall be provided, unless a revised regulation is established under the Federal Americans With Disabilities Act (ADA).

Total # of Required Spaces on Parking Lot	Required Minimum # / % of Handicapped Parking Spaces
4 to 25	1
26 to 40	2
51 to 75	3
76 to 100	4
101 to 140	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 400	9
401 to 1,000	2% of required number of spaces
1,001 or more	20 plus 1% of required number of spaces over 1,000

- B. **Location** - Handicapped parking spaces shall be located where access to the use is via the shortest reasonable accessible distance. Curb cuts with an appropriate slope shall be provided as needed to provide access from the handicapped spaces.

- C. **Minimum Size** - Each required handicapped parking space shall be a minimum of eight (8) feet by eighteen (18) feet. In addition, each space shall be adjacent to an access aisle five (5) feet in width. Such access aisle may be shared by two (2) handicapped spaces by being placed between the spaces. One (1) of every eight (8) required handicapped spaces shall have an adjacent access aisle of eight (8) feet in width instead of five (5) feet.

- D. Slope - Handicapped parking spaces shall be located in areas of less than two (2) percent slope in all directions in accord with ADA requirements.
- E. Marking - All required handicapped spaces shall be well-marked by clearly visible signs and/or pavement markings.

404.17 Reserved

404.18 Parking of Commercial Vehicles

- A. Purpose - To prevent the character of residential areas from being harmed by nuisances, hazards and visual blight, and to prevent the establishment of junkyards in residential districts.

- B. Storage of Commercial Vehicles.

- 1. Definitions - For the purposes of this §404.18, the following terms shall have the following meanings:

- a. Commercial Vehicle - A motor vehicle that is primarily used for business purposes, including but not limited to making service calls, transporting equipment used in a business or in accomplishing physical work as part of a business (such as hauling material.)
- b. Tractor of a Tractor-Trailer - A truck with a minimum of three (3) axles that is primarily intended to pull a trailer, as defined below, and not primarily to carry goods itself.
- c. Trailer of a Tractor-Trailer - A commercial vehicle with a length of twenty (20) feet or more that is not self-propelled, that is intended to haul materials, vehicles, goods, gases or liquids and that is intended to be pulled by a tractor (as defined above), and that is not a "recreational vehicle."

- 2. Commercial Vehicles in R Districts and on Residential Properties

- a. In any R District and on residential properties, a maximum of two (2) "commercial vehicles" (as defined above) may be parked for more than eight (8) hours in any forty-eight (48) hour period on private property. Such vehicles shall be permitted only if used by residents of the property as a means of transportation between their home and work. No commercial vehicle in a residential zoning district, or on a residential property of less than two (2) acres, shall have a gross vehicle weight of over six thousand (6,000) pounds if parked outside of an enclosed building.
- b. In any residential zoning district or on a residential property, the engine of a tractor of a tractor-trailer shall not be idled or left running for more than ten (10) minutes on the property between the hours of 10 p.m. and 6 a.m. or be repaired, except for clearly emergency repairs.
- c. No trailer of tractor-trailer shall be parked, stored, maintained or kept in any residential zoning district or on a residential property for more than eight (8) hours in any forty-eight (48) hour period.
- d. See the requirements of the State Motor Vehicle Code that require vehicles parked on a public street to have current registration.

- 3. Exceptions - This section does not apply to the following, provided they are in an operational condition:

- a. Municipally-owned vehicles
- b. Ambulance, fire and rescue vehicles
- c. Buses used primarily for transporting public or private school children to and from school or transporting persons to or from a place of worship
- d. Recreational vehicles - a maximum of two (2)
- e. Vehicles operated by the U.S. Postal Service or a level of government or a Municipal Authority
- f. Vehicles actively engaged in the construction or repair of buildings, streets, curbs, sidewalks, rehabilitation or utilities in the immediate area
- g. Vehicles actively engaged in making routine household deliveries or rendering routine household services to a property that is adjacent or on the same lot as the vehicle is parked.
- h. Equipment and vehicles clearly primarily intended for agricultural use
1. Parking of vehicles that is customarily accessory to a lawful non-conforming principal business use.

405 Signs

NOTE: Applicants for sign permits should consult with the Township Zoning officer for any sign design guidelines which are recommended to accomplish the goal of maintaining the rural residential character of the Glenburn Township.

405.1 Intent and Purpose

Regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services, and facilities in the Township area without difficulty and confusion, to encourage the general attractiveness of the community and to protect property values therein. Accordingly, it is the intent of this Ordinance to establish regulations governing the display of signs which will:

1. Promote and protect the public health, safety, comfort, morals, and convenience.
2. Encourage sign design, placement and landscaping which will promote the maintenance the rural residential character of Glenburn Township. (See §405.10,E.)
3. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs.
4. Enhance the economy and the business and industry of the area by promoting the reasonable, orderly, and effective display of signs, and thereby encourage increased communication with the public.
5. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision.
6. Reduce conflict among signs and sign lighting and between public and private signs, and;