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## Article 2

### Zone Regulations

#### Section 201 Agricultural - Conservation Zone (AC)

**A. Purpose**

The primary purpose of the Agricultural-Conservation Zone is to preserve rural resource areas of Township by providing for very low-density development. Extension of existing public sewer and existing water facilities is contrary to this purpose and is therefore prohibited within this Zone.

**B. Permitted Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Agriculture (excluding intensive animal operations), horticulture and forestry uses;
2. Communication antennas on existing structures;
3. Essential Services;
4. Greenhouses and nurseries;
5. Kennel;
6. Municipal use;
7. No-impact home based business;
8. Public parks and playgrounds;
9. Public utilities structures, with the exception of community/public sewer and water plants and lines;
10. Roadside stands;
11. Single-family detached dwellings, however, tracts of six (6) acres or more may be developed as a residential conservation subdivision in accordance with this Ordinance and Article 12 of the SALDO; and

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12. Accessory uses customarily incidental to the above permitted uses, including, but not limited to, the following:
- a. Family day-care facilities, as defined herein;
  - b. Manure storage facilities as an accessory use to a farm, provided that construction and subsequent operation of the waste storage facility shall be in accordance with all applicable State and Federal regulations, and provided that said manure was produced on the premises;
  - c. Processing of farm products;
  - d. Roadside stands, as an accessory use to a farm, for the sale of agricultural products grown on the premises, provided any such building does not exceed 1,000 square feet in floor area, and must be located more than ten feet (10') from the front street right-of-way line and must have adequate off-street parking and a driveway meeting minimum sight distance requirements. Also, a maximum of two (2) signs will be permitted and shall not exceed fifteen (15) square feet in total area, nor exceed a maximum height of eight feet (8').
  - e. Open Space Land – Open space comprising a portion of residential development.
  - f. Noncommercial keeping of livestock, subject to the following criteria:
    - (1) The following list specifies the maximum number of animals that may be kept. The keeping of a combination of animal types (Group 1, 2 and 3) shall require an animal density equal to the ratio of the number of animals, by type.
      - i. Group 1 – Animals (excluding fish) whose average adult weight is less than ten (10) pounds, but more than 12 ounces shall be permitted at an animal density of twelve (12) per acre, with a maximum number of fifty (50) animals per property;
      - ii. Group 2 - Animals whose average adult weight is between ten (10) and eighty-five (85) pounds shall be permitted at an animal density of two (3) per acre, with a maximum number of twenty (20) animals per property; and,

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- iii. Group 3 - Animals whose average adult weight is greater than eighty-five (85) pounds shall be permitted at an animal density of one (1) per acre, with a maximum number of ten (10) animals.
- (2) The following lists minimum setbacks (from all property lines) imposed upon the placement of any structure used to house noncommercial livestock. Should one structure be used to house a combination of animal types, the most restrictive setback shall apply.
- i. Group 1 Animals
    - A. Up to 4 animals, twenty-five foot (25') setback;
    - B. More than 4 animals, a fifty foot (50') setback;
  - ii. Group 2 Animals
    - A. Up to 2 animals; a twenty-five foot (25') setback;
    - B. More than 2 animals; a fifty foot (50') setback.
  - iii. Group 3 Animals
    - A. Up to two animals; a fifty foot (50' setback).
    - B. More than 2 animals; a seventy-five foot (75') setback.
- (3) All structures used to house noncommercial livestock shall be prohibited from placement between the front of the principal building (as determined by the Zoning Officer) and the street or access right-of-way;
- (4) All animal wastes shall be properly stored and disposed of and setback 50 feet minimum from property lines, so as not to be objectionable at the site's property line. All animals, their housing, and their outdoor pasture/recreation areas shall be properly maintained so as not to become a nuisance to adjoining properties.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

- 1. Animal hospitals and kennels;
- 2. Bed and breakfasts;

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3. Campgrounds;
  4. Cemeteries;
  5. Group Homes;
  6. Home occupations;
  7. Home occupation in accessory structure;
  8. Private clubs;
  9. Riding stables;
  10. Shooting range, outdoor; and
  11. Wind energy conversion systems

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Airports/heliports;
2. Churches and related uses;
3. Golf courses and driving ranges;
4. Intensive animal operations;
5. Sawmills;
6. Schools, private and public;
7. Sewer and water treatment facilities, (community systems);
8. Stockyards and feedlots;
9. Quarry and other extractive related uses;
10. Waste handling facilities, principal; and
11. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirements**

Unless otherwise specified, all uses within this Zone shall contain a minimum lot area of two (2) acres; however, the minimum required lot size may be required to be increased to accommodate an on-lot sewage disposal site as

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determined by the PA DEP, as well as an alternate site as required by Article 3 of this Ordinance.

**F. Maximum Permitted Height**

1. Principal buildings and structures – Thirty-five feet (35').
2. Accessory buildings and structures – Twenty-five feet (25').
3. Municipal uses are exempt from height requirements.

**G. Driveways and Access Drives**

All driveways serving single-family dwellings shall be in accordance with Article 4 of this Ordinance. All access drives serving other uses shall be in accordance with Article 4 of this Ordinance.

**H. Agricultural Nuisance Disclaimer**

All lands within or abutting the Rural Agricultural Zone are located within an area where land may be used for commercial agricultural production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides, and pesticides. Owners, occupants, and users of this property should be prepared to accept such inconveniences, discomfort, and possibility of injury from normal agricultural operations, and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982 The Right to Farm Law may bar them from obtaining a legal judgment against such normal agricultural operations.

**I. Agricultural Setback Requirement**

In addition to such buffering and screening required elsewhere in this Ordinance, no residential structures shall be placed within one-hundred feet (100') of any land used for the commercial raising and keeping of animals. And, no structures shall be erected or used for the commercial raising and keeping of animals within one-hundred feet (100') of a residential lot.

**J. Storm Water**

All agricultural, horticultural, and forestry uses shall be conducted so as to minimize the conveyance of storm water off the site, and shall include conservation measures to minimize sediment leaving the site.

**K. Table of Dimensional Requirements – Agricultural Conservation Zone**

Building Type	Minimum Lot Width				Required Setbacks		
	Minimum Lot Area	At Minimum Required Building Line	At street right-of-way	Maximum Lot Coverage	Front Setback <sup>3</sup>	Each Side Setback	Rear Setback
Single-family detached dwelling	2 acres <sup>1</sup>	200 ft	110 ft	15%	50 ft	30 ft	50 ft
Accessory Buildings and Structures <sup>4</sup>	N/A	N/A	N/A	Included in above	100 ft <sup>2</sup>	10 ft	10 ft

<sup>1</sup> The minimum required lot size may be required to be increased to accommodate an on-lot sewage disposal site as determined by the PA DEP, as well as an alternate site as required by Article 4 of this Ordinance.

<sup>2</sup> No accessory building and structure (except a permitted sign) shall be located within the front yard, unless it is set back at least one hundred feet (100') from the street right-of-way.

<sup>3</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York County Regional Comprehensive Plan or other Township Ordinance.

<sup>4</sup> Up to 200 square feet. Over 200 square feet must meet the principal building setback.

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## Section 202 Residential Agricultural Zone (RA)

### A. Purpose

The primary purpose of the Rural-Agricultural Zone is to preserve the rural characteristics of the Township, by providing for low-density development and preservation of open space. While some areas of this Zone are currently served with public sewer and water extension of existing public sewer and existing water facilities beyond their current service area is contrary to the purpose and objectives of this zone and the Northern York Regional Comprehensive Plan and is therefore prohibited within this Zone.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Agriculture (excluding intensive animal operations), horticulture and forestry uses;
2. Communication antennas on existing structures
3. Essential Services;
4. Greenhouses and nurseries;
5. Municipal use;
6. No-impact home based business;
7. Public parks and playgrounds;
8. Public utilities structures, with the exception of community/public sewer and water plants and lines;
9. Single-family detached dwellings, however, tracts of six (6) acres or more may be developed as a residential conservation subdivision in accordance with this Ordinance and Article 12 of the SALDO;
10. Wind energy conversion systems; and
11. Accessory uses customarily incidental to the above permitted uses, including, but not limited to, the following:
  - a. Family day-care facilities, as defined herein;
  - b. Manure storage facilities as an accessory use to a farm, provided that construction and subsequent operation of the waste storage facility

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shall be in accordance with all applicable State and Federal regulations, and provided that said manure was produced on the premises;

- c. Processing of farm products;
- d. Roadside stands, as an accessory use to a farm, for the sale of agricultural products grown on the premises, provided any such building does not exceed 1,000 square feet in floor area, and may be located up to ten feet (10') from the front street right-of-way line and must have adequate off-street parking and a driveway meeting minimum sight distance requirements. Also, a maximum of two (2) signs will be permitted and shall not exceed fifteen (15) square feet in total area, nor exceed a maximum height of eight feet (8').
- e. Open Space Land – Open space comprising a portion of residential development.
- f. Noncommercial keeping of livestock, subject to the following criteria:
  - (1) The following list specifies the maximum number of animals that may be kept. The keeping of a combination of animal types (Group 1, 2 and 3) shall require an animal density equal to the ratio of the number of animals, by type.
    - i. Group 1 – Animals (excluding fish) whose average adult weight is less than ten (10) pounds but more than 12 ounces shall be permitted at an animal density of twelve (12) per acre, with a maximum number of fifty (50) animals per property;
    - ii. Group 2 - Animals whose average adult weight is between ten (10) and eighty-five (85) pounds shall be permitted at an animal density of three (3) per acre, with a maximum number of twenty (20) animals per property; and,
    - iii. Group 3 - Animals whose average adult weight is greater than eighty-five (85) pounds shall be permitted at an animal density of one (1) per acre, with a maximum number of ten (10) animals.
  - (2) The following lists minimum setbacks (from all property lines) imposed upon the placement of any structure used to house noncommercial livestock. Should one structure be used to

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house a combination of animal types, the most restrictive setback shall apply.

i. Group 1 Animals

- A. Up to 4 animals, twenty-five foot (25') setback;
- B. More than 4 animals, a fifty foot (50') setback;

ii. Group 2 Animals

- A. Up to 2 animals; a twenty-five foot (25') setback;
- B. More than 2 animals; a fifty foot (50') setback; and,

iii. Group 3 Animals

- A. Up to 2 animals a fifty foot (50') setback.
- B. More than 2 animals; a seventy-five foot (75') setback

- (3) All structures used to house noncommercial livestock shall be prohibited from placement between the front of the principal building (as determined by the Zoning Officer) and the street or access right-of-way;
- (4) All animal wastes shall be properly stored and disposed of and setback 50 feet minimum from property lines, so as not to be objectionable at the site's property line. All animals, their housing, and their outdoor pasture/recreation areas shall be properly maintained so as not to become a nuisance to adjoining properties.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

- 1. Animal hospitals and kennels;
- 2. Bed and breakfasts;
- 3. Campgrounds;
- 4. Cemeteries;
- 5. Group Home;

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6. Home occupations;
  7. Home occupations in accessory structures;
  8. Private clubs; and
  9. Shooting range, outdoor.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Airports/heliports;
2. Churches and related uses;
3. Golf courses and driving ranges;
4. Land application of sewage sludge;
5. Riding stables;
6. Sewer and water treatment facilities, (community systems);and
7. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirements**

Unless otherwise specified, all uses within this Zone shall contain a minimum lot area of one (1) acre; however, the minimum required lot size may be required to be increased to accommodate an on-lot sewage disposal site as determined by the PA DEP, as well as an alternate site as required by Article 3 of this Ordinance.

**F. Maximum Permitted Height**

1. Principal buildings and structures - Thirty-five feet (35').
2. Accessory buildings and structures – Twenty-five feet (25').
3. Municipal uses are exempt from height requirements.

**G. Driveways and Access Drives**

All driveways serving single-family dwellings shall be in accordance with Article 4 of this Ordinance. All access drives serving other uses shall be in accordance with Article 4 of this Ordinance.

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**H. Agricultural Nuisance Disclaimer**

All lands within or abutting the Rural Agricultural Zone are located within an area where land may be used for commercial agricultural production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including but not limited to noise, odors, dust, the operation of machinery of any kind including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides, and pesticides. Owners, occupants, and users of this property should be prepared to accept such inconveniences, discomfort, and possibility of injury from normal agricultural operations, and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982 The Right to Farm Law may bar them from obtaining a legal judgment against such normal agricultural operations.

**I. Agricultural Setback Requirement**

In addition to such buffering and screening required elsewhere in this Ordinance, no residential structures shall be placed within one-hundred feet (100') of any land used for the commercial raising and keeping of animals. And, no structures shall be erected or used for the commercial raising and keeping of animals within one-hundred feet (100') of a residential lot.

**J. Storm Water**

All agricultural, horticultural, and forestry uses shall be conducted so as to minimize the conveyance of storm water off the site, and shall include conservation measures to minimize sediment leaving the site.

**K. Table of Dimensional Requirements – Residential Agricultural Zone**

Building Type	Minimum Lot Width				Required Setbacks		
	Minimum Lot Area	At Minimum Required Building Line	At street right-of-way	Maximum Lot Coverage	Front Setback <sup>3</sup>	Each Side Setback	Rear Setback
Single-family detached dwelling	1 acre <sup>1</sup>	150 ft	100 ft	30%	30 ft	15 ft	30 ft
Accessory Buildings and Structures <sup>4</sup>	N/A	N/A	N/A	Included in above	100 ft <sup>2</sup>	10 ft	10 ft

<sup>1</sup> The minimum required lot size may be required to be increased to accommodate an on-lot sewage disposal site as determined by the PA DEP, as well as an alternate site as required by Article 4 of this Ordinance.

<sup>2</sup> No accessory building and structure (except a permitted sign) shall be located between the principal structure and the street (or access) right-of-way, unless it is set back at least one hundred feet (100') from the street (or access) right-of-way.

<sup>3</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York County Regional Comprehensive Plan or other Township Ordinance.

<sup>4</sup> Up to 200 square feet. Over 200 square feet must meet the principal building setback.

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## Section 203 Residential Suburban -1 Zone (RS-1)

### A. Purpose

The purpose of the Residential Suburban 1 Zone is to provide residential environments which can create good living qualities and which will be in harmony with existing development while being the least detrimental to natural features and resources. This zone is intended to help form a transition between denser uses within the growth boundary and less dense areas outside the growth boundary. Development within this Zone will require the use of public water and public sewer.

### B. Permitted Uses (Subject to the requirements listed in Article 3 and 4 of this Ordinance.)

1. Agriculture (excluding intensive animal operations), horticulture and forestry uses;
2. Day-care facilities, family;
3. Essential Services;
4. Municipal use;
5. No-impact home based business;
6. Public parks and playgrounds;
7. Public uses and public utilities structures;
8. Single-family detached dwellings, however, tracts of six (6) acres or more may be developed as a residential conservation subdivision in accordance with this Ordinance and Article 12 of the SALDO;
9. Temporary Residential Real Estate Sales Trailer;
10. Open Space Land comprising a portion of a residential development; and
11. Accessory uses customarily incidental to the above permitted uses.

### C. Special Exception Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Bed and breakfasts;

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2. Boarding houses;
  3. Churches and related uses;
  4. Cemeteries;
  5. Group Home;
  6. Home occupations
  7. Home occupations in an accessory building; and
  8. Two-family conversions.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Day-care facilities, commercial;
2. Golf courses and driving ranges;
3. Medical residential campuses;
4. Personal care facility;
5. Schools, private and public; and
6. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirements**

Unless otherwise specified, all uses within this Zone shall contain a minimum lot area of fourteen thousand (14,000) square feet.

**F. Agricultural Setback Requirements**

In addition to such buffering and screening required elsewhere in this Ordinance, no residential structures shall be placed within one-hundred feet (100') of any land used for the commercial raising and keeping of animals. And, no structures shall be erected or used for the commercial raising and keeping of animals within one-hundred feet (100') of a residential lot.

**G. Maximum Permitted Height**

1. Principal buildings and structures - Thirty-five feet (35').
2. Accessory buildings and structures – Twenty-five feet (25').

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## H. Required Utilities

All proposed residential building lots shall be served by public sewer and public water when proposed lot areas are less than 2 acres. All other commercial, industrial, or office related uses permitted within the RS-1 Zone shall be served by public water and public sewer.

## I. Table of Dimensional Requirements – Rural Suburban-1 Zone

Building Type	Minimum Lot Width				Required Setbacks		
	Minimum Lot Area	At Minimum Required Building Line	At street right-of-way	Maximum Lot Coverage	Front Setback <sup>2</sup>	Each Side Setback	Rear Setback
Single-family detached dwelling	14,000 s.f.	100 ft	85 ft	35%	30 ft	15 ft	30 ft
Accessory Buildings and Structures <sup>3</sup>	N/A	N/A	N/A	Included in above	100 ft <sup>1</sup>	10 ft	10 ft

<sup>1</sup> No accessory building and structure (except a permitted sign) shall be located between the principal structure and the street (or access) right-of-way, unless it is set back at least one hundred feet (100') from the street (or access) right-of-way

<sup>2</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York County Regional Comprehensive Plan or other Township Ordinance.

<sup>3</sup> Up to 200 square feet. Over 200 square feet must meet the principal building setback.

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## Section 204 Residential Suburban -2 Zone (RS-2)

### A. Purpose

The purpose of the Residential Suburban 2 Zone is to provide residential environments which can create good living qualities and which will be in harmony with existing development while being the least detrimental to natural features and resources. This zone is intended to help form a transition between denser uses within the growth boundary and the low density residential zone, RS-1. Development within this Zone will require the use of public water and public sewer.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Agriculture (excluding intensive animal operations), horticulture and forestry uses;
2. Communication antennas on existing structures;
3. Day-care facilities, family;
4. Essential Services;
5. Municipal use;
6. No-impact home based business;
7. Public parks and playgrounds;
8. Public uses and public utilities structures;
9. Single-family detached dwellings, however, tracts of six (6) acres or more may be developed as a residential conservation subdivision (currently Section 211) in accordance with this Ordinance and Article 12 of the SALDO;
10. Temporary Residential Real Estate Sales Trailer;
11. Open Space Land comprising a portion of a residential development; and
12. Accessory uses customarily incidental to the above permitted uses.

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**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Bed and breakfasts;
2. Boarding houses;
3. Churches and related uses;
4. Group Homes;
5. Home occupations; and
6. Two-family conversions

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Day-care facilities, commercial;
2. Golf courses and driving ranges;
3. Medical residential campuses;
4. Personal care facility;
5. Schools, private and public;
6. Single-family semi-detached dwellings, however, tracts of six (6) acres or more shall be developed as a residential conservation subdivision in accordance with this Ordinance and Article 12 of the SALDO;
7. Single-family attached dwellings, however, tracts of six (6) acres or more shall be developed as a residential conservation subdivision in accordance with this Ordinance and Article 12 of the SALDO; and
8. Accessory uses customarily incidental to the above conditional uses.

**E. Agricultural Setback Requirements**

In addition to such buffering and screening required elsewhere in this Ordinance, no residential structures shall be placed within one-hundred feet (100') of any land used for the commercial raising and keeping of animals. And, no structures shall be erected or used for the commercial raising and keeping of animals within one-hundred feet (100') of a residential lot.

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**F. Maximum Permitted Height**

1. Principal buildings and structures - Thirty-five feet (35').
2. Accessory buildings and structures – Twenty-five feet (25').

**G. Required Utilities**

All proposed residential building lots and all commercial, industrial, or office related uses permitted within the RS-2 Zone shall be served by public water and public sewer.

**H. Minimum Dimensional Requirements**

Unless otherwise specified, all uses within this Zone shall comply with the following Table:

**Table of Dimensional Requirements – Residential Suburban-2 Zone**

Building Type	Minimum Lot Size (per d.u.) (s.f.)	Maximum Density (d.u.'s/Acre)	Minimum Lot Width		Maximum Impervious Coverage	Required Setbacks <sup>3</sup>		
			At Min. Required Building Line (ft.)	At Right-of-way Line (ft.)		Front Setback <sup>4</sup> (ft.)	Each Side Setback (ft.)	Rear Setback (ft.)
Single-Family Detached	10,000 sq. ft.	2.5	90 ft	70 ft	35%	25 ft	15 ft	20 ft
Single-Family Semi-Detached Dwelling	9,000 sq. ft.	3.0	45 ft per unit	45 ft per unit	40%	25 ft	15 ft (one side)	20 ft
Single Family Attached (Townhouse)	3500 sq. ft. Per end unit; 2500 sq. ft interior	5	20 ft per interior unit; 35 ft. per end unit	20 ft per interior unit; 35 ft. per end unit	40%	25 ft	15 ft end units	30 ft
Accessory buildings and structures <sup>5</sup>	N/A	N/A	N/A	N/A	Included in above	N/A <sup>2</sup>	10 ft <sup>3</sup>	10 ft <sup>3</sup>

<sup>1</sup> Density calculated on total gross acreage of tract, including land intended for public, civic and open space use.

<sup>2</sup> No accessory building and structure (except a permitted sign) shall be located between the principal structure and the street (or access) right-of-way, unless it is set back at least one hundred feet (100') from the street (or access) right-of-way. In the event this setback would apply to more than one street (or access) right-of-way, the requirement shall be limited to one street (or access) right-of-way, with the other street (or access) right-of-way setbacks considered rear setbacks.

<sup>3</sup> Ten feet (10') on each side, except that each accessory structure (excluding fences) shall be set back a distance at least equal to its height from each side and rear lot line.

<sup>4</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York Regional Comprehensive Plan or other Township Ordinance.

<sup>5</sup> Up to 200 square feet. Over 200 square feet must meet the principal building setback.

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## Section 205 Residential Suburban -3 Zone (RS-3)

### A. Purpose

The purpose of the Residential Suburban 3 Zone is to provide residential environments which can create good living qualities and which will be in harmony with existing development while being the least detrimental to natural features and resources. This zone is intended to compliment the relatively dense uses within the Borough and the medium density residential zone, RS-2. Development within this Zone will require the use of public water and public sewer.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Essential Services;
2. Municipal use;
3. No-impact home based business;
4. Public parks and playgrounds;
5. Public uses and public utilities structures;
6. Single-family detached dwellings;
7. Single-family semi-detached dwellings;
8. Single-family attached dwellings;
9. Temporary Residential Real Estate Sales Trailer;
10. Open Space Land comprising a portion of a residential development; and
11. Accessory uses customarily incidental to the above permitted uses.

### C. Special Exception Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Bed and breakfasts;
2. Boarding houses;
3. Churches and related uses;

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4. Day-care facilities, family;
  5. Group Homes; and
  6. Two-family conversions.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Day-care facilities, commercial;
2. Golf courses and driving ranges;
3. Medical residential campuses;
4. Mobile Home Park;
5. Multiple Family dwelling;
6. Personal care facility;
7. Schools, private and public; and
8. Accessory uses customarily incidental to the above conditional uses.

**E. Maximum Permitted Height**

1. Principal buildings and structures - Fifty feet (50').
2. Accessory buildings and structures – Thirty-five (35').

**F. Required Utilities**

All uses permitted within the Residential Suburban-3 Zone shall be served by public water and public sewer.

**G. Minimum Dimensional Requirements**

Unless otherwise specified, all uses within this Zone shall comply with the following Table:

**Table of Dimensional Requirements – Residential Suburban-3 Zone**

	Minimum Lot Size (s.f.) (s.f.)	Maximum Density (d.u.'s/Acre)	Minimum Lot Width		Maximum Impervious Coverage	Required Setbacks		
			At Min. Building Line (ft.)	Right-of-way (ft.)		Front Setback <sup>6</sup> (ft.)	Each Side Setback (ft.)	Rear Setback (ft.)
Single-Family Detached	10,000 sq. ft.	2.5	100 ft	60 ft	35%	25 ft	15 ft	20 ft
Single-Family Semi-Detached Dwelling	9,000 sq. ft.	3.0	45 ft per unit	45 ft per unit	40%	25 ft	15 ft per unit	20 ft
Multiple Family Dwellings	3,500 sq. ft. per unit	6	200 ft	150 ft	40%	50 ft	50 ft.	50 ft.
Single Family Attached (Townhouse)	2500 sq. ft per interior unit; 3500 sq. ft. per end unit	6	20 ft per interior unit; 35 ft. per end unit	20 ft per interior unit; 35 ft. per end unit	40%	40 ft	15 ft end units	30 ft
Accessory buildings and structures <sup>7</sup>	N/A	N/A	N/A	N/A	Included in above	100 ft <sup>3</sup>	10 ft <sup>4</sup>	10 ft <sup>5</sup>

- <sup>1</sup> Density calculated on total gross acreage of tract, including land intended for public, civic and open space use.
- <sup>2</sup> Maximum lot coverage requirements shall not apply to porches located within the front yard.
- <sup>3</sup> No accessory building or structure (except a permitted sign) shall be located between any front building face (the part of the building wall facing the street right-of-way as determined by the Zoning Officer) and the street right-of-way line.
- <sup>4</sup> Ten feet (10') on each side, except that each accessory structure (excluding fences) shall be set back a distance at least equal to its height from each side and rear lot line.
- <sup>5</sup> Ten feet (10'), except that each accessory structure (excluding fences) shall be set back a distance at least equal to its height from each side and rear lot line.
- <sup>6</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York Regional Comprehensive Plan or other Township Ordinance.
- <sup>7</sup> Up to 200 square feet. Over 200 square feet must meet the principal building setback.

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## Section 206 Mixed-Use 1 Zone (MU-1)

### A. Purpose

The purpose of the Mixed-Use 1 (MU-1) Zone is intended to provide for the development of compatible residential and commercial uses in areas where such uses already exist and where the development of such uses is feasible and appropriate. Development within this Zone will require the use of public water and public sewer.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 6 of this Ordinance.)

1. Banks and similar financial institutions;
2. Barber, beauty, tanning and health salons and spas;
3. Churches and related uses;
4. Day-care facilities, family;
5. Essential Services;
6. Farm-related businesses;
7. Funeral Homes;
8. Greenhouses and nurseries;
9. Home occupations;
10. Motor Vehicle Service Drive-Thru with or without car wash;
11. Municipal use;
12. No-impact home based business;
13. Nursing, rest or retirement home;
14. Pet Grooming;
15. Photographic, music, art and dance studios;
16. Professional offices;
17. Retail service business;

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18. Public parks and playgrounds;
  19. Public uses and public utilities structures;
  20. Repair of small goods;
  21. Restaurants;
  22. Retail sales or rental business up to 12,000 square feet (g.f.a.), such as, but not limited to, antiques, apothecaries, packaged beverages, recorded music and video materials, books, clothing, confections, dry goods, flowers, fresh or packaged food, furniture, gifts, hardware, jewelry, newspapers, notions, personal and household supplies, photographic supplies, sporting goods, stationery, and tobacco, but excluding adult-related uses;
  23. Single family detached dwellings;
  24. Traditional Neighborhood Design;
  25. Two family conversions;
  26. Wholesale trade establishments up to 12,000 square feet g.f.a.;
  27. Temporary Residential Real Estate Sales Trailer; and
  28. Accessory uses customarily incidental to the above permitted uses.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Bed and breakfasts;
2. Cemeteries; and
3. Group Homes.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Animal hospitals and kennels;
2. Golf courses and driving ranges;
3. Live work units consisting of a first floor professional office, photographic, music, art or dance studio, retail sales or restaurant use of

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no more than 2,000 square feet and within the same structure as a residential dwelling;

4. Personal care facility;
5. Schools, private and public;
6. Multiple Townhouses (Single-Family Attached Dwellings) on a Single Lot, Single-Family Attached (Townhouses) on Separate Lots, and Single Family Semi-Detached; and
7. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirements**

Unless otherwise specified, all uses within this Zone shall contain a minimum lot area of 30,000 square feet. Single Family Residential Lots shall contain a minimum lot area of 8,000 square feet. Single Family Semi-Detached Dwellings shall contain a minimum lot area of 7,000 square feet. Multiple Family Dwellings shall contain a minimum lot area of 3,500 square feet.

**F. Agricultural Setback Requirements**

On any separate non-farm parcel, no shrub shall be planted, and no accessory residential structures or fences shall be placed within ten feet (10') of any land used for agricultural purposes. Similarly, no tree shall be planted within thirty feet (30') of any land within the Rural Agricultural Zone. Nothing in this section shall be construed to relieve the applicant from meeting the Landscaping requirements contained in this Ordinance.

**G. Maximum Permitted Height**

Maximum permitted height is thirty-five feet (35').

**H. Required Utilities**

All uses permitted within the Mixed Use 1 (MU-1) Zone shall be served by public water and public sewer..

**I. Outdoor Storage**

Outdoor storage where permitted, shall be screened from adjoining roads and properties, and comply with all of the setbacks of this section.

**J. Off-Street Loading**

Off-street loading shall be provided as specified in Article 3 of this

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Ordinance. In addition, no off-street loading area shall be permitted on any side of a building facing an existing adjoining residential use, nor any side of a building facing an adjoining street.

**K. Landscaping and Screening**

A minimum fifteen foot (15') wide landscape strip shall be provided along all property lines, including the street frontage. Such landscape strip can be waived for that portion of the site occupied by a joint parking lot and/or loading area shared by adjoining uses. Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas and walkways shall be maintained with a vegetative ground cover and other ornamental plantings. A visual landscape screen must be provided along any adjoining lands within the RS (1,2,3), RA, AC Zones, or where adjoining an existing residential use. Landscaping and screening requirements are set forth in Article 4 of this Ordinance.

**L. Waste Products**

All trash dumpsters shall be located within a side or rear yard, set back at least fifty feet (50') from any adjoining lands within the Residential or Rural-Agricultural Zones or where adjoining an existing residential use, and at least fifteen feet (15') from all other adjoining property lines. All trash dumpsters shall comply with the screening requirements of Article 3 of this Ordinance.

**M. Minimum Dimensional Requirements**

Unless otherwise specified, all uses within this Zone shall comply with the following Table:

**Table of Dimensional Requirements – Mixed-Use 1 Zone**

Building Type	Maximum Permitted Density Without DIs <sup>1</sup>	Minimum Lot Width		Maximum Lot Coverage Without DIs	Required Setbacks <sup>2</sup>		
		At Building Line	At street right-of-way		Front Setback <sup>4</sup>	Each Side Setback	Rear setback
Single Family Residential	2.5	100 ft	60 ft	30%	25 ft <sup>2</sup>	10 ft	25 ft
Non-Residential Uses	N/A	100 ft	60 ft	50%	40 ft <sup>2</sup>	15 ft	30 ft
Accessory buildings and structures	N/A	N/A	N/A	Included in above	Not permitted	10 ft <sup>3</sup>	10 ft <sup>3</sup>
Single-Family – Semi-Detached Dwellings	3.0	45 ft per unit	45 ft per unit	30%	25 ft	15 ft per unit	20 ft
Single Family Attached (Townhouse) on Separate Lots	6	20 ft per interior unit; 35 ft per end unit	20 ft per interior unit; 35 ft per end unit	30%	40 ft	15 ft end unit	30 ft
Multiple Single Family Dwellings on a Single Lot	6	200 ft	150 ft	30%	50 ft	50 ft	50 ft

<sup>1</sup> Density calculated on total gross acreage of tract, including land intended for public, civic and open space use. Maximum and base densities apply without and with the use of Development Incentives, respectively.

<sup>2</sup> Subject to modification as per Article 3

<sup>3</sup> Ten feet (10') on each side, except that each accessory structure (excluding fences) shall be set back a distance at least equal to its height from each side and rear lot line

<sup>4</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York Regional Comprehensive Plan or other Ordinances of the Township.

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## Section 207 Mixed-Use 2 Zone (MU-2)

### A. Purpose

The purpose of the Mixed-Use 2 (MU-2) Zone is to provide for the development of compatible residential, commercial, and light industrial uses in areas where such uses already exist and where the development of such uses is feasible and appropriate. Development within this Zone will require the use of public water and public sewer.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Barber, beauty, tanning, and health salons and spas;
2. Car Wash;
3. Essential Services;
4. Greenhouses and nurseries;
5. Motor Vehicle Sales (up to 75 vehicles per acre of display area) and Motor Vehicle Service Facilities;
6. Municipal use;
7. No-impact home based business;
8. Pet Grooming;
9. Professional offices;
10. Public parks and playgrounds;
11. Public uses and public utilities structures;
12. Repair of small goods;
13. Retail service business;
14. Single-family detached dwellings;
15. Vehicular Storage, Repossession and Short-Term;
16. Vehicular Storage, Long Term;
17. Veterinarian's Office; and

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18. Accessory uses customarily incidental to the above permitted uses.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Animal hospitals and kennels;
2. Contractor's offices and shops;
3. Group Homes;
4. Home occupations;
5. Shooting range, indoor; and
6. Accessory uses customarily incidental to the above Special Exception uses.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Car washes;
2. Laboratories for scientific or industrial research, development or testing;
3. Manufacturing of the following:
  - a. Scientific, specialized and technical instruments and equipment;
  - b. Electronic communication equipment and computers;
  - c. Finished textile products;
  - d. Jewelry and other precious metals;
  - e. Cosmetics, toiletries and pharmaceuticals;
  - f. Small household appliances, excluding major appliances;
  - g. Audio-visual components and equipment;
  - h. Musical instruments and sporting goods;
  - i. Optical, dental and medical supplies and equipment;

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- j. Photographic, lighting and timekeeping equipment;
  - k. Residential Building Materials; and
  - l. Small or novelty products from prepared materials.
4. Mini-warehouses; and
  5. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirements**

Unless otherwise specified, all uses within this Zone shall contain a minimum lot area of thirty thousand 30,000 square feet.

**F. Required Public Utilities**

All uses shall be served by public sewer and public water.

**G. Maximum Permitted Height**

1. Principal buildings and structures - Thirty-five feet (35'); and,
2. Accessory buildings and structures – Twenty-five feet (25').

**H. Outdoor Storage**

Outdoor storage where permitted, shall be screened from adjoining roads and properties, and comply with all of the setbacks of this section.

**I. Off-Street Loading**

Off-street loading shall be provided as specified in Article 4 of this Ordinance. In addition, no off-street loading area shall be permitted on any side of a building facing adjoining lands within the Residential Zone, nor any side of a building facing an adjoining street.

**J. Landscaping and Screening**

A minimum fifteen foot (15') wide landscape buffer shall be provided along all property lines, including the street frontage. Such landscape strip can be waived for that portion of the site occupied by a joint parking lot and/or loading area shared by adjoining uses. Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas and walkways shall be maintained with a vegetative ground cover and other ornamental plantings. A visual landscape screen must be provided along any

adjoining lands within the RS (1,2,3), RA, AC Zones, or where adjoining an existing residential use. Landscaping and screening requirements are set forth in Article 4 of this Ordinance.

**K. Waste Products**

All trash and recycling dumpsters shall be located within a side or rear yard, set back at least fifty feet (50') from any adjoining lands within the Residential or Rural Agricultural Zones or where adjoining an existing residential use. All trash dumpsters shall comply with the screening requirements of Article 3 of this Ordinance.

**Table of Dimensional Requirements – Mixed-Use 2 Zone**

Building Type	Maximum Permitted Density Without DIs <sup>1</sup>	Minimum Lot Width		Maximum Lot Coverage Without DIs	Required Setbacks <sup>2</sup>		
		At Building Line	At street right-of-way		Front Setback <sup>4</sup>	Each Side Setback	Rear setback
Single family residential	4.5	100 ft	60 ft	30%	25 ft <sup>2</sup>	10 ft	25 ft
Non-residential Uses	N/A	100 ft	60 ft	50%	40 ft <sup>2</sup>	15 ft	30 ft
Accessory buildings and structures	N/A	N/A	N/A	Included in above	Not permitted	10 ft <sup>3</sup>	10 ft <sup>3</sup>

<sup>1</sup> Density calculated on total gross acreage of tract, including land intended for public, civic and open space use. Maximum and base densities apply without and with the use of Development Incentives, respectively.

<sup>2</sup> Subject to modification as per Article 3

<sup>3</sup> Ten feet (10') on each side, except that each accessory structure (excluding fences) shall be set back a distance at least equal to its height from each side and rear lot line

<sup>4</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Northern York Regional Comprehensive Plan or other Ordinances of the Township.

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## Section 208 Commercial Zone (C)

### A. Purpose

The purpose of the Commercial Zone is to provide for a wide variety of community and highway-oriented commercial uses at suitable locations. Lands zoned Commercial are to have major road access and be served with public water and sewer.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Airports/heliports;
2. Amusement Arcades;
3. Animal Hospital or Kennel;
4. Automobile filling stations, including minor incidental repair;
5. Barber, beauty, tanning, and health salons and spas;
6. Banks and similar financial institutions;
7. Car washes;
8. Commercial Convenience Center;
9. Communications antennas on existing structures;
10. Convention centers;
11. Day-care facilities, commercial;
12. Dry cleaners and laundries;
13. Essential Services;
14. Farmers market and/or flea market;
15. Funeral homes;
16. Health and fitness clubs;
17. Health care campuses, nursing homes and hospitals;
18. Home improvement and building supply stores;

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19. Hotels, motels and similar lodging facilities;
  20. Laboratories for scientific or industrial research, development or testing;
  21. Laundromats;
  22. Medical Clinics;
  23. Motor vehicle sales and service facilities;
  24. Municipal use;
  25. Nightclubs and taverns;
  26. Nursing, rest, or retirement homes;
  27. Pet Grooming;
  28. Photographic, music, art and dance studios;
  29. Photocopy and printing centers (retail);
  30. Private clubs;
  31. Professional offices;
  32. Public parks and playgrounds;
  33. Public uses and public utilities structures;
  34. Recreation facilities;
  35. Repair of small goods;
  36. Restaurants;
  37. Restaurants, drive-through;
  38. Restaurants, fast food;
  39. Retail sales or rental business, excluding adult-related uses;
  40. Retail sale of office supplies, office furniture, art and drafting equipment, computers and software;
  41. Retail service business;
  42. School, commercial;

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43. Shooting range, indoor;
  44. Shopping centers;
  45. Tent Sales, Temporary;
  46. Theaters;
  47. Wholesale trade establishments; and
  48. Accessory uses customarily incidental to the above permitted uses.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Adult related uses;
2. Amusement Park;
3. Communication antennas, towers and equipment;
4. Contractor's office or shop;
5. Mini-warehouses;
6. Public transportation depot;
7. Recycling drop-off facilities, provided such facilities are sufficiently enclosed to prevent the scattering of debris, the materials collected are removed at regular intervals, and the facility is posted to prohibit the disposal of any material, good or furnishing that cannot be placed within the actual recycling bin;
8. Slaughtering, processing, rendering, and packaging of food products and their by-products which are produced from the remains of animals; and
9. Warehousing.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Methadone treatment facilities;
2. Off-track betting parlors;
3. Recycling processing facilities;
4. Junk yards;

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5. Processing of farm products;
  6. Truck stops and motor freight terminals; and
  7. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirement**

Minimum lot area requirement is twenty thousand (20,000) square feet, unless stated otherwise in this Ordinance.

**F. Required Public Utilities**

All uses shall be served by public sewer and public water.

**G. Maximum Permitted Height**

Maximum permitted height is forty-five feet (45').

**H. Outdoor Storage**

Outdoor storage where permitted, shall be screened from adjoining roads and properties, and comply with all of the setbacks of this section. Outdoor storage areas for automobile, boat, motorcycle, farm machinery, mobile home and outdoor furniture sales need not be screened from adjoining roads.

**I. Off-Street Loading**

Off-Street loading shall be provided as specified in Article 3 of this Ordinance. No off-street loading area shall be permitted on any side of a building facing an adjoining street, unless the lot fronts on more than two existing or proposed streets. No off-street loading area shall be permitted on any side of a building facing and within 300 feet of adjoining and existing residential zone. A 30' Landscape Screen shall be placed between any off-street loading area otherwise visible from an adjoining street and the adjoining street. A 30' Landscape Screen shall be placed between any off-street loading area and an existing and adjacent residential zone or use (not required if a proposed building is between the off-street loading area and an adjacent residential zone or use).

**J. Landscaping and Screening**

A minimum twenty foot (20') wide landscape buffer shall be provided along all property lines, except the street frontage. Said landscape buffer can be waived for that portion of the site adjacent to a side or rear lot line and occupied by a joint parking lot and/or loading area shared by adjoining uses. Property line(s) bounded by street right-of-way shall be provided with a minimum thirty (30') wide landscape buffer at the right-of-way line. Any portion of the site not used

for buildings, structures, parking compounds, loading areas, outdoor storage areas and walkways shall be maintained with a vegetative ground cover, trees, and other ornamental plantings. A landscape screen must be provided along any adjoining lands within the RS-1, RS-2, RS-3, RA, AC Zones, or where adjoining an existing residential use. Landscaping and screening requirements are set forth in Article 4 of this Ordinance.

**K. Waste Products**

All trash or recycling dumpsters shall be located within a side or rear yard, set back at least fifty feet (50') from any adjoining lands within the Residential or Rural-Agricultural Zones or where adjoining an existing residential use, and at least fifteen feet (15') from all other adjoining property lines. All trash dumpsters shall comply with the screening requirements of Article 4 of this Ordinance.

**L. Minimum Dimensional Requirements**

Unless otherwise specified, all uses within this Zone shall comply with the following Table:

**Table of Dimensional Requirements – Commercial Zone**

Building Type	Minimum Lot Area	Minimum Lot Width		Maximum Lot Coverage <sup>1</sup>		Required Setbacks		
		At Building Line	At street right-of-way	Without ADIs	With ADIs	Front Setback <sup>2</sup>	Each Side Setback	Rear Setback
All uses	20,000 square feet	120 ft	100 ft	50%	65%	50 ft	15 ft	30 ft

<sup>1</sup> Maximum and base lot coverages apply without and with the use of the voluntary Architectural Development Incentive (ADI) program (Refer Article 4), respectively.

<sup>2</sup> Buildings (including residential and nonresidential buildings) along major thoroughfares must be set back at least fifty feet (50') from the right-of-way line of such thoroughfare. Major thoroughfares shall be any arterial, major collector, or minor collector street as specified in the Comprehensive Plan or other Township Ordinance.

**M. Transportable Containers Within the Commercial (C) Zone, outdoor storage areas for transportable containers shall be provided as follows:**

1. One outdoor storage space designated for transportable containers shall be provided for buildings with a floor area of between 50,000 square feet and 75,000 square feet. One additional space shall be provided for each additional 6,000 square feet, or fraction thereof, of floor area beyond 75,000 square feet. The number of transportable container storage spaces

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shall be calculated independently from the required number of loading spaces.

2. Transportable container storage spaces shall be 10' by 40'.
3. Each transportable container storage space shall be paved to the same standards as parking facilities, delineated with concrete curbing at the perimeter, and delineated with permanent pavement markings at the interior.
4. Vehicular parking spaces, access aisles, access drives or other areas not specifically designed and designated on the land development plan as transportable container storage spaces shall not be used for transportable container storage spaces.
5. A 50' Landscape Screen shall be provided along all transportable container storage spaces. The Landscape screen shall not be provided between the building and the transportable container storage spaces, and the screen shall not be subject to reduction as provided in the architectural design incentive program of this Ordinance.
6. Transportable container storage spaces shall be located at the rear of the building, between the rear wall of the building and the rear property line. In the event there is no clearly defined rear property line, then the Transportable container storage spaces shall be located on the opposite side of the building from the main customer ingress/egress.

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## Section 209 Industrial Zone (I)

### A. Purpose

The purpose of the Industrial Zone is to accommodate larger-scale high-quality economic development. Other industrial uses are also permitted. The areas designated for this Zone have superior vehicular access and proximity to public utilities so as to stimulate their development and use. Landscaping and buffer requirements are imposed to protect adjoining residential areas.

### B. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Bookbinding, printing, and publishing;
2. Communications antennas on existing structures;
3. Contractor's office or shop;
4. Essential Services;
5. Pet Grooming;
6. Manufacturing, storage and/or wholesaling of the following:
  - a. Scientific, specialized and technical instruments and equipment;
  - b. Electronic communication equipment and computers;
  - c. Finished textile products;
  - d. Jewelry and other precious metals;
  - e. Cosmetics, toiletries and pharmaceuticals;
  - f. Household appliances;
  - g. Audio-visual components and equipment;
  - h. Musical instruments and sporting goods;
  - i. Optical, dental and medical supplies and equipment;
  - j. Photographic, lighting and timekeeping equipment;
  - k. Small or novelty products from prepared materials;

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- l. Building Materials; and,
  - m. Other uses of a similar nature to those enumerated above.
7. Pet Grooming;
  8. Public transportation depot;
  9. Public uses and public utilities structures;
  10. Vehicular Storage, Repossession and Short-Term;
  11. Vehicular Storage, Long Term; and
  12. Accessory uses customarily incidental to the above permitted uses.

**C. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Commercial convenience center;
2. Laboratories for scientific or industrial research and development;
3. Medical and methadone clinics;
4. Warehousing and wholesale trade establishments; and
5. Accessory uses customarily incidental to the above conditional uses.

**D. Conditional Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

1. Airports/heliports;
2. Fuel Storage and Supply; and
3. Accessory uses customarily incidental to the above conditional uses.

**E. Minimum Lot Area Requirement**

Minimum lot Area Requirement is one (1) acre.

**F. Required Public Utilities**

All uses shall be served by public sewer and public water.

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**G. Maximum Permitted Height**

Sixty feet (60'), provided that any building over 35 feet in height must be set back a distance equal to or greater than its height.

**H. Maximum Lot Coverage**

Maximum lot coverage is seventy percent (70%).

**I. Outdoor Storage**

No outdoor storage is permitted.

**J. Off-Street Loading**

Off-street loading shall be provided as specified in Article 4 of this Ordinance. In addition, no off-street loading area shall be permitted on any side of a building facing an existing adjoining residential use, nor any side of a building facing an adjoining street.

**K. Landscaping and Screening**

A minimum fifteen foot (15') wide landscape strip shall be provided along all property lines, including the street frontage. Such landscape strip can be waived for that portion of the site occupied by a joint parking lot and/or loading area shared by adjoining uses. Any portion of the site not used for buildings, structures, parking compounds, loading areas, outdoor storage areas and walkways shall be maintained with a vegetative ground cover and other ornamental plantings. A visual landscape screen must be provided along any adjoining lands within the RS (1,2,3), RA, AC Zones, or where adjoining an existing residential use. Landscaping and screening requirements are set forth in Article 4 of this Ordinance.

**L. Waste Products**

All trash and or recycling dumpsters shall be located within a side or rear yard, set back at least fifty feet (50') from any adjoining lands within the Residential or Rural-Agricultural Zones or where adjoining an existing residential use, and at least fifteen feet (15') from all other adjoining property lines. All trash dumpsters shall comply with the screening requirements of Article 3 of this Ordinance.

**M. Minimum Dimensional Requirements**

Unless otherwise specified, all uses within this Zone shall comply with the following Table:

## Table of Dimensional Requirements – Industrial Zone

Building Type	Minimum Lot Area	Minimum Lot Width		Maximum Lot Coverage		Required Setbacks		
		At Building Line	At street right-of-way	Without ADIs	With ADIs	Front Setback <sup>1</sup>	Each Side Setback <sup>2</sup>	Rear Setback <sup>3</sup>
All uses	1 acre	200 ft	175 ft	55%	70%	50 ft	25 ft <sup>4</sup>	25 ft

<sup>1</sup> All off-street parking lots shall be set back a minimum of twenty-five feet (25') from the street right-of-way line.

<sup>2</sup> Off-street parking lots and loading areas shall be set back at least fifteen feet (15') from the side lot lines. Where joint parking facilities, loading areas and/or access drives are shared by adjoining uses, or where two buildings sharing such joint uses adjoin, the applicable side yard setback may be waived. In such instances, one of the side yard setbacks can be waived solely for parking facilities.

<sup>3</sup> Off-street parking lots and loading areas shall be set back at least twenty feet (20') from the rear lot line.

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## **Section 210 Floodplain Overlay District (FP)**

### **A. Specific Intent**

In addition to the objectives established in Article I herein, it is the specific intent of these regulations to establish districts which will:

1. Protect areas of floodplain subject to and necessary for flood waters.
2. Permit and encourage the retention of open land uses which will be so located and designed as to constitute a harmonious and appropriate part of the physical development of the Township.
3. Preserve floodplains to promote the general health, welfare, and safety of the Township.
4. Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions or other hazard.
5. Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage.
6. Reduce the financial burdens imposed on the community, its governmental units and its individuals by frequent and periodic floods.
7. Permit certain uses which can be appropriately located in the floodplain as herein defined and which will not impede the flow of flood waters, or otherwise cause danger to life and property, at or above or below their locations along the floodway.
8. Permit only those uses in the floodplain compatible to the preservation of natural conditions which are conducive to the maintenance of constant rates of water flow throughout the year by (a) withholding rapid water runoff contributing to downstream flooding and (b) providing area for ground water absorption for maintenance of the subsurface water supply.
9. To provide sufficient drainage courses to carry abnormal flows of storm water in periods of heavy precipitation.

### **B. Delineation of Lands Within the Floodplain Overlay District**

For purposes of this Ordinance, areas contained within the Floodplain Overlay District shall include the following:

1. The identified floodplain area shall be any areas of Carroll Township subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) in the Flood Insurance Study (FIS) dated

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September 25, 2009 and the accompanying maps or the most recent revision thereof as issued by the Federal Emergency Management Agency. Including all digital data developed as part of the Flood Insurance Study.

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

- a. FW (Floodway Area) - the areas identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
- b. FF (Flood-Fringe Area) - the remaining portions of the one hundred (100) year floodplain in those areas identified as an AE Zone in the Flood Insurance study, where a floodway has been delineated.

The basis for the outermost boundary of this area shall be the one hundred (100) year flood elevations as shown in the flood profiles contained in the Flood Insurance Study.

- c. FA (General Floodplain Area) - the areas identified as Zone A in the FIS for which no one hundred (100) year flood elevations have been provided. When available, information from other Federal, State, and other acceptable sources shall be used to determine the one hundred (100) year elevation, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township. The technical methods and detail required by Township's Stormwater Ordinance shall be considered the minimum requirements to satisfy this section.

2. For all other streams and/or waterways not depicted upon the Township's Flood Boundary and Floodway Maps, the Floodplain Overlay District shall be deemed to include the larger of:

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- a. An area measuring fifty feet (50') horizontally perpendicular from the top bank of the watercourse; or
  - b. The area inundated by the base flood as determined through hydrologic and hydraulic study accurately prepared in accordance with the Township's Stormwater Management Ordinance. Copies of such studies and surveys shall be submitted by the Zoning Officer to the Township Engineer who shall review and comment on the study in accordance with the Township's Stormwater Management Ordinance. The applicant shall revise the study addressing the Township Engineer's comments.
    - (1) The study shall also be submitted to the Federal Emergency Management Agency (FEMA).
    - (2) Upon approval of the Study by the Township Engineer, and FEMA, or failure to receive a response therefrom for a period of ninety consecutive days the Floodplain Overlay District shall be deemed to include the limits as set forth in the study.
    - (3) Any property owner whose property is so studied shall pay all costs of these studies and surveys, except for work done under retainer to, or on behalf of, the Township.
  - c. The Zoning Officer shall have the right to require a hydrologic and hydraulic study when evidence indicates that the floodplain limit is likely to extend beyond 50' from top of bank as stated in item 1 above. Such evidence can be, but is not limited to, historical flood elevations, other hydrologic and hydraulic studies, and determinations made by the Township Engineer.

**C. Boundary Disputes**

1. Should a dispute concerning any boundary of the Floodplain Overlay Zone arise, the initial determination of the Zoning Officer may be appealed to the Zoning Hearing Board in accordance with this Ordinance. The burden of proof in such an appeal shall be on the applicant and all hearings and procedures shall follow the requirements of Article 6 of this Ordinance.
2. All changes to the boundaries of the Floodplain Overlay Zone which affect areas identified in Section 210 of this Ordinance are subject to the review and approval of the Federal Emergency Management Agency for compliance with the Rules and Regulations of the National Flood Insurance Program.

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**D. Relationship to Other Sections**

The provisions of this section create an overlay zoning district which is applicable within floodplains in all other zoning districts established by this Zoning Ordinance. To the extent the provisions of this section are applicable and more restrictive, they shall supersede conflicting provisions within all other sections of this Zoning Ordinance and all other ordinances of the Township. However, all other provisions of all other articles of this Zoning Ordinance and all other ordinances of the Township shall remain in full force.

**E. Permitted Uses (Subject to the requirements listed in Articles 3 and 4 of this Ordinance)**

In a (F-P) Floodplain Conservation District no premises shall be used in whole or in part for any uses, except the following:

1. Cultivation and harvesting crops according to recognized soil conservation practices.
2. Dams, Bridges, culverts, with the approval of authorities with jurisdiction (DEP, USACOE, etc.).
3. Forestry (selective logging only – no clear cutting) and reforestation, excluding storage and structures.
4. Front, side and/or rear yards as required by the regulations for any non-residential district.
5. Game farm, fish hatchery, hunting and fishing reserve.
6. Harvesting of any wild crops such as marsh hay, ferns, moss, berries or wild rice.
7. Municipal uses.
8. Outdoor plant nursery; orchard.
9. Pasture, grazing land.
10. Recreation use, such as: park, day camp, picnic grove, golf course, hunting, fishing, boating.
11. Residential front, side and/or rear yards and uses customarily incidental thereto, except that no structures shall be permitted.
12. Sealed public water supply wells.

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13. Stream restoration in accordance with the Carroll Township Stormwater Management Ordinance and with approval of authorities with jurisdiction.
  14. Above ground Utility transmission lines, provided there are no structures within the Riparian Buffer Zone 2 as defined in the Carroll Township Stormwater Management Ordinance, sanitary sewer crossings, storm sewer crossings, sewage treatment plant outlet structures, when accompanied by documentation proving the necessity for said location, and provided that the crossing is the least possible impact on the floodplain. Subsurface installation technologies (boring, bulleting, etc.) must be used. No structures (manholes, endwalls, poles, etc.) shall be located within Zone 2 of the Riparian Buffer Zone as defined in the Carroll Township Stormwater Management Ordinance. All uses must demonstrate that they have the approval of authorities with jurisdiction. Subsurface utilities are not allowed to run within and along (roughly parallel to) the floodplain boundary.
  15. Wildlife sanctuary, woodland preserves, aboretum.
  16. Accessory uses subordinate and customarily incidental to and located on the same lot with any of the foregoing permitted uses.

**F. Special Exception Uses** (Subject to the requirements listed in Articles 3 and 4 of this Ordinance.)

The following uses and activities may be permitted by Special Exception upon approval of the Zoning Hearing Board after a public hearing and recommendation by the Commission.

1. Recreation, and fish hatchery related structures except structures intended for human habitation.

**G. Nonconforming Uses and Structures in the Floodplain Overlay District**

1. Continuation – All uses or structures lawfully existing in the Floodplain Overlay District on the effective date of this section which are not in conformity with the provisions of this section shall be deemed nonconforming uses or structures. Such nonconforming uses or structures may be continued, maintained, repaired, and floodproofed, except as prohibited by Section 210 of this Ordinance. However, such nonconforming uses or structures may at any time be improved to comply with existing State or Township health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions.

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2. Abandonment – Nonconforming uses or structures which have been discontinued or vacated for twelve (12) consecutive months shall be considered abandoned. Vacation of land or structures or the nonoperative status of the use normally carried on by the property shall be evidence of discontinuance. No abandoned use or structure may be reestablished, repaired, or reoccupied. The Township Supervisors may require the removal of any abandoned nonconforming use or structure upon prior notice to the owner of the property on which an abandoned nonconforming use or structure exists. If the owner has not completely removed the abandoned use or structure within a reasonable amount of time, not to exceed nine months, the Supervisors shall have the authority to cause the removal to be accomplished, the costs of such removal to be paid by the property owner.
  3. Expansion and Modification – With the exception of item 4 below, a nonconforming use or structure may not be expanded or modified in any manner which would increase or aggravate flooding or flood hazards. Nothing shall be done which would otherwise violate any of the provisions of this section. No nonconforming use or structure shall be expanded, enlarged, or altered in any way which increases its nonconformity with respect to height, area, yard, and other requirements established in other sections of this Zoning Ordinance, nor in any way which causes it to occupy more space within the Floodplain Overlay District that was occupied by it on the effective date of this section.
  4. Existing wastewater treatment facilities may be expanded provided the following conditions are met:
    - a. The expansion minimizes disturbance within the floodplain;
    - b. Impervious area is minimized to the maximum extent practical;
    - c. Storage of material during construction within the floodplain is prohibited; and
    - d. The applicant must demonstrate compliance with FEMA regulations.

#### **H. Design and Performance Standards**

1. Applicability - The standards included in this section are to be used, together with the provisions of all other sections and all other ordinances in force in the Township by the Zoning Officer and Zoning Hearing Board in their administration of this section.

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2. Regulations and Reviews by Other Agencies:

- a. Where applicable and where possible, all necessary permits or other written approvals must be obtained from all other agencies before any approvals of special exceptions, variances, or permits may be granted by the Township.
- b. Where necessary permits or written approvals from other agencies cannot be obtained prior to action by the Township, any approval of special exceptions, variances, or permits by the Township shall be conditioned upon receiving such other agencies' permits or written approvals.
- c. No regulations of the Commonwealth governing watercourses are amended or repealed by this Ordinance. Prior to any proposed alteration or relocation of any watercourse a permit shall be obtained from the Pennsylvania Department of Environmental Protection, Dams and Encroachment Division, and notification of any such proposal shall be given to all affected adjacent municipalities. Copies of such permit applications and municipal notifications shall be forwarded to the Federal Emergency Management Agency and to the Pennsylvania Department of Community and Economic Development or its successor agency.

3. Placement and Construction of Authorized Uses and Structures:

- a. No use shall be permitted which would cause any rise in the base flood elevation. All uses and structures shall be designed, constructed, and placed so as to offer the minimum obstruction possible to the flow of water, and shall be designed to have a minimum effect upon the flow, velocity, or height of floodwaters. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow, and, so far as is practicable, structures shall be placed approximately on the same flood flow lines as those of nearby structures.
- b. All permitted construction/reconstruction/replacement shall be completed with materials and utility equipment resistant to flood damage, and shall be constructed by methods and practices that minimize flood damage.
- c. All new or replacement drains, water supply facilities, sanitary sewage facilities or other utility improvements shall be designed to preclude infiltration or back-up of sewage or floodwaters into the facilities or structures and discharges from the facilities into floodwater, and to minimize the impedance of flood flows.

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- d. All structures, buildings, air ducts, large pipes, and storage tanks within the Floodplain Overlay District shall be firmly anchored to prevent flotation, movement, or collapse, thus reducing the possibility of the blockage of bridge openings and other restricted sections of the watercourse.
  - e. All utility construction shall minimize disturbance within the floodplain by locating manholes and other appurtenances outside of the floodway and utilizing subsurface construction techniques (such as boring) within the limits of Zone I or Zone II of the RBZ as defined in the Stormwater Management Ordinance.
  - f. Any non-residential structure, or part thereof, having a lowest floor which is not elevated to at least one and one half (1 ½) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the WI or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards
  - g. All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to one foot (1') above the base flood elevation. Enclosed space below the lowest floor (including basement) is prohibited.
  - h. Space below the lowest floor.
    - (1) Fully enclosed space below the lowest floor (including basement) is prohibited.
    - (2) Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces.

Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

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- (1) A minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
  - (2) The bottom of all openings shall be no higher than one (1) foot above grade.
  - (3) Openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- i. Within any FW (Floodway Area) no new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection. Nothing in this section shall be construed to allow construction or development prohibited elsewhere by other Ordinances.

j. Design and Construction Standards

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

(1) Fill

If fill is used, it shall:

- i. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
- ii. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
- iii. be no steeper than one (1) vertical to three (3) horizontal;
- iv. be used to the extent to which it does not adversely affect adjacent properties. The provisions contained in the 2003 IBC (Sec. 1801.1 and 1803.4) shall be utilized.

(2) Floors, Walls and Ceilings

- i. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
- ii. Plywood used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.

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- iii. Walls and ceilings at or below the Regulatory Flood Elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
  - iv. Windows, doors, and other components at or below the Regulatory Flood Elevation shall be made of metal or other "water-resistant" material.

(3) Paints and Adhesives

- i. Paints and other finishes used at or below the Regulatory Flood Elevation shall be of "marine" or "water-resistant" quality.
- ii. Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
- iii. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or "water-resistant" paint or other finishing material.

(4) Electrical Components

- i. Electrical distribution panels shall be at least three (3) feet above the one hundred (100) year flood elevation.
- ii. Separate electrical circuits shall serve lower levels and shall be dropped from above.

(5) Equipment

- i. Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

k. Development Which May Endanger Human Life

In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which:

- (1) will be used for the production or storage of any of the following dangerous materials or substances; or,

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

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

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

Within any FW (Floodway Area), FA (Floodplain Area), or FF (Flood Fringe Area) any Development Which May Endanger Human Life, shall be prohibited.

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**I. Standards and Criteria for Special Exceptions and Variances**

In addition to the provisions of this Zoning Ordinance, in hearing and deciding upon special exceptions and/or variances to the provisions of this Section 210, the Zoning Hearing Board shall also determine that the following standards and criteria have been complied with:

1. No special exception or variance shall be granted for any use except those specifically permitted by Section 210, nor any use, structure or development within the floodway which would increase the one hundred (100) year flood elevation;
2. In addition to the standards generally applicable to variances, variances shall only be granted upon (1) a showing of good and sufficient cause, (2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with any other applicable laws, ordinances or regulations;
3. In granting a special exception or variance, the Board shall require that all buildings and structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood;
4. The Board shall report such decisions in an annual report sent to the Federal Emergency Management Agency; and
5. In hearing and deciding upon variances or special exceptions to this section, the burden of proof shall be on the applicant. The Zoning Hearing Board may require the applicant to submit such plans, specifications, and other information as it may deem necessary to assist in arriving at a fair and impartial determination. In addition to that information required by Article 2 and Article 7 of this Ordinance, such required information may include, but is not limited to, the following:
  - a. Plans drawn to scale accurately and legibly showing the nature, location, dimensions, and elevations of the lot, existing or proposed structures, fill, storage of materials, floodproofing measures, and the relationship of the above to the location of the channel;
  - b. A typical valley cross-section drawn to scale accurately and legibly showing the channel of the watercourse, elevations of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information;

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- c. A plan (surface view) drawn to scale accurately and legibly showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply facilities, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information;
  - d. A profile drawn to scale accurately and legibly showing the slope of the bottom of the channel of flow line of the watercourse; and
  - e. Specifications for building construction and materials, floodproofing, filling, dredging, grading, channel improvement, storage of materials, water supply facilities and sanitary facilities.

**J. Municipal Liability**

The granting of a building permit or approval of a subdivision plan in any floodplain district shall not constitute a representation, guarantee or warranty of any kind by the Township, or by any official or employee thereof, of the practicability or safety of any structure, use or other plan proposed, and shall create no liability upon, or a cause of action against, such public body, official or employee for any damage that may result pursuant thereto.

**K. Warning and Disclaimer of Liability**

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

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## Section 211 Conservation Subdivision Overlay District

### A. Specific Intent

In addition to the objectives established in Article I herein and in conformance with the Pennsylvania Municipalities Planning Code (Act of 1968, P.L.K. 805, No. 247 as reenacted and amended), it is the specific intent of the Conservation Overlay district to:

1. Conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains and wetlands, by setting them aside from development.
2. 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.
3. Reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of development on steep slopes.
4. 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.
5. Conserve a variety of irreplaceable and environmentally sensitive resource lands including provisions for reasonable incentives to create an Open Space system for the benefit of present and future residents.
6. Create neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity.
7. Provide for the conservation and maintenance of open land within the municipality to achieve the above-mentioned goals and for active or passive recreational use by residents.
8. Provide multiple options for landowners in order to minimize impacts on environmental resources (sensitive lands such as wetlands, floodplain, 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.
9. Conserve scenic views and elements of the municipality's rural character by minimizing views of new development from existing roads.

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**B. Applicability**

The Conservation Subdivision Overlay District shall apply to all parcels six acres or greater in area in the AC, RA, RS-1, and RS-2 zones, in accordance with this Ordinance.

**C. Open Space Requirements**

The total open space required equals the Primary Conservation area plus the minimum percentage of Adjusted Tract Area set forth for the development option chosen below.

Required open space shall comply with the Open Space Land Use and Design Standards section in Article 3.

**D. Density Determination**

Applicants shall have the choice of two methods of determining the maximum permitted residential building density on their properties. They are as follows:

1. Adjusted Tract Area Approach: Determination of the maximum number of permitted dwelling units on any given property shall be based upon the Adjusted Tract Area of the site divided by the density factor set forth below. The Adjusted Tract Area equals the gross tract area minus the constrained land (see Exhibit A for calculation worksheet).
  - a. Constrained land equals the sum of the following:
    - (1) All land within the rights-of-way of existing public streets or highways, or within the rights-of-way for existing or proposed overhead rights-of-way of utility lines;
    - (2) All land under existing private streets;
    - (3) Wetlands: multiply the acreage of designated wetlands by 1.0;
    - (4) Floodway: multiply the acreage within the floodway by 1.0;
    - (5) Floodplains: multiply the non-wetland portion of the 100-year floodplain by 1.0;
    - (6) Steep Slopes: multiply the acreage of land with natural ground slopes exceeding 25 percent by 0.80;

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- (7) Extensive Rock Outcroppings: multiply the total area of rock outcrops and boulder-fields more than 1,000 square feet by 0.90; and
  - (8) Moderately Steep Slopes: multiply the acreage of land with natural ground slopes of between 15 and 25 percent by 0.25.
- b. If a portion of the tract is underlain by more than one natural feature subject to a resource protection factor, that acreage shall be subject to the most restrictive resource protection factor.
  - c. Since acreage that is contained within the public or private rights-of-way, access easements or access strips is excluded from developable lot area, any portion of these items that also contains a natural feature subject to a deduction from the total tract acreage should not be included when calculating the adjusted tract area.
  - d. Permitted Dwelling Units: The maximum number of permitted dwelling units equals the Adjusted Tract Area divided by the density factor set forth below.
2. Yield Plan Approach: Determination of density, or maximum number of permitted dwelling units, shall be based upon an actual layout using the minimum lot size of the underlying zone, as demonstrated by an actual Yield Plan. Yield Plans shall meet the following requirements:
- a. Yield Plans must be prepared as conceptual layout plans in accordance with the standards of the Subdivision Ordinance, containing proposed lots, streets, rights-of-way, and other pertinent features. Yield Plans must be drawn to scale and be based on a field survey. It must be a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, taking into account the presence of wetlands, floodplains, steep slopes, existing easements or encumbrances and, if unsewered, the suitability of soils for subsurface sewage disposal.
  - b. The Yield Plan must identify the site's primary resources, as identified in the Existing Resources/Site Analysis Plan, and demonstrate that the primary resources could be successfully absorbed in the development process without disturbance, by allocating this area to proposed single-family dwelling lots which conform to the density factory of the chosen option.
  - c. On sites not served by central sewage disposal, density shall be further determined by evaluating the number of homes that could be supported by individual septic systems on conventional lots. Based on the primary resources, identified as part of the inventory and

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analysis, and observations made during an on-site visit of the property, the Township shall select a ten (10) percent sample of the lots considered to be marginal for on-lot sewage disposal. The applicant is required to provide evidence that these lots meet the standards for an individual septic system the applicant shall be granted the full density determined by the Yield Plan. Should any of the lots in a sample fail to meet the standard for individual septic system, those lots shall be deducted from the yield plan and a second ten (10) percent sample shall be selected by the municipal planning commission and tested for compliance. This process shall be repeated until all lots in a given sample meet the standard for an individual septic system.

- d. Yield Plan Dimensional Standards: The dimensional standards of the underlying zone shall be used in the development of Yield Plans for conservation subdivisions. These minimum area dimensions are exclusive of all wetlands, slopes greater than 25 percent, and land under high-tension electrical transmission lines (69kV or greater). No more than 25 percent of the minimum required lot area might consist of land within the 100-year floodplain, and only then if it is free of wetlands.

**E. Subdivision Options**

In order to achieve these purposes, this Article provides for flexibility in designing new residential subdivisions by allowing four forms of "by-right" development referred to as "options", as summarized below:

1. Option 1: *Neutral Density and Basic Conservation* permits residential uses at the density permitted by the underlying zone and reductions in lot area and dimensional standards, in exchange for a given percentage of the tract to remain in open space.
2. Option 2: *Enhanced Density with Greater Conservation* permits a higher density of residential uses and further reductions in lot area and dimensional standards, in exchange for a larger open space percentage than Option 1.
3. Option 3: *Estate Lots* permits rural residential uses using conventional subdivision design at densities lower than permitted in Option 1 with no minimum required open space.
4. Combining the Design Options: In the A-C and R-A zones, Options 1 or 2 may be combined with the neutral density option at the discretion of the Board, based upon demonstration by the applicant that such a combination would better fulfill the intent of this Ordinance, in particular the stated

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specific intent of this Article, as compared with applying a single option to the property.

**F. Density, Area and Bulk Regulations**

1. Conservation subdivisions shall meet the standards for Options 1 and 2 in the AC, RA, RS-1, and RS-2 zones set forth in the tables below.
  - a. The minimum lot size applies to residential uses only. Non-residential uses shall meet the minimum requirements of the underlying zone.
  - b. Under Options 1 and 2 the maximum number of permitted dwelling units shall be determined by either the Adjusted Tract Area method or Yield Plan method.
  - c. Open Space requirements in the subdivision must include the minimum percentage of open space land as specified in the following sections. If the acreage of constrained land on the tract is greater than 35% of the total tract acreage, then the requirement for open space may be reduced by 10%.

2.

a. Agricultural-Conservation Underlying Zone

	<b>Agricultural - Conservation Zone</b>	
<b>Standards</b>	<b>Option 1</b>	<b>Option 2</b>
Density Factor	80,000 sq.ft./dwelling unit	70,000 sq.ft./dwelling unit
Minimum Lot Size (Sq. Ft.) <sup>1</sup>	40,000 sq. ft.	25,000 SF sq. ft.
Minimum Lot Width <sup>2</sup>	125' (110' at Street ROW)	110' (90' at Street ROW)
% Adjusted Tract Acreage required for Open Space	50	60
Maximum Impervious Cover	25% on each lot	30% on each lot
Minimum Setbacks		
Front Yard	40 feet	30 feet
Side Yard	40 feet combined w/ no side yard less than 15 feet.	25 feet combined w/ no side yard less than 10 feet
Rear Yard	40 feet	30 feet

<sup>1</sup> Lot size plus soil conditions shall be the determining factor for the need for public water, public sewer or an approved community water and/or wastewater treatment system. The final approval of the community system shall be by the Board of Supervisors based on concurrence from the Pennsylvania Department of Environmental Protection.

<sup>2</sup> Minimum Lot width at minimum required building setback line.

b. Residential-Agricultural Underlying Zone

	<b>Residential-Agricultural Zone</b>	
<b>Standards</b>	<b>Option 1</b>	<b>Option 2</b>
Density Factor	70,000 sq.ft./dwelling unit	50,000 sq.ft./dwelling unit
Minimum Lot Area (sq.ft.) <sup>1</sup>	25,000 sq. ft.	15,000 sq. ft.
Minimum Lot Width <sup>2</sup>	110 feet (90' at Street ROW)	95 feet (75' at Street ROW)
% Adjusted Tract Acreage required for Open Space	50	60
Maximum Impervious Cover (%)	30	35
Minimum Setbacks		
Front Yard	30 feet	20 feet
Side Yard	25 feet combined w/ no side yard less than 15 feet	25 feet combined w/ no side yard less than 10 feet
Rear Yard	30 feet	30 feet

<sup>1</sup> Lot size plus soil conditions shall be the determining factor for the need for public water, public sewer or an approved community water and/or wastewater treatment system. The final approval of the community system shall be by the Board of Supervisors based on concurrence from the Pennsylvania Department of Environmental Protection.

<sup>2</sup> Minimum Lot width at the minimum required building setback line.

c. Residential-Suburban-1 Underlying Zone

	<b>Residential-Suburban-1 Zone</b>	
<b>Standards</b>	<b>Option 1</b>	<b>Option 2</b>
Density Factor	20,000 sq. ft./dwelling unit	18,000 sq. ft./dwelling unit
Minimum Lot Area Single-family	10,000 sq. ft.	8,000 sq. ft.
Minimum Lot Width <sup>1</sup> Single-family	85 feet (75' at Street ROW)	80 feet (75' at Street ROW)
% Adjusted Tract Acreage required for Open Space	30 %	40 %
Maximum Impervious Cover	40% on each lot	50% on each lot
Minimum Setbacks  Front Yard	20 feet	20 feet
Side Yard	20 feet combined w/ no side yard less than 7 feet	20 feet combined w/ no side yard less than 5 feet
Rear Yard Principal Bldg.	20 feet	15 feet
Accessory Bldg. /along alley	15 feet	15 feet

<sup>1</sup> Minimum Lot width at the minimum required building setback line.

d. Residential-Suburban-2 Underlying Zone

	<b>Residential-Suburban-2 Zone</b>	
<b>Standards</b>	<b>Option 1</b>	<b>Option 2</b>
Density Factor		
Single-family	16,000 sq. ft./dwelling unit	15,000 sq. ft./dwelling unit
Single-family attached	8,500 sq. ft. /dwelling unit	7,500 sq. ft./dwelling unit
Minimum Lot Area		
Single-family	8,000 sq. ft.	6,500 sq. ft.
Single-family attached	2,800 sq. ft. (end unit) 1,800 sq. ft. (interior unit)	2,800 sq. ft. (end unit) 1,800 sq. ft. (interior unit)
Minimum Lot Width <sup>1</sup>		
Single-family	80 feet (75' at Street ROW)	70 feet (65' at Street ROW)
Single-family <sup>2</sup> attached	28 feet (end unit) 18 feet (interior unit)	28 feet (end unit) 18 feet (interior unit)
% Adjusted Tract Acreage required for Open Space	40 % <i>(50% for Single-family attached)</i>	50 % <i>(60% for Single-family attached)</i>
Maximum Impervious Cover	50% on each lot <i>(55% for Single-family attached)</i>	50% on each lot <i>(60% for Single-family attached)</i>
Minimum Setbacks		
Front Yard	20 feet	20 feet
Side Yard	20 feet combined w/ no side yard less than 5 feet	15 feet combined w/ no side yard less than 5 feet
Rear Yard Principal Bldg.	20 feet	15 feet
Accessory Bldg. /along alley	15 feet	15 feet

<sup>1</sup> Minimum Lot width at the minimum required building setback line.

<sup>2</sup> Minimums also apply to street ROW.

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**G. Design Standards for Option 1 and 2 Subdivisions**

1. Residential lots shall not encroach upon Primary Conservation Areas as identified in Exhibit A.
2. All new dwellings shall be setback the minimum distances from the following features:
  - a. External road ultimate right-of-way - 100 feet
  - b. Tract boundaries - 50 feet
  - c. Cropland or pasture land - 100 feet
  - d. Buildings or barnyards housing livestock - 300 feet
  - e. Active recreation areas such as courts or playing fields (not including tot-lots) - 150 feet
3. Views of residential lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the landscaping requirements of the Subdivision and Land Development Ordinance.
4. For subdivisions of five lots or more, driveways shall be accessed from interior streets, rather than from roads bordering the tract.
5. The majority of the lots shall directly abut or face Open Space land across a street.
6. In the R-S zone where the requirement for Open Space is less than 35% of the Adjusted Tract Acreage, a minimum of 15% of the required Open Space shall be in the form of greens, commons and squares.
7. Standards pertaining to the quantity, quality, configuration, ownership, and maintenance of the Open Space land specified in this Ordinance and Article XII of the Carroll Township Subdivision and Land Development Ordinance shall apply.
8. Lots may front on a park or green, provided vehicular access to lot is provided via a lane, and provided there is no other building between the lot and the street right-of-way, and provided the lot is within 100 feet of the street right-of-way.

**H. Discretionary Density Bonuses Additional density may be allowed by the Board of Supervisors when one of the following public benefits is proposed:**

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1. Public Usage of Open Space Land

- a. The Board of Supervisors may encourage the dedication of land for public use for active and passive recreation areas according to the following standards:
- (1) A density bonus for greater public usage of Open Space land in new subdivisions shall be computed on the basis of a maximum of one dwelling unit per five acres of Open Space land or per 2,500 feet of trail that becomes publicly accessible.
  - (2) The decision whether to accept an applicant's offer to dedicate Open Space land to public usage within a proposed subdivision shall be at the discretion of the Board of Supervisors, which shall be guided by the recommendations contained in the Carroll Township Recreation and Open Space Plan (when adopted), particularly those sections dealing with active recreational facilities and passive trail networks.

2. Conservation Land Endowment. A density bonus of ten (10) percent of the maximum density or a reduction in the minimum lot area and lot width requirements of ten (10) percent, may be granted to endow a permanent fund for offsetting continuing maintenance costs if the Open Space land is donated to a land trust for public use.

- a. Spending from the fund shall be restricted to expenditure of interest so that the principal may be preserved.
- b. Assuming an annual average interest rate of five (5) percent, the amount designated for the Endowment Fund shall be at least twenty (20) times the estimated annual maintenance costs. The estimate of annual maintenance costs shall be prepared by an agency, firm, or organization with experience in managing conservation land and recreational facilities and reviewed by the Township Engineer. If agreement on the amount can not be reached, then the procedures for dispute resolution outlined in the MPC for cost opinions shall be followed.
- c. The additional dwellings in this bonus are allowed beyond the maximum permitted for the purpose of endowing the maintenance fund; therefore, a minimum of five (5%) percent of the gross selling price of the endowment lots shall be donated by the applicant to the Open Space Maintenance Endowment Fund for the Open Space lands of the subdivision. The developer shall transfer this fund to the designated entity with ownership and maintenance responsibilities at the time this entity is created.

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- d. That portion of the Open Space to be transferred to the land trust shall be clearly delineated. The Conservation Land Endowment Fund shall only apply to the transferred land.

3. Implementation

For each of the above categories of public purposes, density bonuses may be implemented by reducing the amount of required Open Space land by up to 10%, reducing the minimum lot area requirements by up to 10%, or by a combination of these approaches.

## Exhibit A

### Adjusted Tract Area Calculation Worksheet

A	B	C	D
Description of Constraint	Area of Site Constraint (acres)	Multiplier (resource protection factor)	Constrained Lands (acres)
Right-of-ways of existing public streets		1.00	
Overhead utility rights-of-way – existing or proposed		1.00	
Land under existing private streets		1.00	
Floodways		1.00	
100-year floodplain (excluding floodways or wetlands within floodplains)		1.00	
Wetlands		.80	
Steep slopes greater than 25%		.80	
Moderately steep slopes from 15% to 25%		.25	
Rock Outcroppings		.90	
Totals			

To calculate Total Constrained Land:

- Insert site acreage for each factor in column B (area of site constraint).
- Take factor acreage in column B x column C (resource protection factor) to find column D (constrained land).
- Add all constrained lands in column D to find total constrained land.