

THE TOWNSHIP OF RAPHO, LANCASTER COUNTY, PA

ZONING ORDINANCE

Adopted: November 7, 2013

Amended: June 18, 2015 by Ord. 2015-1

Amended: March 17, 2016 by Ord. 2016-1

Amended: July 6, 2017 by Ord. 2017-1

Amended: September 7, 2017 by Ord. 2017-4

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Amended: November 1, 2018 by Ord. 2018-3

Amended: January 17, 2019 by Ord. 2019-1

Amended: October 3, 2019 by Ord. 2019-3

Amended: December 19, 2019 by Ord. 2019-4



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ARTICLE 1

GENERAL AND LEGAL PROVISIONS

ARTICLE 1

GENERAL AND LEGAL PROVISIONS

Section 101. Short Title.

This Ordinance shall be known and may be cited as the "Township of Rapho Zoning Ordinance", "Rapho Township Zoning Ordinance" or "this Zoning Ordinance".

Section 102. Purpose of Enactment.

This Zoning Ordinance is enacted to:

- A. Promote, protect, and facilitate: public health, safety, morals, or general welfare; coordinated and practical community development; and proper density of population.
- B. Provide for adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.
- C. Prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood, panic or other dangers.
- D. Preserve prime agriculture land and farmland considering topography, soil type and classification, and present use.
- E. Encourage the maintenance and management of forested or wooded open space, and to promote the conduct of forestry as a sound and economically viable use of forested land throughout Rapho Township.
- F. Establish the requirements for density and intensity of uses.
- G. Serve as a tool that is part of an overall plan for the orderly, appropriate and compatible preservation, growth, and development in Rapho Township, by incorporating the overall objectives and principles of, as well as seeking to implement portions of, the most recent version of the Comprehensive Plan or other applicable plan adopted by the Township of Rapho.
- H. Affect any additional purposes provided for in Articles I, VI, VII-A, and elsewhere in the MPC.

Section 103. Scope.

From and after the effective date of this Zoning Ordinance, the use of all land and every building or structure or portion of a building or structure erected, altered with respect to height and area,

added to, or relocated, and every use within a building or structure or use accessory thereto, in the Township shall be in conformity with the provisions of this Zoning Ordinance, as well as all other applicable Township ordinances, enactments, rules, regulations, and permits. Any lawfully existing use, building, or land not in conformity with the regulations on the effective date of this Zoning Ordinance herein prescribed shall be regarded as nonconforming but may be continued, extended, or changed subject to the special regulations herein provided with respect to nonconforming buildings, structures, or uses.

Section 104. Interpretation.

- A. In interpreting and applying the provisions of this Zoning Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, and general welfare of the residents of Rapho Township.
- B. In interpreting the language of this Zoning Ordinance to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the Township Board of Supervisors, in favor of the property owner and against any implied extension of the restriction.

Section 105. Conflict.

It is not intended by this Zoning Ordinance to repeal, abrogate, annul, or interfere with any existing ordinances or enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Zoning Ordinance. Provided, however, that where this Zoning Ordinance imposes greater restrictions upon the use of buildings or land, or upon the height or bulk of buildings, or prescribed larger yards or open spaces than are required by the provisions of other such ordinance, enactment, rule, regulation or permit, the provisions of this Zoning Ordinance shall control. Furthermore, if a discrepancy exists between any regulations contained within this Zoning Ordinance, that regulation which imposes the greater restriction shall apply.

Section 106. Validity.

Should any section or provision of this Zoning Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Zoning Ordinance as a whole or of any other part thereof.

Section 107. Uses Not Provided For.

Any use which clearly is not permitted by right, by special exception use, nor by conditional use by this Zoning Ordinance within any zone, then such use shall be prohibited, except that the Township Zoning Hearing Board may permit such use by special exception in accordance with Article 8 of this

Zoning Ordinance relating to *Special Exceptions* in *Zoning Hearing Board's Functions* (§ 805.B.), if the applicant proves to the satisfaction of the Township Zoning Hearing Board that all of the terms and conditions set forth below have been addressed:

- A. The proposed use is:
 - 1. In general conformity with the most recent version of the Comprehensive Plan or other applicable plan adopted by Rapho Township;
 - 2. In harmony with the zone, neighborhood, and area in which it is proposed;
 - 3. Similar to and compatible with the permitted uses in the zone in which the subject property is located;
 - 4. Not permitted in any other zone under the terms of this Zoning Ordinance; and,
 - 5. In no way conflicting with the general purposes and intent of this Zoning Ordinance or the zone in which the subject property is located.
- B. The external impacts associated with the proposed use would be equal to or less intensive than external impacts associated with other uses that are permitted in the zone in which the subject property is located.
- C. The location of the proposed use would not endanger public health and safety, and the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare, vibration or electromagnetic interference.
- D. The proposed use must comply with Township building, health, housing, rental, safety, property and other applicable Township, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Township, or shall be a condition of approval.
- E. The proposed use would meet the standards that apply under Article 8 of this Zoning Ordinance relating to *Special Exceptions* in *Zoning Hearing Board's Functions* (§ 805.B.).
- F. The applicant shall provide:
 - 1. An hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan* in *Application for Zoning Permits for Non-Residential Uses* in *Zoning Permits* (§ 902.C.3.). This information is required for both residential and non-residential uses.
 - 2. A detailed description of how the proposed use and development complies with items A. – E. in the subsection above (§ 107.).
 - 3. Plot/site plans required in Article 9 of this Zoning Ordinance relating to *Application*

for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.2.).

4. A schematic architectural drawing of the principal building's front façade.

Section 108. Establishment of Zones and Official Zoning Map.

- A. Establishment of Zones. For the purpose of this Zoning Ordinance, Rapho Township is hereby divided into specific base zones and overlay zones which shall be designated as set forth in Table 1-8.1 in this subsection below. When this Zoning Ordinance refers to a general grouping of zones (e.g., "Residential Zones" or "Agricultural and Rural Zones"), it is referring to all of the specific zones within the applicable general grouping; otherwise, when this Zoning Ordinance refers to specific Official Zoning Map symbol [e.g., "(R-1) Zone" or "(HC) Zone"], it is referring to the applicable specific zone.

**TABLE 1-8.1
ZONES**

ZONE NAME	OFFICIAL ZONING MAP & TEXT SYMBOL
1. BASE ZONES	
a. AGRICULTURAL AND RURAL ZONES	
(1.) Agricultural Zone	(A) Zone
(2.) Rural Zone	(R) Zone
b. RESIDENTIAL ZONES	
(1.) Residential Zone	(R-1) Zone
(2.) Mixed Residential Zone	(R-2) Zone
(3.) Manufactured/Mobile Home Park Residential Zone	(MHP) Zone
c. MIXED USE ZONES	
(1.) Crossroads Community Zone	(CC) Zone
(2.) Mixed Use Commercial Zone	(MUC) Zone
d. BUSINESS ZONES	
(1.) Commercial Recreation Zone	(CR) Zone
(2.) Highway Commercial Zone	(HC) Zone
(3.) Industrial Zone	(IND) Zone
2. OVERLAY ZONES	
a. Floodplain Overlay Zone	(FPO) Zone
b. Airport Overlay Zone	(APO) Zone
c. Village Overlay Zone	(VO) Zone
d. Open Space Design Overlay Zone	(OSDO) Zone

- B. Official Zoning Map. Unless otherwise noted, the locations and boundaries of the specific base zones and overlay zones are shown upon the Official Zoning Map that is attached to and made a part of this Zoning Ordinance. The Official Zoning Map and all notations, references and other data shown thereon are hereby incorporated by reference into this Zoning Ordinance as if all were fully described herein. The Official Zoning Map shall be designated the "Township of Rapho, Lancaster County, PA: Official Zoning Map" herein referred to as the "Official Zoning Map."
- C. Zone Boundaries. The boundaries between zones are shown by zone boundary lines on the Official Zoning Map. Where uncertainty exists as to the location of boundaries of any zone shown on the Official Zoning Map, the following rules shall apply:
1. Where zone boundaries are so indicated as approximately coinciding with the centerlines of streets, highways, railroad lines, other right-of-way lines, streams, or ridge lines, such centerlines shall be construed to be the zone boundaries.
 2. Where zone boundaries are so indicated as approximately coinciding with lot lines, such lot lines shall be construed to be the zone boundaries.
 3. Where zone boundaries are so indicated as approximately parallel to centerlines of streets, highways, railroad lines, and other rights-of-way, the zone boundaries shall be construed as parallel thereto and at such distances from the centerline as indicated on the Official Zoning Map.
 4. For unsubdivided land or where a zone boundary divides a lot, the location of the zone boundary, unless dimensions are indicated, shall be determined by the scale appearing on the Official Zoning Map.
 5. Where a municipal boundary divides a lot, the minimum lot area shall be regulated by the municipality in which the principal use(s) are located, unless otherwise provided by applicable case law. The land area within each municipality shall be regulated by the use regulations and other applicable regulations of each municipality.
 6. In the case of any uncertainty as to zone boundaries on the Official Zoning Map, the Township Zoning Officer shall determine the zone boundaries; however, the Township Zoning Officer's determination may be appealed to the Township Zoning Hearing Board in accordance with Article 8 of this Zoning Ordinance relating to *Appeals from the Determination of the Zoning Officer in Zoning Hearing Board's Functions (§ 805.D.)*.

Section 109. Municipal Liability.

The granting of a permit pursuant to this Zoning Ordinance shall not constitute a representation, guarantee or warranty of any kind by the Township of Rapho or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon the Township of

Rapho, its officials or employees for any damage that may be pursuant thereto.

Section 110. Municipal Owned Uses.

The requirements of this Zoning Ordinance shall not apply to municipal owned uses, land, facilities, or structures owned by the Township of Rapho, nor to uses, land, facilities, or structures owned by a municipal authority created by the Township of Rapho, or an agent thereof that is authorized or created by the Township of Rapho or municipal authority to provide governmental or public health and safety services. Further, the requirements of this Zoning Ordinance shall not apply to private uses permitted by the Township of Rapho, its municipal authorities, or their authorized agents, to be conducted upon and or in land or structures owned and/or operated by the Township of Rapho, municipal authorities, or authorized agents. In any instance in which applicable zoning requirements would be affected by non-compliance if not for the exemption provided in this subsection, and that any modification represents the minimum that will afford relief and will represent the least modification possible of the regulations in issue, the Township Board of Supervisors shall take public comment on the specific zoning provisions and related issue(s) at an advertised public meeting of the Township Board of Supervisors. Notice of the public meeting shall be mailed by the Township of Rapho at least thirty (30) days prior to the date of the meeting by first (1st) class mail to the addresses to which real estate tax bills are sent for all real property located within two hundred (200) feet of the exempted subject property, as evidenced by tax records within the possession of the Township of Rapho. Additionally, notice shall be provided to the Township Planning Commission at least thirty (30) days prior to the date of the public meeting of the Township Board of Supervisors. Such notices shall include the location, date, and time of the public meeting; and shall include the location of exempted subject property, a description of the proposed use/development of the exempted subject property, the specific zoning requirement(s) for which strict compliance cannot be met by the proposed use/development of the exempted subject property.

ARTICLE 2

GENERAL INTERPRETATIONS, TERMS, AND DEFINITIONS

ARTICLE 2

GENERAL INTERPRETATIONS, TERMS, AND DEFINITIONS

Section 201. General Interpretations.

In this Zoning Ordinance, the following rules of interpretation shall be used:

- A. The word “lot” includes the word “plot”, “parcel”, or “tract”.
- B. Words in the present tense may imply the future tense.
- C. Words used as singular imply plural.
- D. The masculine gender includes the feminine and neuter genders.
- E. The word “person” includes a partnership, corporation, association, trust, estate, or any other legally recognized entity as well as an individual.
- F. The word “shall” is to be interpreted as mandatory; the word “may” as directory.
- G. For those terms used in this Zoning Ordinance but also which are defined in various ordinances of the Township of Rapho, wherever and whenever the terms and associated definitions are not consistent, the terms and associated definitions used in this Zoning Ordinance govern the regulations and standards in this Zoning Ordinance.
- H. For those terms used in this Zoning Ordinance but not defined here or in any of the definitions found in various ordinances of the Township of Rapho, the definition of the term found in the most recent edition of Webster’s Unabridged Dictionary shall apply.
- I. For those terms which are defined in other codes, ordinances, laws, and regulations, but referenced in Article 2 of this Zoning Ordinance relating to *Specific Terms and Definitions* (§ 202.), it should be noted that the most recent versions of the definitions from the aforementioned codes, ordinances, laws, and regulations shall govern in this Zoning Ordinance.
- J. In instances of any differences of meanings or implications between the text of this Zoning Ordinance and any caption, illustration or table, the text shall control. No caption, illustration, or table shall be construed to limit the scope or intent of the text of this Zoning Ordinance.

Section 202. Specific Terms and Definitions.

- A. Unless otherwise stated, the following terms and phrases shall be construed throughout this Zoning Ordinance to have the meanings indicated in this Section:

1. ACCESS DRIVE – A private drive providing pedestrian and vehicular access between a public or private street and a parking compound within a land development. (Equivalent definition of the SLDO.) For purposes of this Zoning Ordinance, the, “PARKING COMPOUND” shall mean “PARKING LOT”.
2. ACCESSORY ALTERNATIVE ENERGY SYSTEM – See “ALTERNATIVE ENERGY SYSTEM, ACCESSORY”.
3. ACCESSORY APARTMENT – See “APARTMENT, ACCESSORY”.
4. ACCESSORY BUILDING – See “BUILDING, ACCESSORY”.
5. ACCESSORY DWELLING UNIT – See “DWELLING UNIT, ACCESSORY”.
6. ACCESSORY EMPLOYEE DWELLING – See “DWELLING, ACCESSORY EMPLOYEE”.
7. ACCESSORY FAMILY MEMBER DWELLING – See “DWELLING, ACCESSORY FAMILY MEMBER”.
8. ACCESSORY PARKING LOT – See “PARKING LOT, ACCESSORY”.
9. ACCESSORY STRUCTURE – See “STRUCTURE, ACCESSORY”.
10. ACCESSORY USE – See “USE, ACCESSORY”.
11. ADULT ORIENTED BUSINESS AND/OR RELATED USE TERMS – The following terms and definitions when used in this Zoning Ordinance relating to the “ADULT ORIENTED BUSINESSES AND/OR RELATED USES” shall have the meaning given to them in the subsections below unless the context clearly indicates otherwise:
 - a. ADULT ORIENTED BUSINESS AND/OR RELATED USE – An inclusive term used to describe collectively a business, club, or other similar type of adult oriented establishment which engages in one (1) or more of the areas of sales, services or entertainment as specified under “ADULT ORIENTED BUSINESS AND/OR OTHER RELATED USE TERMS”.
 - b. ADULT BATH HOUSE – An establishment or business primarily engaged in providing the services of baths of all kinds, including all forms and methods of hydrotherapy during which specified anatomical areas are displayed or specified sexual activity occurs. This definition shall not apply to hydrotherapy treatment practiced by, or under the supervision of, a medical practitioner. A medical practitioner, for the purpose of this Zoning Ordinance, shall be a medical doctor, physician, chiropractor or similar professional licensed by the Commonwealth of Pennsylvania.
 - c. ADULT BODY PAINTING STUDIO – Any establishment or business which provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when specified anatomical areas are exposed.

- d. **ADULT BOOKSTORE** – Any establishment which has a substantial or significant portion of its stock in trade:
 - (1). Books, films, magazines or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
 - (2). Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.
- e. **ADULT CABARET** – A nightclub, theater, bar or other establishment which features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.
- f. **ADULT MASSAGE ESTABLISHMENT** – Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy,. An adult massage establishment does not include a massage establishment operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth of Pennsylvania for purposes of physiotherapy. This definition does not include an athletic club, health and fitness club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.
- g. **ADULT MINI-MOTION PICTURE THEATER** – An enclosed or unenclosed building with a capacity of more than five (5), but less than fifty (50), persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
- h. **ADULT MODEL STUDIO** – Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any “figure studio” or “school of art” or similar establishment which meets the requirements established in the Education Code of the Commonwealth of Pennsylvania for the issuance or conferring of, and is in fact authorized thereunder, to issue and confer a diploma.

- i. ADULT MOTEL/HOTEL – A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
- j. ADULT MOTION PICTURE ARCADE – Any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
- k. ADULT MOTION PICTURE THEATER – An enclosed or unenclosed building with a capacity of fifty (50) or more persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time, measured on an annual basis, is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
- l. ADULT NEWS RACK – Any coin-operated machine or device which dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.
- m. ADULT OUT-CALL SERVICE ACTIVITY – Any establishment or business which provides an out-call service which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service during which time specified anatomical areas are displayed or specified sexual activity occurs.
- n. ADULT SEXUAL ENCOUNTER CENTER – Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two (2) or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas. For purposes of this Zoning Ordinance, this term does not include psychosexual workshops, operated by a medical practitioner licensed by the Commonwealth of Pennsylvania, intended to offer sexual therapy for medical purposes.
- o. ADULT THEATER – A theater, concert hall, auditorium or other similar establishment, either indoor or outdoor in nature which regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
- p. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting,

describing or relating to "SPECIFIED SEXUAL ACTIVITIES" or "SPECIFIED ANATOMICAL AREAS."

q. SPECIFIED ANATOMICAL AREAS – Shall include but are not limited to:

- (1). Less than completely and opaquely covered human genitals and pubic regions; buttocks and anus; female breasts below a point immediately above the top of areolae; and/or
- (2). Human male genitals in a discernible turgid state, even if completely and opaquely covered.

r. SPECIFIED SEXUAL ACTIVITIES – For the purposes of this Zoning Ordinance, this term shall include any of the following:

- (1). Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or
- (2). Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
- (3). Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
- (4). Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or
- (5). Masochism, erotic or sexually oriented torture, beating, or the infliction of pain; or
- (6). Erotic or lewd touching, fondling or other contact with an animal by a human being; or
- (7). Human excretion, urination, menstruation, vaginal or anal irrigation.

12. AFFILIATED OWNER – A person, corporation, limited liability company, partnership, or other entity which owns land as to which at least forty (40) percent of the equitable or other ownership interest is held by the same person, corporation, limited liability company, partnership, or other entity which owns at least forty (40) percent of the equitable or other ownership interest in another tract of land which is contiguous to the first tract, or located within two hundred (200) feet at its

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closest point, or is separated only by a public or private street. For the purpose of this definition, a spouse shall be considered to be the same person as his or her spouse and a child or parent shall be considered the same person as his or her parent or child, but a sibling shall not be considered to be the same person as his or her sibling.

13. AGRI-BUSINESS – An agricultural operation involving, but not necessarily limited to, one (1) or more of the following:

- a. CONCENTRATED ANIMAL FEEDING OPERATION - An agricultural operation that meets the criteria established by PA DEP under authority of the Act of June 22, 1937 (P.L.1987, No.394), known as “The Clean Streams Law.” For purposes of this Zoning Ordinance, an agricultural operation that meets any of the following criteria [A, B, or C] listed in Table 2-2.1 in this subsection below:

**TABLE 2-2.1
CAFO CRITERIA***

A		B	C
Exceeding any of the following thresholds:		With a total of more than 1,000 AEUs, when all animal/livestock types are combined.	A CAO having more than 300 AEUs, when all animal/livestock types are combined.
Type of Animal/Livestock	Number		
Mature Dairy Cows	700		
Veal Calves	1,000		
Cattle (Includes but is not limited to heifers, steers, bulls, and cow/calf pairs)	1,000		
Swine (55 lbs. or more)	2,500		
Swine (Under 55 lbs.)	10,000		
Horses	500		
Sheep or Lambs	10,000		
Turkeys	55,000		
Layers or Broilers, wet ¹	30,000		
Broilers, dry ²	125,000		
Layers, dry ¹	82,000		
Ducks, dry ²	30,000		
Ducks, wet ¹	5,000		

NOTES:

1 “Wet” means that the operation uses a liquid manure handling system.

2 “Dry” means that the operation uses something other than a liquid manure handling system.

*(Source: http://www.portal.state.pa.us/portal/server.pt/community/nutrient_management/10617/concentrated_animal_feeding_operations_%28caf%29/554279; PA DEP, August 6, 2013)

- b. **CONCENTRATED ANIMAL OPERATION** – An agricultural operation that meets the criteria established by the PA SCC in regulations under the authority of Title 3 (Agriculture) Pa. C.S.A. Chapter 5 (relating to Nutrient Management and Odor Management). For purposes of this Zoning Ordinance, an agricultural operation that meets both of the following criteria:
 - (1). Contains eight (8.00) or more Animal Equivalent Units; and
 - (2). Has an animal density in excess of two (2.00) animal equivalent units or two thousand (2,000) lbs., on an annualized basis, per acre of land suitable for manure application.**
- **(Source: Pennsylvania’s Nutrient Management Program Technical Manual Version 6.0: PA SCC, January 2013)**
- c. **OTHER AGRI-BUSINESS** – Any agricultural operation other than a CAFO or CAO, whether involving animal, animal product, or vegetable production, which occurs within an enclosed building exceeding ten thousand (10,000) square feet of gross floor area.
- 14. **AGRICULTURAL EQUIPMENT SALES/RENTAL** – An establishment primarily engaged in the retail sale and/or rental of specialized machinery, equipment, and related parts generally used in agricultural, farm, and lawn and garden activities.
 - 15. **AGRICULTURAL OPERATION** – An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. (Equivalent definition of the MPC.)
 - 16. **AGRICULTURAL PRODUCT MARKETING/SALES** – An enterprise conducted upon, and accessory to, an active principal agricultural operation or agri-business use for the purpose of directly marketing agricultural products, in their natural or manufactured state, produced by the agricultural operation or agri-business. The term shall include any on-site processing, packaging, or other activity performed in the course of direct marketing of the agricultural products produced by the agricultural operation or agri-business. For purposes of this Zoning Ordinance, this term includes but is not limited to roadside stands, farm markets, “pick-your-own” operations, Christmas tree farms, and other similar uses.
 - 17. **AGRICULTURAL RELATED BUSINESS** – An establishment primarily engaged in meeting the needs of those engaged in agricultural operations and agri-businesses

via the provision of goods, materials, and services needed for and supporting agricultural operations and agri-businesses.

18. AGRICULTURAL SUPPORT OCCUPATION – An enterprise conducted upon, and accessory to, an active principal agricultural operation or agri-business use.
19. AGRI-TAINMENT/AGRI-TOURISM – An enterprise conducted upon, and accessory to, an active principal agricultural operation or agri-business use, providing a combination of agriculture, entertainment, education, recreation, or active involvement elements, characteristics, and experiences related to the agricultural operation or agri-business.
20. AIRPORT OVERLAY (APO) ZONE TERMS & PHRASES – Unless specifically defined elsewhere in Article 2 of this Zoning Ordinance relating to *Specific Terms and Definitions* (§ 202.), the following words and phrases when used in Article 4 of this Zoning Ordinance relating to the *Airport Overlay (APO) Zone* (§ 403.) shall have the meaning given to them in the subsections below unless the context clearly indicates otherwise:
 - a. AIRPORT ELEVATION – The highest point of an airport’s usable land area measured in feet above sea level. The Airport Elevation for Lancaster Airport is four hundred and three (403) feet.
 - b. AIRPORT HAZARD – Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. § 5102.
 - c. AIRPORT HAZARD AREA – Any area of land or water upon which an airport hazard might be established if not prevented as provided for in Article 4 of this Zoning Ordinance relating to *Airport Overlay (APO) Zone* (§ 403.) and Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).
 - d. AIRPORT, LANCASTER (LNS) – Any area of land or water which is used or intended to be used for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities for rights-of-way, together with all airport buildings and facilities thereon.
 - e. APPROACH SURFACE ZONE – An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The Approach Surface Zone is derived from the approach surface.

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- f. CONICAL SURFACE ZONE – An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically (or 20:1) for a horizontal distance of four thousand (4,000) feet. The Conical Surface Zone is based on the conical surface.
- g. HEIGHT – For the purpose of determining the height limits in all Airport Overlay (APO) Zone related zones set forth in Article 4 of this Zoning Ordinance relating to *Airport Overlay (APO) Zone (§ 403.)*, the datum shall be mean sea level elevation unless otherwise specified.
- h. HORIZONTAL SURFACE ZONE – An imaginary plane one hundred fifty (150) feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The Horizontal Surface Zone is derived from the horizontal surface.
- i. LARGER THAN UTILITY RUNWAY – A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight, and jet powered aircraft.
- j. NON-PRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
- k. OBSTRUCTION – Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by Article 4 of this Zoning Ordinance relating to *Airport Overlay (APO) Zone (§ 403.)*.
- l. PRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- m. PRIMARY SURFACE ZONE – An imaginary surface longitudinally centered on the runway, extending two hundred (200) feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The Primary Surface Zone is derived from the primary surface.
- n. RUNWAY – A defined area of an airport prepared for landing and takeoff of aircraft along its length.

- o. TRANSITIONAL SURFACE ZONE - An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1). The Transitional Surface Zone is derived from the transitional surface.
 - p. TREE - Any vegetative object of natural growth.
 - q. UTILITY RUNWAY - A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
 - r. VISUAL RUNWAY - A runway intended solely for the operation of aircraft using visual approach procedures.
- 21. ALLEY – A local street which is used primarily for vehicle access to the back or the side of properties otherwise abutting a street, or for placement of utilities. (Equivalent definition of the SLDO.)
 - 22. ALTERATIONS – Any construction or renovation to an existing structure other than repair or addition. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
 - 23. ALTERNATIVE ENERGY SYSTEM – A system or facility used in the conversion, storage, and distribution of renewable energy sources, including electrical infrastructure, transmission lines, and other appurtenant structures and facilities. For purposes of this Zoning Ordinance, this term includes but not limited to renewable energy sources such as sunlight, wind, rain, tides, and geothermal heat facilities.
 - 24. ALTERNATIVE ENERGY SYSTEM, ACCESSORY – An alternative energy system that supplies energy primarily for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. This definition shall not in any way limit or preclude those accessory alternative energy systems conducted pursuant to and part of power purchase agreements.
 - 25. ANAEROBIC DIGESTION – The process in which microorganisms in the absence of oxygen convert the energy stored in volatile acids in livestock (including poultry) manure or other organic materials into biogas.
 - 26. ANCHOR USE – A single user (occupant) space under common ownership having a minimum and maximum gross ground-level floor area in accordance with the provisions of the Mixed Use Commercial (MUC) Zone of this Zoning Ordinance.
 - 27. ANIMAL EQUIVALENT UNIT – One thousand (1,000) lbs. live weight of livestock or poultry animals.

28. **ANIMAL HOSPITAL** – An establishment of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals; and establishments primarily engaged in providing testing services for licensed veterinary practitioners. For purposes of this Zoning Ordinance, this term includes outdoor and overnight boarding of animals, and similar uses.
29. **APARTMENT, ACCESSORY** – A dwelling unit incorporated as an accessory use into a building containing a permitted principal, owner-occupied single family detached dwelling.
30. **APPURTENANCES** – The visible functional, mechanical or ornamental objects accessory to and part of buildings or uses.
31. **ARBORETUM** – An establishment primarily engaged in the preservation and exhibition of live plant displays.
32. **AREA, BUILDING** – The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
33. **AREA, LOT** – The area contained within the property lines of an individual parcel of land, not including any area within a street right-of-way.
34. **AREA, SIGN** – See “SIGN AREA”.
35. **ARTERIAL STREET** – See “STREET, ARTERIAL”.
36. **ATTACHED BUILDING** – See “BUILDING, ATTACHED”.
37. **AUTOMATED BANKING OR POSTAL FACILITY** – An establishment containing automated devices performing banking or financial functions, or postal and mailing related services which are operated by customers or patrons walking up to the device, but where drive-thru facilities are permitted, the automated banking or postal facility may also be operated by those customers or patrons who remain in their vehicles.
38. **BANK AND OTHER SIMILAR FINANCIAL INSTITUTION** – An establishment primarily engaged in accepting demand and other deposits, and making loans. Financial counseling, planning, and services related to money management, and establishments considered savings and loans and credit unions are included.
39. **BED AND BREAKFAST** – An establishment primarily engaged in providing temporary lodging for compensation, with or without meals, to transient guests, visitors, or tourists, conducted with an owner- or resident manager-occupied residential unit.

- 40. BEEKEEPING – The cultivation of bees for the production of honey.
- 41. BILLBOARD – A sign upon which images and/or messages of any kind are printed, posted, or lettered, whether freestanding or attached to a surface of a building or other structure. A billboard is used to advertise products, services or businesses at a location other than the premises on which the sign is placed, or to disseminate other messages.
- 42. BIOGAS – A fuel consisting of methane, carbon dioxide, and small amounts of water and other compounds produced as part of anaerobic digestion processes.
- 43. BOARDING HOUSE – A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.) For purposes of this Zoning Ordinance, this term shall include facilities commonly known as “rooming houses” and “single room occupancies”.
- 44. BOARDING KENNEL – See “KENNEL, BOARDING”.
- 45. BOARDING/RIDING STABLE – An establishment primarily engaged in providing services and facilities for boarding, training, or exercising of animals such as horses, ponies, mules, alpacas, and llamas that are owned by non-residents of the subject property. For purposes of this Zoning Ordinance, this term also expressly includes recreational riding for a fee, riding lessons, periodic competitions and similar events related to the care, use and enjoyment of such animals.
- 46. BUILDABLE AREA – That portion of a lot which may be used or built upon in accordance with the regulations of the applicable zone, when the front, side and rear yard setbacks and applicable landscape screening strip requirements have been met.
- 47. BUILDING – A structure used or intended for supporting or sheltering any use or occupancy. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
- 48. BUILDING AREA – See “AREA, BUILDING”.
- 49. BUILDING FAÇADE – The front exterior face, elevation, or building wall of a principal building that is often facing street rights-of-way, excluding alleys.
- 50. BUILDING HEIGHT – See “HEIGHT, BUILDING”.
- 51. BUILDING, ACCESSORY – A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, structure, or otherwise principal use of the lot, and which is located on the same lot as that occupied by the principal building, structure, or otherwise principal use of the lot.

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- 52. BUILDING, ATTACHED – A building connected to another building via one (1) or more common party wall(s).
- 53. BUILDING, DETACHED – A building surrounded by open space on the same lot.
- 54. BUILDING, PRINCIPAL – The main or primary building, the use of which is primary and essential to that of any accessory building, structure, or other accessory use of the lot, and which may be located on the same lot as any accessory building, structure, or other accessory use of the lot.
- 55. BUILDING SETBACK LINE – A line within a lot, designated as the minimum required distance between any structure and/or use and any adjoining lot line.
- 56. BUSINESS OR COMMERCIAL ACTIVITY – An interaction between two (2) or more parties in which goods, services, or something of value is exchanged for remuneration. For purposes of this Zoning Ordinance, this term includes “donations” accepted on behalf of and benefitting the owner or operator of the business or property. For purposes of this Zoning Ordinance, this term excludes “donations” accepted on behalf of and benefitting a charitable or non-profit organization.
- 57. CAMPGROUND – A portion of land used for the purpose of providing a space or spaces for trailers or tents, for camping purposes regardless of whether a fee has been charged for the leasing, renting or occupancy of the space. (Equivalent definition in Organized Camps and Campgrounds of the Pennsylvania Code.)
- 58. CARPORT – An unenclosed structure for the storage of one (1) or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts except that one (1) or more walls may be the walls of the main building to which the carport is accessory.
- 59. CARTWAY – The portion of a street or alley intended for vehicular use. (Equivalent definition of the SLDO.)
- 60. CEMETERY – An establishment primarily engaged in the burial of and/or long term interment of human or animal remains either in the ground or in structures such as columbariums, mausoleums, and entombments.
- 61. CERTIFICATE OF USE AND OCCUPANCY – A statement signed by the Township Zoning Officer, setting forth that a building, structure or use legally complies with this Zoning Ordinance and a previously issued zoning permit.
- 62. CHANNEL – A natural or artificial watercourse with a definite bed and banks which confine and conduct continuously or periodically flowing water.
- 63. CLEAN WOOD – Natural wood which has no paint, stains, or other types of coatings and which has not been treated with chemical preservatives such as copper chromium arsenate, creosote, or pentachlorophenol. For the purposes of this

Zoning Ordinance, this term shall include all wood intended to be used as fuel including but not limited to trees, cordwood, logs, lumber, sawdust, and wood from manufacturing processes (butt offs, shavings, turnings, sander dust) wood pellets, slabs, bark, chips, and wood skids or pallets.

- 64. CLEAR SIGHT TRIANGLE – An area of unobstructed vision at the intersection of two (2) or more streets, access drives, driveways, or alleys or any combination of the foregoing. It is defined by lines of sight between points at a given distance from the intersection of the centerlines of both streets, access drives, driveways, or alleys. (Equivalent definition of the SLDO.)
- 65. CLUBHOUSE OR LODGE, PRIVATE – An establishment operated by a private club primarily engaged in serving the interests of their members. The use could include drinking or eating facilities within the clubhouse or lodge intended for use by the members of the clubhouse or lodge and their guests.
- 66. CLUB, PRIVATE – An organization catering exclusively to members and their guests and not the general public. Private clubs shall include but not be limited to educational, fraternal, service, and political organizations, labor unions, and social, athletic, and fish and game clubs.
- 67. COLLECTOR STREET – See “STREET, COLLECTOR”.
- 68. COLLOCATION – The placement or installation of new wireless telecommunications facilities on previously approved and constructed wireless support structures, including self-supporting or guyed monopoles and towers, electrical transmission towers, water towers or any other structure not classified as a wireless support structure that can support the placement or installation of wireless telecommunications facilities if approved by the municipality. This term includes the placement, replacement or modification of accessory equipment within a previously approved equipment compound. (Equivalent definition of the Pennsylvania Wireless Broadband Collocation Act [Act 191].)
- 69. COMMERCIAL COURTYARD – An open central open space, bounded on three (3) or more sides by commercial buildings within a Village Overlay Zone Development.
- 70. COMMERCIAL DAYCARE – See “DAYCARE, COMMERCIAL”.
- 71. COMMERCIAL RECREATION – See “RECREATION, COMMERCIAL”.
- 72. COMMERCIAL SCHOOL – See “SCHOOL, COMMERCIAL”.
- 73. COMMON OPEN SPACE – A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. (Equivalent definition of the MPC.)

74. COMMUNITY GATHERING FACILITY – A defined place where, or facility in which people are able to congregate within a Village Overlay Zone Development. A “town square”, meeting house or band shell could be included in a community gathering facility.
75. COMMUNITY OUTREACH CENTER – May include indoor and outdoor facilities, including aquatic facilities, outdoor activity areas, and grounds, buildings, or other facilities which are dedicated to social and recreational purposes and administered by a public or private nonprofit agency(ies) or entity(ies) to serve the fitness, recreation, healthy living, social, educational, and related needs of community residents, while providing financial assistance for those in need, and which generally helps relieve governmental or quasi-governmental entities from some of their burdens. Emphasis shall be on facilities readily accessible to the community, including but not limited to athletic facilities, multi-purpose rooms, and day care facilities; community-based programming (e.g., day camps); other activities generally limited to members, their guests, program participants, and persons specifically invited for special events; and those accessory uses customarily associated with Community Outreach Centers.
76. COMPOST PRODUCTION FACILITY – An establishment primarily engaged in the processing of septage and/or raw organic waste by-products using biological degradation via microbial action into biologically stable organic material. The processing of wood into woodchips could be included in a compost production facility.
77. COMPOST SALES – An establishment primarily engaged in the retail sales of compost, mulch, woodchips, and bulk and bag coal.
78. COMPREHENSIVE PLAN – The most recent version of the official public document prepared in accordance with the MPC, consisting of maps, charts and textual material that constitutes decisions about the physical and social development of Rapho Township, as amended from time to time.
79. CONDITIONAL USE – A use permitted in a particular zoning district pursuant to the provisions in Article VI. (Equivalent definition of the MPC.)
80. CONSERVATION AREA – Land managed for the purposes of preserving open space, conserving natural resources, and providing opportunities for passive, non-motorized, low intensity outdoor recreation and environmental education activities.
81. CONSERVATION PLAN – A plan including a map(s) and narrative that, at the very least, outlines an erosion and sedimentation control plan for an identified parcel of land.
82. CONVENIENCE STORE – An establishment primarily engaged in the retail sales of automotive fuels (e.g., diesel fuel, gasohol, gasoline) in combination with a limited line of goods that generally includes milk, bread, soda, and snacks.

83. CONVERSION, MULTIPLE FAMILY – The creation of two (2) or more additional dwelling units by converting an existing single family detached dwelling without substantially altering the exterior of the building. Multiple family conversions have three (3) or more dwelling units.
84. CONVERSION, TWO FAMILY – The creation of one (1) additional dwelling unit by converting an existing single family detached dwelling without substantially altering the exterior of the building. Two-family conversions have no more than two (2) dwelling units.
85. CORNER LOT – See “LOT, CORNER”.
86. CREMATORY FACILITY – An establishment primarily engaged in the incineration of corpses with the result that the remains become ashes.
87. CROPS/GARDENING – The use of land for the tilling of the soil; the raising, maintenance, and cultivation of crops, and also including horticulture, apiculture, floriculture, and/or viticulture.
88. DAYCARE – An establishment primarily engaged in providing care or supervision of persons under the age of sixteen (16), special needs adults in lieu of care or supervision by family members, elderly persons which are generally sixty-two (62) years of age and older, mentally disabled, and/or physically handicapped persons who need such daily assistance because of their physical or cognitive disabilities, or disease. This use shall not include persons who need oversight because of criminal and/or violent behavior. This use may involve occasional overnight stays. The use shall involve typical stays of less than a total of sixty (60) hours per week per person.
89. DAYCARE, COMMERCIAL – An establishment primarily engaged in providing care and supervision to more than six (6) persons unrelated to the operator and who are non-residents of the site, during any calendar day. Commercial daycare facilities can be operated as principal uses or as accessory uses associated with other uses such as schools, places of worship, industries, residential complexes, however, in no case shall a commercial daycare be considered an accessory use to an individual dwelling unit. For purposes of this Zoning Ordinance, this term includes facilities including “group child daycare homes” and “child daycare centers,” as defined, regulated, and licensed by the PA DPW.
90. DAYCARE, FAMILY – An accessory use to a residential dwelling unit whereby care and supervision is provided to four (4), five (5), or six (6) persons unrelated to the operator and who are non-residents of the site, during any calendar day. Family daycare facilities shall be regulated and licensed by the PA DPW, as applicable.
91. DENSITY – The number of dwelling units permitted in relation to the land area actually in use or proposed to be used for residential purposes, exclusive of existing rights-of-way and private streets.

92. DETACHED BUILDING – See “BUILDING, DETACHED”.
93. DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations.
94. DEVELOPMENT TRACT – One (1) or more tracts of land which are contiguous or located within two hundred (200) feet at its closest point or separated only by public or private streets and which, as of July 2, 2009, are owned by the same owner or an “AFFILIATED OWNER”.
95. DONATION DROP-OFF BIN – A container, storage unit, or structure, other than an accessory building, designed for the acceptance and temporary storage of charitable or non-profit donated items (e.g., common household goods including clothing, shoes, toys, books, small appliances, etc.) by the general public, with the collection of the donated items made at a later date or time.
96. DOUBLE FRONTAGE LOT – See “LOT, DOUBLE FRONTAGE”.
97. DRIVE-THRU FACILITY – A use designed for providing goods and services to drivers and patrons who remain in their vehicles before and during the on-site activity.
98. DRIVEWAY – A private drive, other than an access drive, designed and constructed to provide for vehicular movement between a street or access drive and a lot containing not more than one (1) dwelling unit or an agricultural operation.
99. DRIVEWAY, SHARED – A driveway, designed and constructed to provide for vehicular movement between a street and parking spaces for not more than the number dwelling units permitted in this Zoning Ordinance.
100. DRY CLEANER, LAUNDRY, and LAUNDROMAT – An establishment primarily engaged in one (1) or more of the following:
- a. Dry-cleaning services;
 - b. Laundering services;
 - c. Drop-off and pickup sites for laundries and/or drycleaners; and/or
 - d. Specialty cleaning services for specific types of garments and other textile items (except carpets and upholstery), such as fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows.
- These establishments may provide all, a combination of, or none of the cleaning services on the premises.
101. DWELLING – A building that contains one or two dwelling units, intended or designed to be used, rented, leased, let or hired out to be occupied for living

purposes. (Equivalent definition of the IBC or IRC [as applicable] as referenced in the PA UCC adopted by the Township of Rapho.)

102. DWELLING, ACCESSORY EMPLOYEE – A specific accessory living arrangement where occupancy and use of a dwelling unit is limited to an employee (and with their family) engaged in the operations and/or management of a permitted principal on-site establishment, located on a lot which the permitted principal use is the permitted principal establishment.
103. DWELLING, ACCESSORY FAMILY MEMBER – A specific accessory living arrangement where occupancy and use of a dwelling unit is limited to family members of the on-site owner occupants of permitted principal single family detached dwelling, located on a lot which the permitted principal use is the owner-occupied single family detached dwelling.
104. DWELLING, MULTIPLE FAMILY – A building containing three (3) or more dwelling units, wherein each dwelling unit shall contain private bath and kitchen facilities. For purposes of this Zoning Ordinance, this term includes facilities commonly known as “apartment homes” and “apartment houses”. (See Figure 2-2.1.)

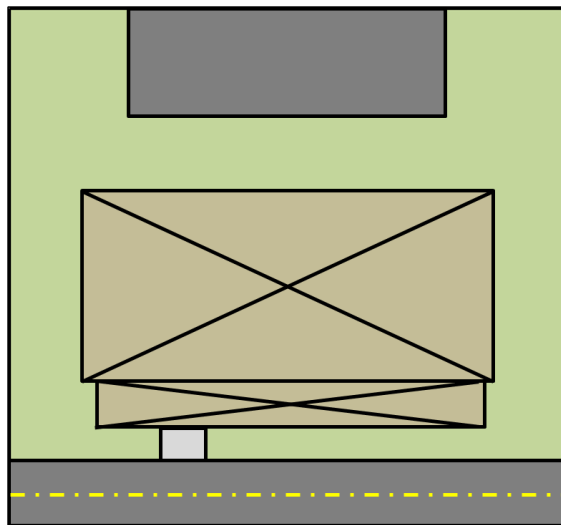
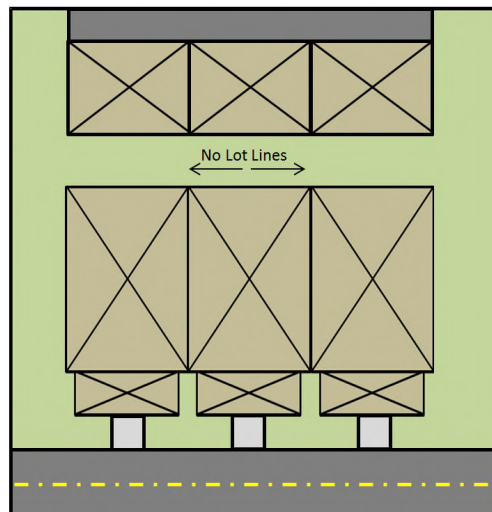
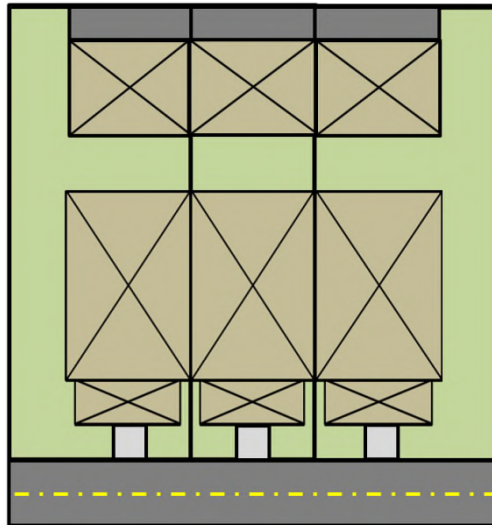


FIGURE 2-2.1
TYPICAL MULTIPLE FAMILY DWELLING LOT LAYOUT

105. DWELLING, SINGLE FAMILY ATTACHED – A building containing one (1) dwelling unit, having at least one (1) party wall in common with other single family attached dwelling building(s). For units having one (1) party wall, there shall be one (1) side yard, and for units having two (2) party walls, there shall be no side yards (except on corner lots). Standards and regulations of this Zoning Ordinance shall apply to individual dwelling units, whether on a common lot or on individual lots. For purposes of this Zoning Ordinance, this term includes facilities commonly known as “townhomes”, “townhouses”, “row homes”, or “row houses”. (See Figures 2-2.2 and 2-2.3.)



FIGURES 2-2.2 and 2-2.3
TYPICAL SINGLE FAMILY ATTACHED DWELLING LOT LAYOUTS

106. DWELLING, SINGLE FAMILY DETACHED – A building containing one (1) dwelling unit, and having two (2) side yards (except on corner lots). (See Figure 2-2.4.)

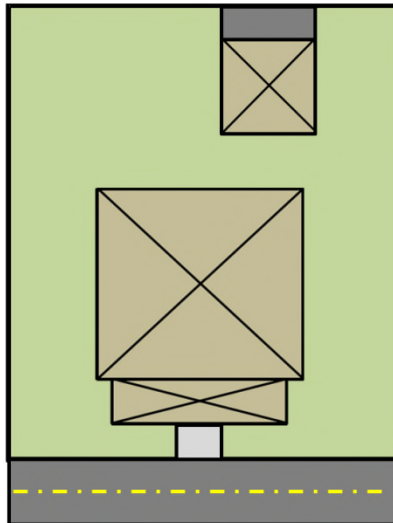


FIGURE 2-2.4
TYPICAL SINGLE FAMILY DETACHED DWELLING LOT LAYOUT

107. DWELLING, SINGLE FAMILY SEMI-DETACHED – A building containing one (1) dwelling unit, and having one (1) party wall in common with another single family semi-detached dwelling building and one (1) side yard (except on corner lots). (See Figure 2-2.5.)

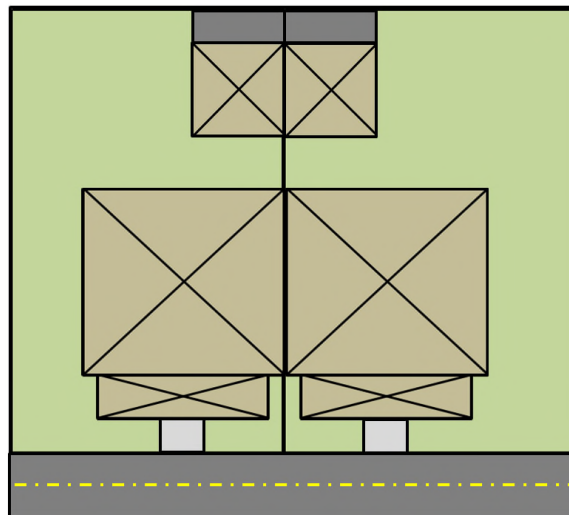


FIGURE 2-2.5
TYPICAL SINGLE FAMILY SEMI-DETACHED DWELLING LOT LAYOUT

108. **DWELLING, TWO FAMILY DETACHED** – A building containing two (2) dwelling units, with one (1) dwelling unit arranged over the other, beside the other, or in front of the other, and having two (2) side yards (except on corner lots). (See Figure 2-2.6.)

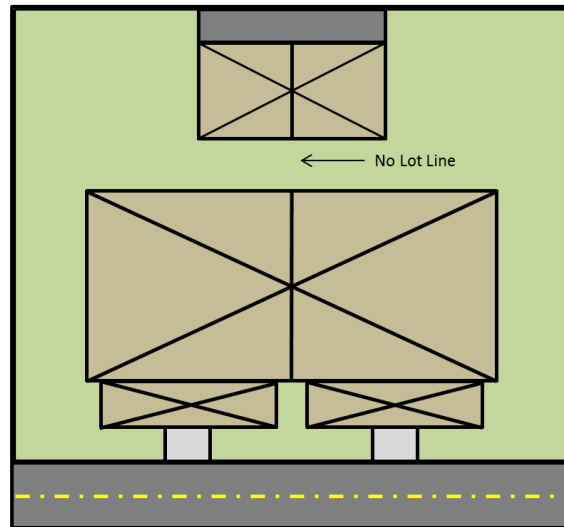


FIGURE 2-2.6
TYPICAL TWO FAMILY DETACHED DWELLING LOT LAYOUT

109. **DWELLING UNIT** – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. (Equivalent definition of the IBC or IRC [as applicable] as referenced in the PA UCC adopted by the Township of Rapho.) For purposes of this Zoning Ordinance the phrase “or more persons” in this definition shall specifically be limited to not more than one (1) family.
110. **DWELLING UNIT, ACCESSORY** – A detached accessory building containing one (1) dwelling unit, located on a lot which the permitted principal use is an owner-occupied single family detached dwelling.
111. **DWELLING UNIT, TEMPORARY** – A detached accessory building containing one (1) dwelling unit located for a limited duration with the intent to discontinue use and removal of said building upon the expiration of the time period, on a lot which the permitted principal use is an owner-occupied single family detached dwelling, agricultural operation, or agri-business. For purposes of this Zoning Ordinance, this term excludes temporary recreational vehicle occupancy.
112. **EARTHMOVING ACTIVITY** – Any construction or other activity which disturbs the surface of the land including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth.
113. **ELECTRONIC NOTICE** – Notice given by a municipality through the Internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing. (Equivalent definition of the MPC.)

114. **ENROLLMENT** – The largest number of students under educational supervision at any one (1) time.
115. **ESSENTIAL SERVICES** – The provision by public utilities, municipal, or other governmental units regulated by the Public Utility Commission (PUC) or other governmental agencies of underground or overhead gas, electrical, steam or water pipes, sewer and storm sewer facilities, and wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate services by such public utilities, municipal, or governmental units or for the public health, safety or general welfare.
116. **ESTABLISHED ORDINARY HIGH WATER MARK** – The point on the bank or shore of watercourse, stream, lake, or pond up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.
117. **ESTABLISHMENT** – Any organization, including a business, whether private, public, governmental, social, or otherwise, together with its owners, directors, employees, members, merchandise, inventory, and equipment, founded for a specific purpose.
118. **EXCAVATING CONTRACTOR** – An establishment primarily engaged in site preparation activities, such as excavating and grading, demolition of buildings and other structures, and septic system installation. For purposes of this Zoning Ordinance, this term includes earth moving and land clearing for all types of sites (e.g., building, non-building, mining). For purposes of this Zoning Ordinance, this term also establishments primarily engaged in construction equipment rental. For purposes of this Zoning Ordinance, this term does not include establishments which engage in crane rental.
119. **FAMILY** – One (1) or more persons related by blood, marriage, legal guardianship, licensed or court-appointed foster care or legal adoption who maintain one (1) common household and reside in one (1) dwelling unit; or no more than three (3) persons who are not related to each other by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption. Persons possessing a handicap as set forth in “GROUP HOME” and within the meaning of the Fair Housing Act (42 USC Section 3602(h), or successor legislation) who reside in one (1) dwelling unit and live and cook together as a single housekeeping unit shall be considered a family. A roomer, boarder, or lodger is not considered a family member.
120. **FAMILY DAYCARE** – See “DAYCARE, FAMILY”.
121. **FARM CORE** – For purposes of determining the number of permitted lots or principal non-agricultural uses and structures in the Agricultural (A) Zone, a farm core shall be a parcel of land with twenty (20) or more acres upon which one (1) or more agricultural operations are conducted.
122. **FELLING** – The act of cutting a standing tree so that it falls to the ground.

123. FENCE – Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry erected, intended and maintained either, singularly, or in combination to: provide screening or divide one (1) property from another property or public street right-of-way; enclose an area; help assure privacy or protection; and/or define and mark the property or lot line(s).
124. FILL – Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including, but not limited to, levees, bulkheads, dikes, jetties, embankments, and causeways.
125. FLAG LOT – See “LOT, FLAG”.
126. FLAG LOT RESIDENCE – A flag lot established for a permitted residential use in the applicable zone.
127. FLEA MARKET – An establishment where more than one (1) vendor primarily engages in the display and retail sale of assorted new and used merchandise.
128. FLOODPLAIN OVERLAY TERMS & PHRASES – The following terms and definitions used in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* and elsewhere in this Zoning Ordinance shall have the meaning given to them in the subsections below unless the context clearly indicates otherwise:
 - a. BASE FLOOD – A flood which has a one (1) percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one [1] percent annual chance flood).
 - b. BASE FLOOD ELEVATION (BFE) – The elevation shown on the FIRM for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a one (1) percent or greater chance of being equaled or exceeded in any given year.
 - c. BASEMENT – Any area of the building having its floor below ground level on all sides.
 - d. CONSTRUCTION – The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of manufactured/mobile homes.
 - e. DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured/mobile homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

- f. EXISTING MANUFACTURED/MOBILE HOME PARK OR SUBDIVISION – A manufactured/mobile home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- g. EXPANSION TO AN EXISTING MANUFACTURED/MOBILE HOME PARK OR SUBDIVISION – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- h. FIVE HUNDRED (500) YEAR FLOOD – A flood that, on the average, is likely to occur once every five hundred (500) years.
- i. FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the FEMA has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- j. FLOOD INSURANCE STUDY (FIS) – The official report provided by the FEMA that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
- k. FLOODPLAIN AREA – A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- l. FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- m. FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- n. FLOOD ELEVATION – The projected heights, in relation to the North American Vertical Datum of 1988 (NAVD), reached by floods of various magnitudes and frequencies in the floodplain areas.
- o. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- p. HISTORIC STRUCTURE – Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 3. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
 4. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
 - i. By an approved state program as determined by the Secretary of the Interior or
 - ii. Directly by the Secretary of the Interior in states without approved programs.
- q. IDENTIFIED FLOODPLAIN AREA – This term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the Special Flood Hazard Area on the FIRMs and FIS, but may include additional areas identified by the community.
- r. LOWEST FLOOR – The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.
- s. MANUFACTURED/MOBILE HOME – A structure, transportable in one (1) or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than one hundred eighty (180) consecutive days.
- t. MANUFACTURED/MOBILE HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two (2) or more manufactured/mobile home lots for rent or sale.

- u. **MAXIMUM FLOOD ELEVATION** – The water surface elevations of a flood which would completely fill the floodplain to the boundaries of the (FPO) Zone.
- v. **MEAN SEA LEVEL** – The average height of the sea for all stages of the tide, using the North American Vertical Datum of 1988.
- w. **NEW CONSTRUCTION** – Structures for which the start of construction commenced on or after the effective start date of this zoning ordinance and includes any subsequent improvements to such structures. Any construction started after August 16, 1982 and before the effective start date of this Zoning Ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within one hundred eighty (180) days of permit issuance.
- x. **NEW MANUFACTURED/MOBILE HOME PARK OR SUBDIVISION** – A manufactured/mobile home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- y. **OBSTRUCTION** – Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area (1) which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or (2) which is placed where the flow of the water might carry the same downstream to the damage of life and property.
- z. **ONE HUNDRED (100) YEAR FLOOD** – A flood which is likely to be equaled or exceeded once every one hundred (100) years (i.e., that has a one [1] percent chance of being equaled or exceeded in any given year). A study by the FEMA, USACE, the USDA-NRCS, the USGS, SRBC, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.
- aa. **ONE HUNDRED (100) YEAR FLOOD BOUNDARY** – The outer boundary of an area of land that is likely to be flooded once every one hundred (100) years (i.e., that has a one [1] percent chance of being flooded each year). A study by the FEMA, USACE, the USDA-NRCS, the USGS, SRBC, or a licensed surveyor or professional engineer, registered by the Commonwealth of Pennsylvania is necessary to define this boundary.
- bb. **ONE HUNDRED (100) YEAR FLOOD ELEVATION** – The water surface

elevations of the one hundred (100) year flood.

- cc. RECREATIONAL VEHICLE – A vehicle which is:
 - 1. Built on a single chassis;
 - 2. Not more than four hundred (400) square feet, measured at the largest horizontal projections;
 - 3. Designed to be self-propelled or permanently towable by a light-duty truck; and
 - 4. Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- dd. REGULATORY FLOOD ELEVATION – The one hundred (100) year flood elevation plus a freeboard safety factor of one (1) foot.
- ee. SPECIAL FLOOD HAZARD AREA (SFHA) – Means an area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.
- ff. START OF CONSTRUCTION – Includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first (1st) placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured/mobile home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first (1st) alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- gg. STRUCTURE – A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured/mobile home.

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- hh. SUBDIVISION – The division or re-division of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
 - ii. SUBSTANTIAL DAMAGE – Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
 - jj. SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
 - kk. VIOLATION – Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
129. FLOOR AREA, GROSS – The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
130. FLOOR AREA, HABITABLE – Space in a structure for living, sleeping, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas shall not be construed as habitable spaces. (See "HABITABLE SPACE" definition of the PA UCC adopted by the Township of Rapho.)
131. FLOOR AREA, NET – The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.

(Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)

132. FLOOR AREA, NET RETAIL – The sum total of all floor area space relegated to use by the customer and the retail employee to conduct retail sales, including the display area used to indicate the variety of goods available for customers, but not including office space, storage space, and other general administrative areas.
133. FORESTRY (COMMERCIAL TIMBER HARVESTING) – The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (Equivalent definition of the MPC.)
134. FORESTRY OPERATOR – An individual, partnership, company, firm, association, or corporation engaged in timber harvesting, including the agents, subcontractors and employees thereof.
135. FRONT BUILD-TO LINE – An area establishing the required location for all, or a portion of a building's front facade, as measured from the street line.
136. FRONT LOT LINE – See “LOT LINE, FRONT”.
137. FRONT YARD – See “YARD, FRONT”.
138. FRONT YARD SETBACK – See “YARD SETBACK, FRONT”.
139. FUNERAL HOME – An establishment primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise). A cremation facility may be included.
140. GARAGE/YARD SALE – An occasional and temporary use of a residential lot, wherein the owner and/or occupant of said lot display and offer personal possessions for sale to the general public.
141. GENERAL INDUSTRIAL – See “INDUSTRIAL, GENERAL”.
142. GEOTHERMAL TERMS & PHRASES – Unless specifically defined elsewhere in Article 2 of this Zoning Ordinance relating to *Specific Terms and Definitions* (§ 202.), the following words and phrases when used in Article 5 of this Zoning Ordinance and elsewhere relating to the “Geothermal Energy Systems” (§ 502.A.) shall have the meaning given to them in the subsections below unless the context clearly indicates otherwise:
 - a. CLOSED HORIZONTAL LOOP GEOTHERMAL SYSTEM – A mechanism for heat exchange which consists of the following basic elements: underground loops of piping; heat transfer fluid; a heat pump; an air distribution system.

An opening is made in the Earth. A series of pipes are installed into the opening and connected to a heat exchange system in the building. The pipes form a closed loop and are filled with a heat transfer fluid. The fluid is circulated through the piping from the opening into the heat exchanger and back. The system functions in the same manner as the open loop system except there is no pumping of groundwater.

- b. CLOSED VERTICAL LOOP GEOTHERMAL SYSTEM – A borehole that extends beneath the surface. Pipes are installed with U-bends at the bottom of the borehole. The pipes are connected to the heat exchanger and heat transfer fluid is circulated through the pipes.
 - c. GEOTHERMAL BOREHOLES – A hole drilled or bored into the earth into which piping is inserted for use in a closed vertical loop geothermal system.
 - d. GEOTHERMAL ENERGY SYSTEM – An energy generating system that uses the Earth's thermal properties in conjunction with electricity to provide greater efficiency in the heating and cooling of buildings.
 - e. OPEN HORIZONTAL LOOP GEOTHERMAL SYSTEM – Water is pumped from a water well or other water source into a heat exchanger located in a surface building. The water drawn from the Earth is then pumped back into the ground through a different well or in some cases the same well, also known as "re-injection". Alternatively, the groundwater could be discharged to a watercourse also known as a "pump and dump". In the heating mode, cooler water is returned to the Earth, and in the cooling mode, warmer water is returned to the watercourse or well.
143. GOLF COURSE – A facility primarily for public or private use to play golf which may include related recreational facilities and dining facilities, rental services, golf instruction services and facilities commonly known as country clubs.
144. GOVERNMENT USE OTHER THAN MUNICIPAL USE – Any establishment, use, facility, and/or structure owned and/or operated by a government, government agency or government authority for valid public health, public safety, public welfare, or similar governmental purpose other than the Township of Rapho, its municipal authorities, and/or authorized agents. Does not include permitted uses defined, listed, and/or regulated separately elsewhere in this Zoning Ordinance.
145. GROSS FLOOR AREA – See "FLOOR AREA, GROSS".
146. GROUP HOME – A dwelling inhabited by not more than eight (8) handicapped persons, as identified and provided for by the Fair Housing Act and this Chapter. A group home involves persons functioning as a common household unit, providing non-routine support services and oversight to persons who need such assistance to avoid being placed in an institution because of physical, mental, or developmental disability, or old age, or individuals whose condition meets the definition of "handicap", as defined by applicable federal law. (NOTE: The Federal Fair Housing

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Act amendments define “handicap” as follows: “(1) a physical or mental impairment which substantially limits one (1) or more of such person’s major life activities; (2) a record of having such an impairment; or (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21.” This definition was subsequently adjusted by Section 512 of the Americans with Disabilities Act [ADA] to address certain situations related to substance abuse treatment.) For the purposes of this Zoning Ordinance, group homes shall be permitted and regulated as the applicable residential dwelling type within the applicable zone.

- 147. HABITABLE FLOOR AREA – See “FLOOR AREA, HABITABLE”.
- 148. HAZARDOUS MATERIAL – Those chemicals or substances that are physical hazards or health hazards as defined and classified herein and the International Fire Code, whether the materials are in usable or waste condition. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
- 149. HAZARDOUS WASTE – Any garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant, or air pollution facility and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations, and from community activities, or any combination of the above, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:
 - a. Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or
 - b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, exposed of, or otherwise managed.
- 150. HEAVY DUTY VEHICLE PARKING LOT – See “VEHICLE PARKING LOT, HEAVY DUTY”.
- 151. HEAVY DUTY VEHICLE RECONDITIONING – See “VEHICLE RECONDITIONING, HEAVY DUTY”.
- 152. HEAVY DUTY VEHICLE SALES/RENTAL – See “VEHICLE SALES/RENTAL, HEAVY DUTY”.
- 153. HEAVY DUTY VEHICLE SERVICE/REPAIR – See “VEHICLE SERVICE/REPAIR, HEAVY DUTY”.
- 154. HEAVY DUTY VEHICLE STORAGE LOT – See “VEHICLE STORAGE LOT, HEAVY DUTY”.
- 155. HEIGHT, BUILDING – The vertical distance from grade plane to the average height of the highest roof surface. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)

- 156. HEIGHT, SIGN – See “SIGN HEIGHT”.
- 157. HEIGHT, STRUCTURE – The vertical distance from grade plane to the average height of the highest point of the structure.
- 158. HEIGHT, TURBINE – The vertical distance from grade plane to the highest point of the wind turbine rotor plane.
- 159. HELICOPTER PAD, PRIVATE – An accessory use, upon land or water or a structural surface, intended for the use for the landing, taking off, and storage of not more than one (1) helicopter operated exclusively by the owner and/or employees (not open to the general public) of the lot.
- 160. HELIPORT – An area of land or water or a structural surface that is used, or intended for the use, for the landing and taking off of helicopters, and any appurtenant areas that are used, or intended for use, for heliport buildings or other heliport facilities. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
- 161. HOME OCCUPATION – A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling.
- 162. HOME OCCUPATION, NO-IMPACT – A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premise, in excess of those normally associated with residential use. (See “NO-IMPACT HOME-BASED BUSINESS” equivalent definition of the MPC.)
- 163. HOSPICE CARE – Services that are reasonable and necessary for the palliation or management of the recipient’s terminal illness and related conditions. (Equivalent definition in Hospice Care of the Pennsylvania Code.)
- 164. HOSPITAL – Buildings or portions thereof used on a 24-hour basis for the medical, psychiatric, obstetrical or surgical treatment of inpatients who are incapable of self-preservation. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.) For purposes of this Zoning Ordinance, this term does not include any facility which houses the criminally insane or provides treatment for persons actively charged with or serving a sentence after being convicted of a felony.
- 165. HOTEL/MOTEL – An establishment primarily engaged in providing temporary or short-term, overnight lodging accommodations for transient guests in sleeping rooms/units, for compensation. These establishments may offer food and beverage services, recreational services, conference rooms and convention services, laundry services, parking, and other services.
- 166. IMPROVED SURFACE – A portion of a lot graded for proper drainage and improved

with a durable and dustless surface, such as concrete, bituminous concrete surface, or other approved alternative material and/or design as part of a readily accepted storm water BMP complying with the provisions of the Township of Rapho storm water requirements, for activities such as lot access (driveways and access drives), parking, loading, vehicle queuing, display, storage, and other similar improvements associated with motor vehicles, and outside display and outside storage.

167. INDOOR RECREATION – See “RECREATION, INDOOR”.

168. INDUSTRIAL, GENERAL – An establishment primarily engaged in the:

- a. Processing and manufacturing of semi-finished and/or finished materials or products predominately from extracted, raw, and/or recycled materials;
- b. Storing, manufacturing, or shipping of flammable or explosive materials; or
- c. Storing, manufacturing, or shipping of materials or products that potentially involve hazardous or commonly offensive conditions.

169. INDUSTRIAL, LIGHT – An establishment primarily engaged in the:

- a. Manufacturing, predominately from previously prepared semi-finished or finished materials, products, or parts of finished materials and products, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution, as well as the repair of such finished products; or
- b. Producing and/or repairing of large-major appliances; small engines (excluding automobiles, heavy equipment, and other similar motor vehicles); electrical instruments; office and vending machines; precision instruments; electronic devices; timepieces; jewelry; musical instruments; novelties; mass-produced personal and office furniture and equipment; wood products such as cabinetry; printed materials including all forms of media and signs; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; lightweight metal castings; film processing; light sheet metal products; tinsmithing; welding; plumbing, heating, ventilating and air-conditioning goods; pharmaceutical goods; medical supplies; optical goods; and related equipment and appliances; and food products and frozen food lockers; taxidermy
- c. For purposes of this Zoning Ordinance, this term excludes the processing of extracted, raw, and/or recycled materials. For purposes of this Zoning Ordinance, this term also excludes animal slaughtering or curing, and rendering of fats.

170. INTERIOR LOT – See “LOT, INTERIOR”.

171. INDIVIDUAL SEWAGE SYSTEM – See “SEWAGE SYSTEM, INDIVIDUAL”.

172. INDIVIDUAL WATER SYSTEM – See “WATER SYSTEM, INDIVIDUAL”.
173. JUNK – Scrap, copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, iron, steel and other old or scrap ferrous or nonferrous material, including wrecked, scrapped, ruined, dismantled, or junked motor vehicles, or parts thereof. (Equivalent definition in Control of Junkyards and Automotive Dismantlers and Recyclers of the Pennsylvania Code.) For purposes of this Zoning Ordinance, this term includes “JUNK” awaiting potential reuse or ultimate disposal. See also “TRASH, GARBAGE, and REFUSE”.
174. JUNK YARD – Any outdoor establishment, place of business, or activity which is maintained, used or operated for storing, keeping, buying or selling junk; for the maintenance or operation of a garbage dump, sanitary landfill or scrap metal processor, or for the storage of ten or more junked vehicles. (See “JUNKYARD” equivalent definition in Control of Junkyards and Automotive Dismantlers and Recyclers of the Pennsylvania Code.) Except that for purposes of this Zoning Ordinance, the deposition or storage of one (1) or more unlicensed, wrecked, or disabled vehicles, or the major part thereof, shall be deemed to constitute a “JUNK YARD”.
175. K-12 SCHOOL – See “SCHOOL, K-12”.
176. KEEPING OF LIVESTOCK – The breeding, raising, and housing of livestock.
177. KEEPING OF LIVESTOCK, NON-COMMERCIAL – An accessory use to a principal residential dwelling in which livestock are kept for personal or hobby type use by the residents of the site.
178. KEEPING OF PETS – See “PETS, KEEPING OF”.
179. KENNEL – Any establishment in or through which at least 26 dogs are kept or transferred in a calendar year and which also qualifies as a commercial kennel, dealer kennel, nonprofit kennel or pet shop-kennel under the dog law administered by the Pennsylvania Department of Agriculture, as amended from time to time (see 3 P.S. §459-101, et seq.) The term does not include an establishment engaged only in dog grooming or dog training. For purposes of this Zoning Ordinance, this term includes establishments providing animal rescue and similar emergency treatment care and related services, whether or not they are operated on a commercial basis. For the purpose of this Zoning Ordinance, the term “dog” includes all dogs, whether adults or puppies.
180. KENNEL, BOARDING – Any establishment available to the general public where a dog or dogs are housed for compensation by the day, week or a specified or unspecified time. The term shall not include a kennel where the practice of veterinary medicine is performed if the kennel is covered by the provisions of the act of December 27, 1974 (P.L. 995, No. 326), [FN1] known as the “Veterinary Medicine Practice Act.” The term shall include any boarding facility operated by a

licensed doctor of veterinary medicine whether or not this facility is on the same premise as a building or structure subject to the provisions of the "Veterinary Medicine Practice Act." The term shall include any establishment available to the general public that, for consideration, takes control of a dog from the owner for a portion of a day for the purposes of exercise, day care or entertainment of the dog. For the purpose of this term, each time a dog enters the kennel it shall be counted as one dog. This term does not include an establishment engaged only in dog grooming or dog training. (See "BOARDING KENNEL" equivalent definition of the PA "Dog Law." 1982, Dec. 7, P.L. 784, No. 225.) For purposes of this Zoning Ordinance, the term "dogs" shall also include those animals listed in "PETS, KEEPING OF". For purposes of this Zoning Ordinance, this term includes establishments providing animal rescue and similar emergency treatment care and related services whether or not they are operated on a commercial basis.

- 181. LAKE or POND – A body of inland water other than a stream.
- 182. LANDING – A place where logs, pulpwood or firewood are assembled for transportation to processing facilities.
- 183. LANDOWNER – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase [whether or not such option or contract is subject to any condition], a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land. (Equivalent definition of the MPC.)
- 184. LANDOWNER'S IMMEDIATE FAMILY – For purposes of this Zoning Ordinance, this term includes the landowner's brother, sister, son, daughter, stepson, stepdaughter, grandson, granddaughter, father, or mother.
- 185. LANDSCAPE SCREEN STRIP – A completely planted visual barrier composed of shrubs, trees, fences, walls, earthen berms, etc., arranged to form both a low-level and a high-level screen between grade, and to a height of six (6) feet.
- 186. LANDSCAPING SERVICE – An establishment primarily engaged in providing landscape care and maintenance services and/or installing trees, shrubs, plants, lawns, or gardens; and establishments primarily engaged in providing these services along with the design of landscape plans and/or the construction (i.e., installation) of walkways, retaining walls, decks, fences, ponds, and similar structures. For purposes of this Zoning Ordinance, this term includes snow plowing services.
- 187. LARGE SCALE ANCHOR USE – A single user (occupant) space under common ownership having a minimum and maximum gross ground-level floor area in accordance with the provisions of the Mixed Use Commercial (MUC) Zone of this Zoning Ordinance.
- 188. LIBRARY – An establishment primarily engaged in housing books, manuscripts, recordings or films, and other literary, musical, artistic or reference materials available to the public.

- 189. LIGHT INDUSTRIAL – See “INDUSTRIAL, LIGHT”.
- 190. LIGHT/MEDIUM DUTY VEHICLE PARKING LOT – See “VEHICLE PARKING LOT, LIGHT/MEDIUM DUTY”.
- 191. LIGHT/MEDIUM DUTY VEHICLE RECONDITIONING – See “VEHICLE RECONDITIONING, LIGHT/MEDIUM DUTY”.
- 192. LIGHT/MEDIUM DUTY VEHICLE SALES/RENTAL – See “VEHICLE SALES/RENTAL, LIGHT/MEDIUM DUTY”.
- 193. LIGHT/MEDIUM DUTY VEHICLE SERVICE/REPAIR – See “VEHICLE SERVICE/REPAIR, LIGHT/MEDIUM DUTY”.
- LIGHT/MEDIUM DUTY VEHICLE STORAGE LOT – See “VEHICLE STORAGE LOT, LIGHT/MEDIUM DUTY”.
- 194. LINER SHOP – A commercial or retail store having a gross ground-level floor area of less than maximum square footage per shop in accordance with the provisions of the Mixed Use Commercial (MUC) Zone of this Zoning Ordinance, and located along at least one (1) side of an anchor use or large scale anchor use.
- 195. LITTER – Discarded materials scattered about a site.
- 196. LIVESTOCK – Animals bred, raised and kept, and typically associated with an agricultural operation or agri-business, including but not limited to the following: horses, donkeys, ponies, mules, cattle, sheep, goats, swine, poultry, bison, deer, alpacas and llamas. The term livestock shall not include dogs, cats, small birds, gerbils, rabbits and other animals which are included within the term “PETS, KEEPING OF” as further defined in this Zoning Ordinance.
- 197. LOADING SPACE – An improved and stabilized off-street area designed for the loading or unloading of goods and having direct usable access to a street or access drive.
- 198. LOCAL STREET – See “STREET, LOCAL”.
- 199. LOP – To cut tree tops and slash into smaller pieces to allow material to settle close to the ground.
- 200. LOT – A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. (Equivalent definition of the MPC.) For purposes of this Zoning Ordinance, this term shall include one (1) or more contiguous pieces, parcels, tracts, or plots of land of record, all under the same ownership.

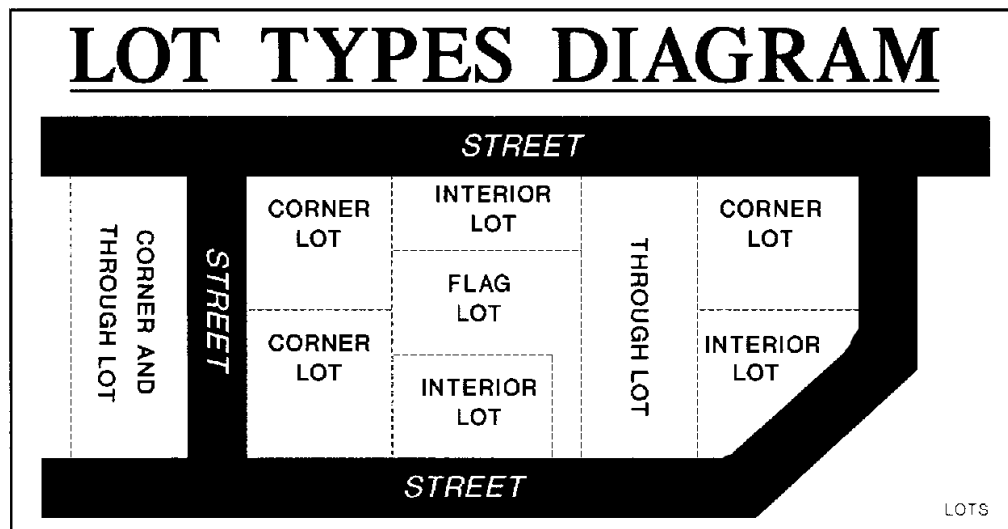


**FIGURE 2-2.7
TYPICAL LOT TYPES**

201. LOT AREA – See “AREA, LOT”.
202. LOT, CORNER – A lot, other than an interior lot, situated at the intersection of two (2) or more streets, having lot frontage on two (2) or more adjacent sides. (See Figure 2-2.7)
203. LOT, DOUBLE FRONTAGE – A lot, other than a corner lot, fronting on two (2) streets.) (See “DOUBLE FRONTAGE LOT” equivalent definition of the SLDO.) For purposes of this Zoning Ordinance “DOUBLE FRONTAGE LOTS” shall be considered interior lots. (See Figure 2-2.7 “THROUGH LOT”.)
204. LOT, FLAG – An interior lot, which does not meet the minimum lot frontage requirement, and is comprised of two (2) parts: (See Figure 2-2.7)
 - a. The “flag” includes that portion of the lot away from the adjoining street that is the location of the principal use and related accessory structures; and
 - b. The “flagpole” shall be considered that portion of the lot adjoining the street that is used for vehicular access between the “flag” and the adjoining street.
205. LOT, INTERIOR – A lot other than a corner lot, the sides of which do not adjoin a street. (See Figure 2-2.7)
206. LOT, REVERSE FRONTAGE – A lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter. (See “REVERSE FRONTAGE LOT” equivalent definition of the SLDO.) For purposes of this Zoning Ordinance “REVERSE FRONTAGE LOTS” shall be considered interior lots, with vehicular access limited to only one (1) of the streets. (See Figure 2-2.7 “THROUGH

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LOT")

207. **LOT COVERAGE** – A measure of the intensity of the use of a piece of land measured as that portion or percentage of the lot area covered with structures, buildings, driveways, parking areas, loading areas, sidewalks, patios, decks, and other similar types of structures.
208. **LOT FRONTAGE** – That portion of a lot adjoining the street right-of-way and regarded as the front of the lot. (i.e. Corner lots have two [2] lot frontages.)
209. **LOT LINE, FRONT** – See also "STREET RIGHT-OF-WAY LINE". (i.e. Interior lots have one [1] front lot line. Corner lots have two [2] front lot lines.) (See Figure 2-2.8)
210. **LOT LINE, REAR** – The lot line opposite and most distant from the front lot line, or the lot line directly opposite the street of address. For irregular shaped lots where the side lot lines meet at a point, the rear lot line shall be assumed to be a line not less than ten (10) feet long within the lot and parallel to the front lot line. (i.e., All lots have one [1] rear lot line.) (See Figure 2-2.8 and Figure 2-2.9)

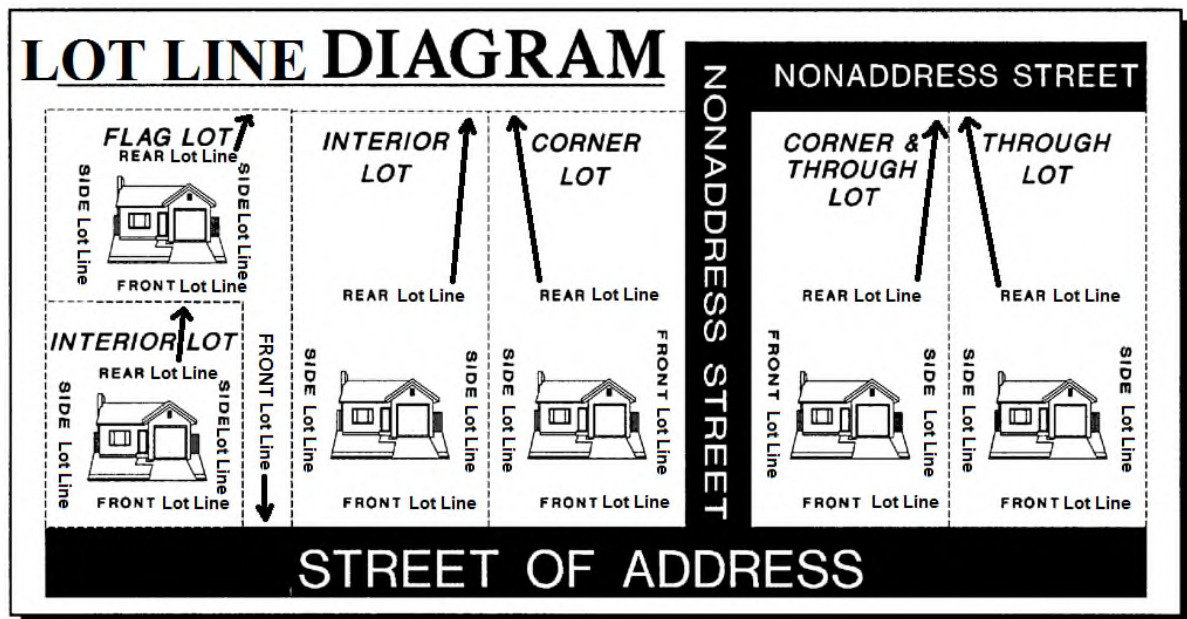


FIGURE 2-2.8
TYPICAL LOT LINES

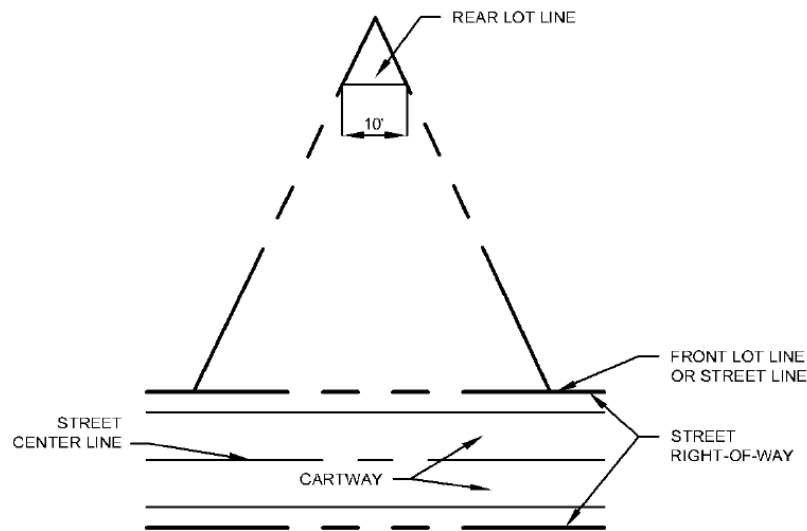


**FIGURE 2-2.9
 REAR LOT LINE – IRREGULAR SHAPED LOT**

211. LOT LINE, SIDE – Any lot line other than a front or rear lot line.(i.e., Interior lots have [2] side lot lines. Corner lots have [1] side lot line. Flag lots have two [2] side lot lines.) (See Figure 2-2.8)
212. LOT WIDTH – The width of a lot measured at the street right-of-way line or the minimum building setback line. For a flag lot, the lot width shall be measured at the flag. (Equivalent definition of the SLDO.) For purposes of this Zoning Ordinance, “MINIMUM BUILDING SETBACK LINE” means “REQUIRED FRONT YARD SETBACK”. Additionally, on corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite lot line.
213. MACHINE SHOP – An establishment primarily engaged in manufacturing metal or plastic parts and parts of other composite materials on a job or order basis using machines such as lathes, automatic screw machines, or machines for boring, grinding, and milling, whether or not computer controlled.
214. MAILED NOTICE – Notice given by a municipality by first class mail of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing. (Equivalent definition of the MPC.)
215. MAN-MADE LAKE – A constructed water body that:
 - a. Has a maximum potential storage capacity volume of fifty (50) acre feet or greater;

- b. Has a maximum potential water depth greater than fifteen (15) feet; or
 - c. Impounds the water from a watershed of at least one hundred (100) acres.
216. MAN-MADE POND – A constructed body of water that does not meet the definition man-made lake.
217. MANUFACTURED/MOBILE HOME PARK – See “MOBILEHOME PARK”, but shall also include manufactured housing.
218. MANUFACTURED HOUSING – Under section 901(a) of the act (35 P.S. §.7210.901.(a)), housing which bears a label as required by and referenced in the Manufactured Housing Act (35 P.S. §§.1656.1-1656.9), certifying that it conforms to federal construction and safety standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§. 5401 – 5426. (Equivalent definition of the PA UCC.)
219. MANUFACTURING – A function involving either the processing or production of materials, goods, or products.
220. MANURE – The fecal and urinary excrement of livestock, often containing some spilled feed, bedding, or litter.
221. MANURE DIGESTER SYSTEM – An alternative energy system which includes anaerobic digestion processes to convert livestock manure (primary catalyst) into biogas, which is generally burned on-site to produce electricity, heat, and water; as well as to manage livestock (including poultry) manure. Manure digesters may include “co-digestion” in which the livestock manure (primary catalyst) may be mixed with other organic materials (secondary catalysts). For purposes of this Zoning Ordinance, this term includes covered anaerobic lagoons, plug-flow, and/or complete mix (or continually stirred tank reactor), along with other appurtenant sites, structures and buildings, electrical infrastructure, transmission lines and other appurtenant structures and facilities.
222. MANURE DIGESTER ENERGY PRODUCTION FACILITY – A manure digester system that supplies energy primarily for off-site/off-premises use.
223. MANURE STORAGE FACILITY – A permanent structure or pond, a portion of a structure or pond, or a group of structures or ponds at one agricultural operation, utilized for the purpose of containing manure or agricultural process wastewater. This includes concrete, metal or other fabricated tanks and underbuilding structures, as well as earthen and synthetically-lined manure storage ponds. (Equivalent definition in Environmental Protection of the Pennsylvania Code.)
224. MEDICAL OFFICE – See “OFFICE, MEDICAL”.
225. MEDICAL RESIDENTIAL CAMPUS – A development providing a harmonious and balanced mix of medical, residential, limited commercial and recreational uses,

primarily serving campus residents, and public, semi-public, and medical services for the off-campus retirement-aged community.

- 226. MINERAL EXTRACTION – An establishment that extracts naturally occurring minerals. For purposes of this Zoning Ordinance, this term includes quarrying, well operations, beneficiating (e.g., crushing, screening, washing, and flotation), and other preparation customarily performed at the mine site, or as a part of mining activity. For purposes of this Zoning Ordinance, this term excludes routine movement of and replacement of topsoil during construction.
- 227. MINERALS – Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. (Equivalent definition of the MPC.)
- 228. MINI-STORAGE – Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis. (See “SELF-SERVICE STORAGE FACILITY” equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
- 229. MIXED USE COMMERCIAL DEVELOPMENT – An integrated development of a Development Tract within the Mixed-Use Commercial (MUC) Zone consisting of a mix of compatible uses and architecture designed under an overall plan of development in accordance with the provisions of the Mixed Use Commercial (MUC) Zone of this Zoning Ordinance.
- 230. MOBILE CONCESSION/STREET VENDOR – An establishment primarily engaged in preparing and serving meals and snacks for immediate consumption from motorized vehicles or non-motorized carts. For purposes of this Zoning Ordinance, this term includes establishments primarily engaged in providing food services from vehicles, such as hot dog carts and ice cream trucks.
- 231. MOBILEHOME – A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (Equivalent definition of the MPC.)
- 232. MOBILEHOME LOT – A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobilehome. (Equivalent definition of the MPC.)
- 233. MOBILEHOME PARK – A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes. (Equivalent definition of the MPC.)

- 234. MOTOR VEHICLE – See “VEHICLE, MOTOR”.
- 235. MULTIPLE FAMILY CONVERSION – See “CONVERSION, MULTIPLE FAMILY”.
- 236. MULTIPLE FAMILY DWELLING – See “DWELLING, MULTIPLE”.
- 237. MUNICIPAL USE – Any establishment, use, facility, and/or structure that is owned and/or operated by the Township of Rapho, its municipal authorities, and/or authorized agents.
- 238. MUSEUM – An establishment primarily engaged in the preservation and exhibition of objects of historical, cultural, and/or educational value.
- 239. NET FLOOR AREA – See “FLOOR AREA, NET”.
- 240. NET RETAIL FLOOR AREA – See “FLOOR AREA, NET RETAIL”.
- 241. NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of this Zoning Ordinance, or any applicable subsequent amendment.
- 242. NIGHTCLUB – An establishment primarily engaged in providing music and dancing or live entertainment as part of its operations which may also include the offering of on-site consumption of alcoholic or non-alcoholic beverages. A “NIGHTCLUB” offering the sale of alcohol shall be considered a “TAVERN/BAR” and must comply with all provisions and standards for a “TAVERN/BAR” as defined and regulated in this Zoning Ordinance. For purposes of this Zoning Ordinance, this term includes an “under 21” club.
- 243. NO-IMPACT HOME OCCUPATION – See “HOME OCCUPATION, NO-IMPACT”.
- 244. NON-COMMERCIAL KEEPING OF LIVESTOCK – See “KEEPING OF LIVESTOCK, NON-COMMERCIAL”.
- 245. NON-COMMERCIAL MOTOR VEHICLE – See “MOTOR VEHICLE, NON-COMMERCIAL”.
- 246. NONCONFORMING LOT – A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment. (Equivalent definition of the MPC.)
- 247. NONCONFORMING STRUCTURE – A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to,

nonconforming signs. (Equivalent definition of the MPC.)

248. **NONCONFORMING USE** – A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation. (Equivalent definition of the MPC.)
249. **NONCONFORMITY, DIMENSIONAL** – Any aspect of a land use that does not comply with any with one (1) or more size, area, height, bulk, setback, distance, landscaping, coverage, screening, or any other design or performance standard specified by this Zoning Ordinance, where such dimensional nonconformity lawfully existed prior to the adoption of this Zoning Ordinance or amendment thereto.
250. **NURSING, REST, OR RETIREMENT FACILITY** – Nursing homes are long-term care facilities on a 24-hour basis, including both intermediate care facilities and skilled nursing facilities, serving more than five persons and any of the persons are incapable of self-preservation. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.) For purposes of this Zoning Ordinance, this term includes “rest homes”, “retirement homes”, “personal care homes”, and “hospice care”.
251. **OFFICE, MEDICAL** – An establishment in which healthcare professionals licensed by the Commonwealth of Pennsylvania are primarily engaged in the examination, diagnosis, treatment, or surgical procedure of human patients’ illnesses, injuries, and physical malfunctions, within an office setting with no overnight care. Surgical, rehabilitation, urgent, emergency, and other medical clinics and centers that do not involve overnight patient stays are included, as are medical and dental laboratories.
252. **OFFICE, PROFESSIONAL AND BUSINESS** – An establishment primarily engaged in managing, directing, or conducting of business/commerce and whose staffs/employees serve clients seeking advice and consultation regarding business/commerce. Administrative, corporate or professional offices for profit, non-profit or charitable organizations, are included, as are offices for real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, lawyers, clergy, teachers, architects, engineers, landscape architects, planners, interior designers, insurance agents, and similar office-oriented uses are included.
253. **OFFICE, VETERINARY** – An establishment of veterinary practitioners licensed by the Commonwealth of Pennsylvania primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals; and establishments primarily engaged in providing testing services for veterinary practitioners licensed by the Commonwealth of Pennsylvania. For purposes of this Zoning Ordinance, this term includes overnight boarding of animals, but excludes outdoor boarding of animals.
254. **OPEN SPACE** – A space unoccupied by buildings or paved surface and open to the sky on the same lot with the building.

255. OPEN SPACE DESIGN OVERLAY (OSDO) ZONE TERMS & PHRASES – Unless specifically defined elsewhere in Article 2 of this Zoning Ordinance relating to *Specific Terms and Definitions* (§ 202.), the following words and phrases when used in Article 4 of this Zoning Ordinance relating to the *Open Space Design Overlay (OSDO) Zone* (§ 405.) shall have the meaning given to them in the subsections below unless the context clearly indicates otherwise:
- a. NEIGHBORHOOD CENTER – A community building within an Open Space Design Development designed to provide space for one (1) or more commercial and/or institutional/civic establishments including offices, businesses, indoor recreational facilities, and other similar non-residential uses, designed to serve and complement the Open Space Design Development, but may also serve patrons and customers not residing within the Open Space Design Development.
 - b. OPEN SPACE DESIGN DEVELOPMENT – A residential and public open space land development option in accordance with the design, review, and approval provisions of Article 4 of this Zoning Ordinance relating to *Open Space Design Overlay (OSDO) Zone* (§ 405.).
 - c. PUBLIC OPEN SPACE LAND – A parcel or parcels of land or an area of water, or a combination of land and water, and associated facilities within an Open Space Design Development in accordance with Article 4 of this Zoning Ordinance relating to *Open Space Design Overlay (OSDO) Zone* (§ 405.), designed and intended for the preservation of certain unique, sensitive, and important natural features and landscapes, and to be open and accessible to the residents Rapho Township.
256. OUTDOOR FURNACE – A fuel-burning device:
- a. Designed to burn clean wood, coal, natural gas, kerosene, propane, domestic heating oil provided that such fuels comply with all applicable sulfur limits and are used as starters or supplemental fuel for dual fired outdoor furnaces, and other types of fuel approved in writing by PA DEP upon receipt of a written request;
 - b. That the manufacturer specifies for outdoor installation or for installation in structures not normally intended for habitation by humans or domestic animals, including structures such as garages and sheds; and
 - c. Which heats occupiable space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.
 - d. For purposes of this Zoning Ordinance, this term includes outdoor wood-fired boilers, outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters, water stoves, etc.

257. OUTDOOR RECREATION – See “RECREATION, OUTDOOR”.
258. OUTDOOR SPORTS COURT – An accessory use which is improved for the use by the principal uses’ residents or, employees, and their respective guests, to engage in non-commercial, recreational sport.
259. OUTSIDE CAFÉ/DINING – A use outside of an enclosed building designed for providing exterior seating and dining facilities for patrons and guests of a restaurant, tavern/bar, or other similar food service establishment.
260. OUTSIDE DISPLAY – The display and related sales of products and goods primarily outside of an enclosed building.
261. OUTSIDE STORAGE – The keeping of goods and material outside of an enclosed building.
262. OVERLAY ZONE – A zone that encompasses one (1) or more base zones and that imposes additional or supplemental requirements and standards other than those which are required by the base zone(s).
263. PARENT TRACT – When used in determining the permissible number of lots which may be subdivided or principal non-agricultural uses and buildings developed in the Agricultural (A) Zone, all contiguous land held in single and separate ownership and classified as (A) Zone on January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, regardless of whether:
- a. Such land is divided into one (1) or more lots, parcels, purparts or tracts.
 - b. Such land was acquired by the landowner at different times or by different deeds, devises, partitions or otherwise.
 - c. Such land is bisected by public or private streets or rights-of-way, which was held by the landowner or his predecessor in title on January 25, 1994, or, if such land was not classified as (A) Zone on January 25, 1994, which was held by the landowner or his predecessor in title on the date such land was first (1st) classified (A) Zone after January 25, 1994.
264. PARK/PLAYGROUND – A use of land, which may include accessory buildings and structures, for active and/or passive recreation for the purpose of pleasure, leisure, fellowship, and/or exercise, commonly involving activities open to the public including but not limited to: hiking, jogging, bicycling, swimming, picnicking, etc. A park may include amenities such as ball fields, tennis courts, trails, play equipment, restrooms, picnic tables, cooking grills, and other similar facilities.
265. PARKING ACCESS AISLE – A travelway designed and constructed to provide for vehicular movement between a parking space within a parking lot and an access drive.

- 266. **PARKING LOT, ACCESSORY** – An area of a lot, other than a driveway or access drive, designed for and containing required parking spaces.
- 267. **PARKING SPACE** – An improved and stabilized area designed for the transient storage of one (1) automobile or other similar motorized or non-motorized vehicle.
- 268. **PERSONAL CARE HOME** – (i) A premise in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours, for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in activities of daily living or instrumental activities of daily living. (ii) The term includes a premise that has held or presently holds itself out as a personal care home and provides food and shelter to four or more adults who need personal care services, but who are not receiving the services. (Equivalent definition in Personal Care Homes in the Pennsylvania Code.)
- 269. **PERSONAL SERVICE** – An establishment primarily engaged in providing service oriented activities for personal needs to the general public, but which do not primarily involve retail sales of goods or professional advisory services. For purposes of this Zoning Ordinance, this term includes barbershops and beauty shops/salons; health spas; photographic studios; small home appliance repair including radios and televisions; repair shops for tools, bicycles, guns, locks, shoes and watches; and tailor, dressmaking, and upholstering shops.
- 270. **PESTICIDE** – Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.
- 271. **PETROLEUM PRODUCT** – Oil petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.
- 272. **PETS, KEEPING OF** – The keeping of smaller, domesticated animals of types that are normally considered to be kept in conjunction with a dwelling for the pleasures of the resident family. This shall include dogs, cats, small birds, gerbils, rabbits and other animals commonly sold in retail pet shops, but shall not include those animals considered “LIVESTOCK”, or any animal or bird for which a permit is required under the Pennsylvania Game and Wildlife Code, 34 Pa. C.S. s. 101 et seq., or the regulations of the PA GC.
- 273. **PETTING ZOO** – An establishment primarily engaged in the preservation and exhibition of live animal life displays.
- 274. **PLACE OF RELIGIOUS WORSHIP** – An establishment primarily engaged in operating religious organizations, and/or establishments primarily engaged in administering an organized religion or promoting religious activities.

275. PORCH – A roofed (covered) open area, other than a stoop, providing shelter and shade, attached to or part of and with direct access to or from a building, which creates space for a sociable transition from the public sidewalk/street or adjacent property, to the building to which it is attached.
276. PRE-COMMERCIAL TIMBER STAND IMPROVEMENT – A forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand, but which does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.
277. PREMISES – The property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incidental to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses.
278. PRINCIPAL BUILDING – See “BUILDING, PRINCIPAL”.
279. PRINCIPAL STRUCTURE – See “STRUCTURE, PRINCIPAL”.
280. PRINCIPAL USE – See “USE, PRINCIPAL”.
281. PRIVATE CLUBHOUSE OR LODGE – See “CLUBHOUSE OR LODGE, PRIVATE”.
282. PRIVATE HELICOPTER PAD – See “HELICOPTER PAD, PRIVATE”.
283. PROFESSIONAL AND BUSINESS OFFICE – See “OFFICE, PROFESSIONAL AND BUSINESS”.
284. PROFESSIONAL, COLLEGE, AND UNIVERSITY SCHOOL – See “SCHOOL, PROFESSIONAL, COLLEGE, AND UNIVERSITY”.
285. PUBLIC ACTIVITY SPACE – Pedestrian amenities system including combination of seating, landscaping, outside café/dining, sidewalk and window display of merchandise, transit shelter, water elements, gazebo, public art display, public performance area, tot lot, clock tower, or other outdoor facilities incorporated into a pedestrian circulation as part of a Mixed Use Commercial Development.
286. PUBLIC HEARING – A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act. (Equivalent definition of the MPC.)
287. PUBLIC MEETING – A forum held pursuant to notice under 65 Pa. C.S. CH. 7 (Relating to open meetings. (Equivalent definition of the MPC.)
288. PUBLIC NOTICE – Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the

time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing. (Equivalent definition of the MPC.)

289. PUBLIC SEWER SERVICE – See “SEWER SERVICE, PUBLIC”.
290. PUBLIC WATER SERVICE – See “WATER SERVICE, PUBLIC”.
291. PUBLIC UTILITY – A use which is operated, owned or maintained by a public utility corporation and regulated by the PA PUC, or which is operated, owned or maintained by a municipality or a municipal authority, other than the Township of Rapho, organized under the laws of the Commonwealth of Pennsylvania to provide public water service, public sewer service, or similar services. A “PUBLIC UTILITY” shall not include cellular telephone transmission or receiving facilities and similar facilities of entities, which are not governmentally owned and operated or are not regulated by the PA PUC.
292. RADIOACTIVE MATERIAL – Any natural or artificially produced substance which emits radiation spontaneously.
293. REAR LOT LINE – See “LOT LINE, REAR”.
294. REAR YARD – See “YARD, REAR”.
295. REAR YARD SETBACK – See “YARD SETBACK, REAR”.
296. RECREATION ATTRACTION, REGIONAL – One (1) or more of the following establishments primarily engaged in providing commercial recreation facilities via a combination of attractions, eateries, booths, stands, rides, exhibits, performances, lodging, shops and/or recreational features planned, designed, developed, owned or managed as a single unit with internal vehicle circulation, off-street parking, and loading provided on the property. Accessory resident, employee, patron, and guest services are included.
 - a. AMUSEMENT PARK – A type of “REGIONAL RECREATION ATTRACTION” not based upon a central theme.
 - b. ENTERTAINMENT PARK – A type of “REGIONAL RECREATION ATTRACTION” otherwise not classified as an “AMUSEMENT PARK,” “THEME PARK”, or “WATER PARK”.
 - c. THEME PARK – A type of “REGIONAL RECREATION ATTRACTION” based on a central theme.
 - d. WATER PARK – A type of “REGIONAL RECREATION ATTRACTION” primarily based upon water-based rides.

297. RECREATION, COMMERCIAL – An establishment primarily engaged in providing recreation uses for a fee to users and patrons.
298. RECREATION, INDOOR – An establishment primarily engaged in providing participatory and spectator-oriented recreation uses conducted within a completely enclosed building including but not limited to: billiard parlors, bowling centers, indoor batting/pitching cages, skating rinks, indoor shooting ranges, arenas, assembly halls, gymnasiums, theaters, and amusement arcades, etc.
299. RECREATION, OUTDOOR – An establishment primarily engaged in providing participatory and spectator-oriented recreation uses conducted in open, partially enclosed, or screened facilities including but not limited to: batting/pitching cages, go-cart or race tracks, swimming pool, tennis court, and skating rinks, and theaters, etc.
300. RECREATIONAL VEHICLE – See “VEHICLE, RECREATIONAL”.
301. RECYCLABLES – Solid waste materials that are recognized by the Lancaster County Solid Waste Management Authority as being recyclable, and have entered a reasonably continuous process whereby their reuse is imminent. For purposes of this Zoning Ordinance, this term shall specifically exclude “JUNK YARDS” as defined in Article 2 of this Zoning Ordinance (§ 202.).
302. RECYCLING DROP-OFF SITE – A container, storage unit, or structure, other than an accessory building, designed for the acceptance and temporary storage of common household or office related waste materials and items which are readily recyclable (e.g., glass, aluminum, other metals, cardboard, and/or paper), at a location other than the site where it was generated, and which facilitates the bulk transfer of accumulated recyclables to a facility for further processing.
303. REFUSE COLLECTION STATION – A container, generally two (2) or more cubic yards in capacity, used for the disposing and collection of trash, garbage, and refuse.
304. REGIONAL RECREATION ATTRACTION – See “RECREATION ATTRACTION, REGIONAL”.
305. RENTAL – A procedure by which services or personal property are temporarily transferred to another person for a specific time period for compensation.
306. RESEARCH AND DEVELOPMENT – An establishment primarily engaged in performing physical, chemical, and other analytical testing services, such as acoustics or vibration testing, assaying, biological testing, calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, nondestructive testing, or thermal testing.
307. RESTAURANT – An establishment primarily engaged in providing food and beverage services to patrons, and routinely providing for the consumption of at least a portion of such food and beverage on the premises. For purposes of this Zoning

Ordinance, this term shall include the accessory sale of alcoholic beverages and carry-out and delivery services.

- 308. RETAIL BUSINESS – An establishment primarily engaged in the displaying and selling and/or renting of goods or merchandise to the general public for personal and household consumption. For purposes of this Zoning Ordinance, this term includes repair services for goods or merchandise that is similar to that which is sold on the premises, and rendering services incidental to the sale of such goods and merchandise permitted in the applicable zone.
- 309. REVERSE FRONTAGE LOT – See “LOT, REVERSE FRONTAGE”.
- 310. RIGHT-OF-WAY – Land set aside for use as a public or private street, alley, pedestrian walkway or other means of travel. (Equivalent definition of the SLDO.)
- 311. RIPARIAN CORRIDOR – An area of land adjacent to, and including perennial or intermittent streams that is intended to maintain the integrity of stream channels and to reduce stream impacts from upland sources.
- 312. ROADSIDE STAND – An enterprise conducted upon, and accessory to a principal residential or crops/gardening use, for the purpose of directly marketing agricultural products produced by the landowner or the landowner’s immediate family member, in their natural or manufactured state. This term shall include any on-site processing, packaging, or other activity performed in the course of direct marketing of the agricultural products produced by the landowner or the landowner’s immediate family member.
- 313. RURAL OCCUPATION – A business or commercial activity administered or conducted within an accessory building as an accessory use which is clearly secondary to the use as a residential dwelling.
- 314. SAWMILL – An establishment primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. For purposes of this Zoning Ordinance, this term includes the planing of rough lumber made with a planing machine to achieve smoothness and uniformity of size.
- 315. SATELLITE DISH ANTENNA – A concave, parabolic or dish-shaped antenna, or any other apparatus or device that is designed for the purpose of receiving electromagnetic, digital, or other type of signal including video programming signals from direct broadcast satellites ("DBS"), multichannel multipoint distribution (wireless cable) providers ("MMDS"), and television broadcast stations ("TVBS").
- 316. SCHOOL, COMMERCIAL – An establishment conducted for profit and engaged in furnishing education or instruction for business, technical, cosmetology, language, wide range of arts and music, and other similar type low impact uses within a completely enclosed building.

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- 317. SCHOOL, K-12 – An establishment primarily engaged in furnishing academic courses and associated course work for students at the kindergarten, elementary, and secondary levels.
- 318. SCHOOL, PROFESSIONAL, COLLEGE, and UNIVERSITY – An establishment primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels. The requirement for admission is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishment's or client's training facilities, educational institutions, or the workplace, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.
- 319. SCHOOL, VOCATIONAL – An establishment primarily engaged in furnishing education or instruction in apprenticeship training or other specialized trades or vocations for intensive business and/or industrial type uses including truck driving, engine repairs, building construction and general contracting, woodworking, masonry, plumbing, electrical contracting, and other similar type intensive uses.
- 320. SEASONAL SIDEWALK DISPLAY – The temporary and limited display and sales of seasonal products and goods outside of, and immediately adjacent to the front wall or storefront of a principal building, as part of a permitted use.
- 321. SETBACK – The required horizontal distance between a structure and/or use and an adjoining lot line and/or street right-of-way line.
- 322. SETBACK LINE, BUILDING – See “BUILDING SETBACK LINE”.
- 323. SEWAGE SYSTEM, INDIVIDUAL – A system other than a public sewer system, of piping, tanks or other facilities serving a single lot or establishment, and collecting and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth of Pennsylvania or by means of conveyance to another site for final disposal, approved and permitted by PA DEP.
- 324. SEWER SERVICE, PUBLIC – A system other than an individual sewer system, providing sanitary sewer service for use by two (2) or more lots or establishments approved and permitted by PA DEP and/or PA PUC, and owned and/or operated by a municipal authority, the Township of Rapho, or other approved entity. For purposes of this Zoning Ordinance, this term includes the equivalent of “PUBLIC SEWER SYSTEM” and “COMMUNITY SEWAGE SYSTEM” as defined in the SLDO.
- 325. SHADE TREE – A deciduous tree that shall have a clear trunk at least five (5) feet above the finished grade.
- 326. SHARED DRIVEWAY – See “DRIVEWAY, SHARED”.
- 327. SHOOTING RANGE – An establishment primarily engaged in providing facilities for

the shooting of firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery crossbows, etc.) for recreation, competition, skill development, training, or any combination of the foregoing.

- 328. SHOPPING CENTER – A non-residential development with any combination of one (1) or more non-residential establishments and other related establishments that are permitted within the applicable zone, in a single building or in separate buildings that are planned, constructed and managed as a total entity. All shopping centers shall be located in a complex that is planned, designed, developed, owned or managed as a single unit with internal vehicle circulation, off-street parking, and loading provided on the property. Provisions for goods delivery separated from customer access, pedestrian access, aesthetic considerations and protection from the elements, and landscaping and signage.
- 329. SHOPPING CART STORAGE – A structure or area designed for the storage of shopping carts as part of a permitted use.
- 330. SHOPS FOR CONTRACTORS – An establishment in which tradesmen are primarily engaged in conducting on-site trade-related business management, scheduling, operations, and services within completely enclosed buildings, in preparing to conduct operations and perform services at off-site locations.
- 331. SIDE LOT LINE – See “LOT LINE, SIDE”.
- 332. SIDE YARD – See “YARD, SIDE”.
- 333. SIDE YARD SETBACK – See “YARD SETBACK, SIDE”.
- 334. SIGN – A device for visual communication that is used to bring the subject to the attention of the public, but not including lettering or symbols that are an integral part of another structure, or flags or other insignia of any government, fraternal, or similar organization.
- 335. SIGN, FLAT WALL – A sign that is attached to the wall of a building and whose face runs parallel to the wall to which it is attached and does not extend beyond the outside of the edges of the wall in any direction.
- 336. SIGN, FREESTANDING – A sign that has a separate support structure and is not physically attached to a building.
- 337. SIGN, PROJECTING WALL – A sign whose support structure is attached to the wall of a building and whose face either runs generally perpendicular to the wall, or extends beyond the outside edges of the wall to which it is attached.
- 338. SIGN, PERMANENT – A sign that is expected to be continuously displayed during the presence of a principal land use.
- 339. SIGN, TEMPORARY – A sign that is only for specified periods of time, associated

with some temporary event or work conducted on the site.

- 340. SIGN AREA – See Article 5 of this Zoning Ordinance relating to *Signs* (§ 528.).
- 341. SIGN HEIGHT – See Article 5 of this Zoning Ordinance relating to *Signs*. (§ 528.)
- 342. SINGLE AND SEPARATE OWNERSHIP – The ownership of a lot by one (1) or more persons which ownership is separate and distinct from that of any abutting or adjoining lot. Ownership shall be considered separate and distinct, where lots have been separately described as such by metes and bounds in a recorded deed or conveyance prior to January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994 and have continued since that date to be so separately described in all subsequent recorded deeds of conveyance. Tracts, even if separately described by meets and bounds, that have been consolidated, by deed or otherwise, for tax assessment purposes, shall not be considered as separately owned but shall be considered as one (1) lot.
- 343. SINGLE FAMILY ATTACHED DWELLING – See “DWELLING, SINGLE FAMILY ATTACHED”.
- 344. SINGLE FAMILY DETACHED DWELLING – See “DWELLING, SINGLE FAMILY DETACHED”.
- 345. SINGLE FAMILY SEMI-DETACHED DWELLING – See “DWELLING, SINGLE FAMILY SEMI-DETACHED”.
- 346. SKIDDING – Dragging trees on the ground from the stump to the landing by any means.
- 347. SLASH – Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.
- 348. SOIL SURVEY – The most recent version of the USDA-NRCS's Soil Survey for Lancaster County, Pennsylvania.
- 349. SOLAR ENERGY PRODUCTION FACILITY - A solar energy system that supplies energy primarily for off-site/off-premises use.
- 350. SOLAR ENERGY SYSTEM – An alternative energy system consisting of one (1) or more cells, panels, or arrays designed to collect and convert solar power into another form of energy (e.g., electricity or heat) and other structures, used in the conversion, storage, and distribution including electrical infrastructure, transmission lines, and other appurtenant structures and facilities.
- 351. SOLID WASTE – Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials as defined in the Code of

Federal Regulations, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended.

- 352. SOLID WASTE OPERATIONS – An establishment operated by Lancaster County, primarily engaged in the collection, sorting, storage, transport and disposal of solid waste.
- 353. SPARK ARRESTER - A device (located at the top of a chimney) to prevent sparks, embers or other ignited material above a given size from being expelled to the atmosphere.
- 354. SPECIAL EVENT SALES – The temporary and limited display and sales of products and goods outdoors or within an accessory building, as part of a permitted use.
- 355. SPECIAL EXCEPTION – A use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX. (Equivalent definition of the MPC.)
- 356. STACK – Any vertical structure enclosing a flue(s) that carries off smoke or exhaust from a furnace or other fuel-burning device, especially that part of a structure extending above a roof.
- 357. STAND – Any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.
- 358. STOOP - A roofed (covered) or unroofed (uncovered) open area, other than a porch, that is less than or equal to thirty (30) square feet, constructed of concrete or masonry, providing direct access to and from a building.
- 359. STORAGE – A function involving the deposition of materials, goods and/or products for safekeeping.
- 360. STOREFRONT – The wall that faces a front yard within a shopping center, as defined herein.
- 361. STORY – That portion of a building included between the surface of a floor and the upper surface of the floor or roof next above (also see “Basement”, “Mezzanine” and Section 502.1). It is measured as the vertical distance from top to top of two successive tier of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or where there is not a ceiling, to the top of the roof rafters. (Equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.)
- 362. STREAM – A watercourse, other than a lake or pond, having a source, terminus, banks, and channel through which waters flow at least periodically.
- 363. STREAM, INTERMITTENT - A stream carrying water during the wet seasons.
- 364. STREAM, PERENNIAL - A stream that is present during all seasons of the year.

365. STREET – Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. (Equivalent definition of the MPC.) For purposes of this Zoning Ordinance, streets shall be classified as follows:
 - a. STREET, ARTERIAL – A street or road that is used primarily for fast or heavy traffic including all roads classified as main and secondary highways by the Department of Transportation. (See “ARTERIAL STREET; HIGHWAY” equivalent definition of the SLDO.)
 - b. STREET, COLLECTOR – A street which carries traffic from minor streets to the major system or arterial streets, including the principal entrance or circulation streets of a residential development and all streets within industrial and/or commercial subdivisions or developments. (See “COLLECTOR STREET” equivalent definition of the SLDO.)
 - c. STREET, LOCAL – A street which is used primarily for access to the abutting properties. (See “LOCAL STREET” definition of the SLDO.)
366. STREET CENTERLINE – The horizontal line paralleling the street that bisects the street right-of-way into two (2) equal widths. In those instances where the street right-of-way cannot be determined, the street centerline shall correspond to the center of the cartway.
367. STREET RIGHT-OF-WAY LINE – A line defining the edge of a street right-of-way and separating the street from an adjoining lot. See also “LOT LINE, FRONT”.
368. STRUCTURE – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. (Equivalent definition of the MPC.)
369. STRUCTURE HEIGHT – See “HEIGHT, STRUCTURE”.
370. STRUCTURE, ACCESSORY – A structure customarily incidental and subordinate to and detached from the principal structure on the same lot, the use of which is customarily incidental to that of the principal structure on the lot. An accessory structure shall exclude any vehicle as defined by the Pennsylvania Motor Vehicle Code.
371. STRUCTURE, PRINCIPAL – The main, primary, or predominant structure on a given lot, tract, or parcel.
372. STRUCTURE, TEMPORARY – A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
373. SWIMMING POOL – Any structure intended for swimming, recreational bathing or

wading that contains water over 24 inches [610 mm] deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools. (See "SWIMMING POOLS" equivalent definition of the IBC as referenced in the PA UCC adopted by the Township of Rapho.

374. TAVERN/BAR – An establishment primarily licensed by the Pennsylvania Liquor Control Board, primarily engaged in preparing and serving alcoholic beverages for immediate on-premises consumption. Food preparation and service are included.

375. TELECOMMUNICATIONS ANTENNA AND/OR COMMUNICATION ANTENNA – Telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services. (See "ANTENNA" equivalent definition of the Pennsylvania Wireless Broadband Collocation Act [Act 191].) Telecommunications Antenna includes, without limitation, directional antennas (such as microwave dishes) and omnidirectional antennas (such as canisters and whips), radio transceivers, coaxial or fiber optic cables, regular and back-up power supplies, and comparable equipment, regardless of technological configuration. For purposes of this Zoning Ordinance, this term shall not include private residence mounted satellite dishes, television antennas, or amateur radio equipment, including without limitation ham or citizen band radio antennas.

375.1 TELECOMMUNICATION FACILITIES –

- a. A fixed, mobile, or transportable structure, including (a) all installed electrical and electronic wiring, cabling, and equipment and (b) all supporting structures, such as utility, ground network, and electrical supporting structures.
- b. A network-provided service to users or the network operating administration.
- c. A transmission pathway and associated equipment.
- d. In a protocol applicable to a data unit, such as a block or frame, an additional item of information or a constraint encoded within the protocol to provide the required control.
- e. A real property entity consisting of one or more of the following: a building, a structure, a utility system, pavement, and underlying land.

(This definition is the same as the current Federal Standard 1037C definition)

376. TELECOMMUNICATIONS AND COMMUNICATION SUPPORT STRUCTURE – A structure proposed by applicant to support telecommunication facilities, including steel monopoles, wooden or concrete utility poles, or other freestanding structures, as approved under this Ordinance.

377. TELECOMMUNICATIONS EQUIPMENT BUILDING – An unmanned building or cabinet containing communications equipment required for the operation of communications antennas.
378. TELECOMMUNICATIONS TOWER – A structure other than a building, such as a (e.g., monopole, self-supporting or guyed tower) designed and used to support telecommunications antenna.
379. TEMPORARY DWELLING UNIT – See “DWELLING UNIT, TEMPORARY”.
380. TEMPORARY STRUCTURE – See “STRUCTURE, TEMPORARY”.
381. TEMPORARY USE – See “USE, TEMPORARY”.
382. TESTING – A function involving the examination and assessment of qualities, performances and/or capabilities of a product, good or material.
383. TIMBER HARVESTING, TREE HARVESTING OR LOGGING – That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.
384. TOWNSHIP – Rapho Township, Lancaster County, Pennsylvania, as represented by the Board of Supervisors of the Township of Rapho, or its duly authorized agents.
385. TOWNSHIP BOARD OF SUPERVISORS – The Board of Supervisors of the Township of Rapho.
386. TOWNSHIP ENGINEER – A qualified, professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania, designated the Board of Supervisors of the Township of Rapho to furnish professional and technical assistance for the administration of this Zoning Ordinance.
387. TOWNSHIP PLANNING COMMISSION – The Planning Commission of the Township of Rapho.
388. TOWNSHIP SOLICITOR – The attorney licensed to practice in the Commonwealth of Pennsylvania, designated by the Board of Supervisors of the Township of Rapho to furnish professional legal assistance relating to this Zoning Ordinance.
389. TOWNSHIP ZONING HEARING BOARD – The Zoning Hearing Board of the Township of Rapho.
390. TOWNSHIP ZONING OFFICER – The duly constituted municipal official designated by the Board of Supervisors of the Township of Rapho to administer and enforce this Zoning Ordinance in accordance with its literal terms.
391. TRASH, GARBAGE AND REFUSE – Any material awaiting potential reuse or ultimate disposal, that, because of its age or condition, is of little value and usefulness. Some

common examples include, but are not limited to:

- a. Inoperable machinery and appliances.
- b. Rusted, or bent, metals, tools and barrels.
- c. Used automobile tires and batteries.
- d. Empty beverage, food and other containers.
- e. Weathered, broken or used building materials.
- f. Spoiled or discarded food products.
- g. Used, torn or discarded garments, rags and other fabric products.
- h. Worn or broken furniture.
- i. Used or discarded newspaper, magazines and other paper products.

See "JUNK".

- 392. TRAILER SALES, SERVICE AND STORAGE FACILITY – An establishment engaged in the retail sales, rental, servicing, repair, maintenance, storage and parking of truck and cargo trailers. For purposes of this Zoning Ordinance, this term excludes all other types "heavy duty vehicles" as defined herein.
- 393. TRAVEL TRAILER – A portable structure, primarily designed to provide temporary living quarters for recreation, camping or travel purposes. In addition to the above, any of the following attributes are characteristic of a "TRAVEL TRAILER";
 - a. The unit is of such size or weight as not to require a special highway movement permit from PennDOT when self-propelled, or when hauled by a light/medium duty vehicle on a highway.
 - b. The unit is mounted or designed to be mounted on wheels.
 - c. The unit is designed to be loaded onto, or affixed to, the bed and/or chassis of a truck.
 - d. The unit contains, or was designed to contain, temporary storage of water and sewage.
 - e. The unit contains some identification by the manufacturer as a "TRAVEL TRAILER".
- 394. TREE TOP – The upper portion of a felled tree that is not marketable because of small size, taper or defect.

- 395. TRIP – A single or one (1)-directional motorized and/or non-motorized vehicle movement, as set forth in the most recent version of the Institute of Transportation Engineers (ITE) standards.
- 396. TRUCK/MOTOR FREIGHT TERMINAL – An establishment primarily engaged in providing general freight trucking. General freight establishments handle a wide variety of commodities, generally palletized and transported in a container or van trailer. For purposes of this Zoning Ordinance, this term includes establishments operating as truckload (TL) or less than truckload (LTL) carriers.
- 397. TRUCK STOP/TRAVEL PLAZA – An establishment primarily engaged in one (1) of the following retail sale of:
 - a. Automotive fuels (e.g., diesel fuel, gasohol, gasoline, alternative fuels); or
 - b. Automotive fuels (e.g., diesel fuel, gasohol, gasoline, alternative fuels) in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.
- 398. TURBINE HEIGHT – See “HEIGHT, TURBINE”.
- 399. TUTORING/INDIVIDUALIZED EDUCATIONAL INSTRUCTION – An establishment primarily engaged in providing additional, special, or remedial instruction directly to individual students.
- 400. TWO FAMILY CONVERSION – See “CONVERSION, TWO FAMILY”.
- 401. TWO FAMILY DETACHED DWELLING – See “DWELLING, TWO FAMILY DETACHED”.
- 402. UNIT OF OCCUPANCY – An allocation of space within a building or structure that is independent of other such space and that constitutes a separate use. This shall include both fee simple ownership and leaseholds.
- 403. URBAN GROWTH AREA – For purposes of this Zoning Ordinance the “URBAN GROWTH AREA” is as set forth in the most recent version of the Comprehensive Plan adopted by the Township of Rapho.
- 404. USE – The activity occurring on a lot, tract, parcel of land, or structure for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied, including all accessory uses.
- 405. USE, ACCESSORY – An incidental and subordinate use customarily accessory to and incidental to and located on the same lot occupied by the principal use or structure. If no principal use exists on a lot with an accessory use, then such accessory use shall only be considered a principal use.

406. USE, PRINCIPAL – The main, primary, or predominant use of any lot, tract, parcel of land, or structure.
407. USE, TEMPORARY – A use established for a fixed, specified time period with the intent to discontinue such use upon the expiration of the fixed, specified time period.
408. VARIANCE – Relief granted pursuant to the provisions of Articles VI and IX. (Equivalent definition of the MPC.)
409. VEHICLE AUCTION – An establishment primarily engaged in the temporary storage, preparation, and display of vehicles, as part of a wholesale and/or retail sale operation on a recurring scheduled basis using a competitive bidding process.
410. VEHICLE FILLING STATION – An establishment primarily engaged in the retail sales of vehicle fuels (e.g., diesel fuel, gasohol, gasoline).
411. VEHICLE PARKING LOT, HEAVY DUTY – An establishment primarily engaged in providing parking spaces for privately-owned heavy duty vehicles, on an hourly, daily, or overnight basis and/or valet parking services.
412. VEHICLE PARKING LOT, LIGHT/MEDIUM DUTY – An establishment primarily engaged in providing parking spaces for privately-owned light/medium duty vehicles, on an hourly, daily, or overnight basis and/or valet parking services.
413. VEHICLE QUEUING LANE – An improved surface designed to accommodate a motor vehicle waiting for entry to any drive-in facility or other similar auto-oriented use, which is located in such a way that a parking space or access to a parking space is not obstructed.
414. VEHICLE RECONDITIONING, HEAVY DUTY – An establishment primarily engaged in any or all of the following services performed on heavy duty vehicles:
 - a. Washing, waxing, buffing, rubbing and/or application of paint sealants to vehicle's exterior;
 - b. Minor touch-up to vehicle's exterior paint and/or application of pin stripes and other similar decorative treatments;
 - c. Cleaning and shampooing of vehicle's interior compartment;
 - d. Replacement of minor decorative automobile parts and trim; and,
 - e. De-greasing and cleaning of engine compartment.
415. VEHICLE RECONDITIONING, LIGHT/MEDIUM DUTY – An establishment primarily engaged in any or all of the following services are performed on light/medium duty vehicles:

- a. Washing, waxing, buffing, rubbing and/or application of paint sealants to vehicle's exterior;
 - b. Minor touch-up to vehicle's exterior paint and/or application of pin stripes and other similar decorative treatments;
 - c. Cleaning and shampooing of vehicle's interior compartment;
 - d. Replacement of minor decorative automobile parts and trim; and,
 - e. De-greasing and cleaning of engine compartment.
416. VEHICLE SERVICE/REPAIR OF PERSONAL VEHICLES, ACCESSORY – The routine maintenance, repair and servicing of personal motor vehicles, owned and/or leased by the person performing such services and repairs.
417. VEHICLE SERVICE/REPAIR, HEAVY DUTY – An establishment primarily engaged in the servicing, repair, maintenance, and reconstruction of heavy duty vehicles.
418. VEHICLE SERVICE/REPAIR, LIGHT/MEDIUM DUTY – An establishment primarily engaged in the servicing, repair, maintenance, and reconstruction of light/medium duty vehicles.
419. VEHICLE SALES/RENTAL, HEAVY DUTY – An establishment primarily engaged in the retail sales and/or rental of heavy duty vehicles.
420. VEHICLE SALES/RENTAL, LIGHT/MEDIUM DUTY – An establishment primarily engaged in the retail sales and/or rental of light/medium duty vehicles.
421. VEHICLE STORAGE LOT, HEAVY DUTY – An establishment primarily engaged in providing for the storage of heavy duty vehicles for periods exceeding a daily basis, awaiting transport to an off-site location.
422. VEHICLE STORAGE LOT, LIGHT/MEDIUM DUTY – An establishment primarily engaged in providing for the storage of light/medium duty vehicles for periods exceeding a daily basis, awaiting transport to an off-site location.
423. VEHICLE WASHING – An establishment primarily engaged in cleaning, washing, and/or waxing automotive vehicles, such as passenger cars, trucks, and vans, and trailers.
424. VEHICLE, COMMERCIAL MOTOR – Any motor vehicle operated for the transportation of persons or property in furtherance of any business enterprise.
425. VEHICLE, COMMERCIAL HEAVY DUTY – A heavy duty vehicle operated in furtherance of any business enterprise.

426. VEHICLE, DISABLED MOTOR – A motor vehicle that shall not be operable under its own power for any reason, or a vehicle that does not have a current, valid registration and inspection as applicable, more than sixty (60) days beyond the expiration date.
427. VEHICLE, HEAVY DUTY – A motor vehicle or combination of vehicles with a gross vehicle weight rating or gross combination weight rating of greater than seventeen thousand (17,000) pounds, and other similar vehicles or pieces of machinery or equipment. For purposes of this Zoning Ordinance, this term includes boats, mobile/manufactured homes, recreational vehicles, heavy trucks and related truck-trailers, cargo and storage containers, cargo trailers, buses, yachts, farm equipment, mechanized amusement rides, industrial machinery, other similar large or heavy duty vehicles, pieces of machinery, and equipment.
428. VEHICLE, LIGHT/MEDIUM DUTY – A motor vehicle or combination of vehicles with a gross vehicle weight rating or gross combination weight rating of less than or equal to seventeen thousand (17,000) pounds, and other similar vehicles or pieces of machinery or equipment. For purposes of this Zoning Ordinance, this term includes automobiles, motorcycles, light or medium trucks, other similar light or medium duty motor vehicles, pieces of machinery, and equipment.
429. VEHICLE, MOTOR – A motorized means of transportation of persons or property upon a public road.
430. VEHICLE, NON-COMMERCIAL MOTOR – Any motor vehicle that is not a commercial motor vehicle.
431. VEHICLE, RECREATIONAL – For purposes of this Zoning Ordinance, recreational vehicles shall also include campers, travel trailers, boats, and utility and cargo trailers used solely for the transport of the residents' personal property. Such recreation vehicles are divided into two (2) separate categories, as follows:
- a. CLASS I RECREATIONAL VEHICLE – A recreational vehicle that possesses no more than two hundred (200) square feet, as measured to the vehicle's outermost edges, nor exceeds a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any fly bridge or other boat console.
 - b. CLASS II RECREATIONAL VEHICLE – A recreational vehicle that possesses more than two hundred (200) square feet, as measured to the vehicle's outermost edges, and/or exceeds a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, antennas, masts, outrigger fishing poles, etc.), but will be measured to the highest point of any fly bridge or other boat console.

- 432. VETERINARY OFFICE – See “OFFICE, VETERINARY”.
- 433. VILLAGE GROWTH AREA – For purposes of this Zoning Ordinance the “VILLAGE GROWTH AREA” is as set forth in the most recent version of the Comprehensive Plan adopted by the Township of Rapho.
- 434. VILLAGE OVERLAY ZONE DEVELOPMENT – A traditional mixed use development option in accordance with the design, review, and approval provisions of Article 4 of this Zoning Ordinance relating to *Village Overlay (VO) Zone (§ 404.)*.
- 435. VOCATIONAL SCHOOL – See “SCHOOL, VOCATIONAL”.
- 436. WATER SYSTEM, INDIVIDUAL – A system other than a public water system, providing potable domestic water from a private well, for use by not more than one (1) lot or establishment.
- 437. WATER SERVICE, PUBLIC – A system other than an individual water system, providing potable domestic water for use by two (2) or more lots or establishments approved and permitted by PA DEP and/or PA PUC, and owned and/or operated by a municipal authority, the Township of Rapho, or other approved entity. For purposes of this Zoning Ordinance, this term includes the equivalent of “PUBLIC WATER SYSTEM” as defined in definition of the SLDO.
- 438. WATERCOURSE – A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water carrying or holding surface water, whether natural or artificial.
- 439. WATERSHED – All the land which drains water into a particular watercourse.
- 440. WETLAND – Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. (The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a river basin commission. This definition is used by the United States Environmental Protection Agency and the United States Army Corps of Engineers.)
- 441. WHOLESale – Any distribution procedure involving persons who, in the normal course of business, do not engage in sales to the general public.
- 442. WHOLESale PRODUCE AND TOBACCO AUCTION – An establishment primarily engaged in the merchant wholesale distribution of fresh fruits and vegetables, and/or tobacco.
- 443. WAREHOUSING, DISTRIBUTION AND WHOLESaling – An establishment primarily engaged in the on-site storage, wholesaling, and/or distribution of goods, materials,

manufactured products, supplies, and equipment.

- 444. WIND CHARGER – A wind energy system direct-current generator used for charging storage batteries.
- 445. WIND ENERGY PRODUCTION FACILITY – A wind energy system that supplies energy primarily for off-site/off-premises use.
- 446. WIND ENERGY SYSTEM – An alternative energy system which includes a device such as a wind charger, wind turbine, or other electric generation facility designed to convert wind power into another form of energy, such as electricity or heat, and which consists of one (1) or more wind turbines, including meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.
- 447. WINDMILL – A device that runs on the energy generated by a wheel of adjustable blades or slats rotated by the wind.
- 448. WIND TURBINE – A device that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.
- 449. WIND TURBINE TOWER – The vertical component of a wind energy system that elevates the wind turbine generator and attached blades above the ground.
- 450. YARD – An unoccupied and unobstructed open space on a lot between permitted structures and/or structures and the adjoining lot line(s).
- 451. YARD, FRONT – An unoccupied and unobstructed open space on a lot between the permitted principal structure and/or use and any adjoining street right-of-way line, except that where a portion of the site has a front lot line that is located away from the street right-of-way and runs generally parallel to the street, the front yard shall also include that area that is located between the principal structure and the front lot line that generally parallels the street. On corner lots, there shall be a front yard located between the principal structure and each of the adjoining streets (i.e., Interior lots have one [1] front yard. Corner lots have two [2] or more front yards. Flag lots have one [1] front yard.) (See Figure 2-2.10 and 2-2.11)
- 452. YARD, REAR – The unoccupied and unobstructed open space on a lot between the permitted principal structure and/or use and any adjoining rear lot line, or the lot line directly opposite the street of address. On flag lots, the rear yard shall be that area between the principal structure and that lot line which is directly opposite the above-described front yard (i.e., All lots have one [1] rear yard.) (See Figure 2-2.10 and 2-2.11)
- 453. YARD, SIDE – The unoccupied and unobstructed open space on a lot between the permitted principal structure and/or use and any adjoining side lot line(s). On corner lots, the one (1) side yard shall be considered those areas between the

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principal structure and the lot lines directly opposite the non-address street(s). On flag lots, the side yards shall be the area between the principal structure and that one (1) outermost lot line which forms the “flag” and “flagpole”, plus the area on the opposite side of the principal structure (i.e., Interior lots have [2] side yards. Corner lots have [1] side yard. Flag lots have two [2] side yards.) (See Figure 2-2.10 and 2-2.11)

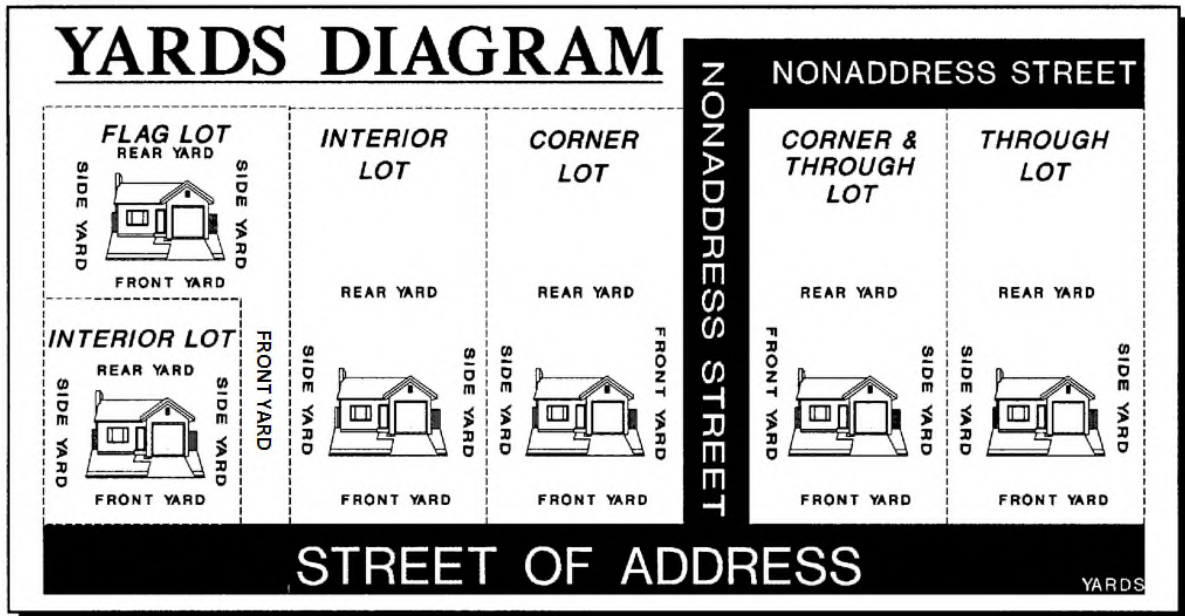


FIGURE 2-2.10
TYPICAL LOTS AND YARDS

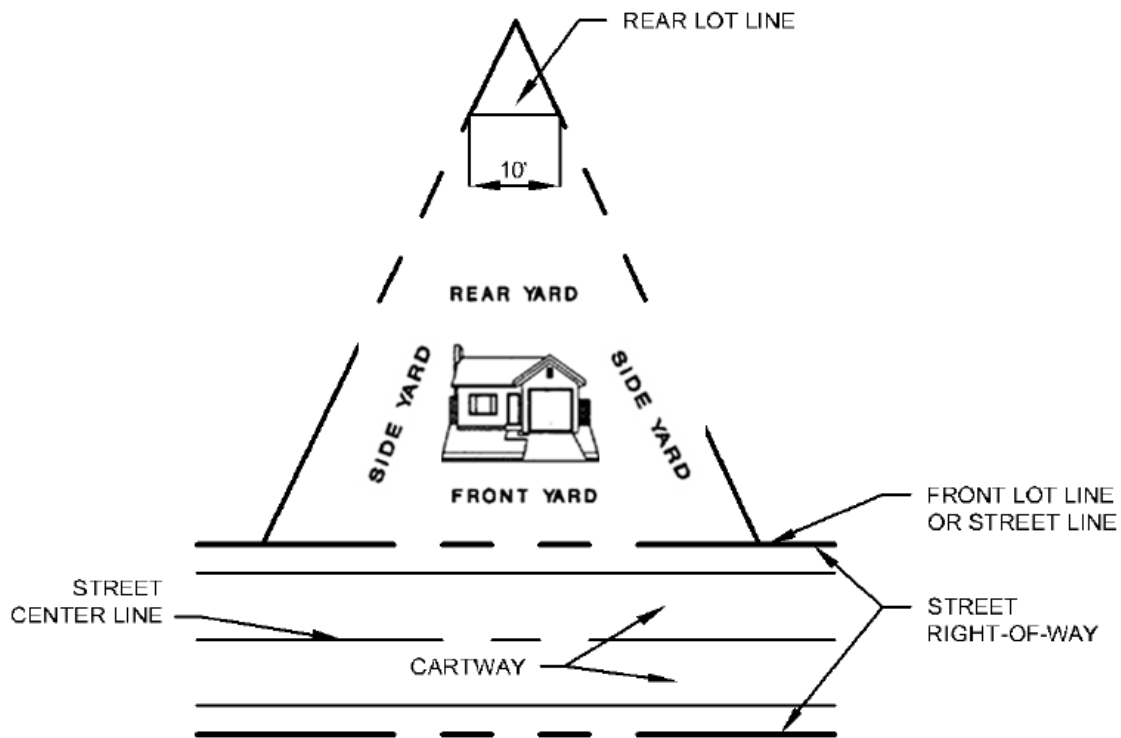


**FIGURE 2-2.11
 IRREGULAR LOT AND YARDS**

- 454. YARD SETBACK – The required horizontal distance between a structure and/or use and an adjoining lot line and/or street right-of-way line.
- 455. YARD SETBACK, FRONT – The required horizontal distance between a structure and/or use and an adjoining front lot line and/or street right-of-way line.
- 456. YARD SETBACK, REAR – The required horizontal distance between a structure and/or use and an adjoining rear lot line.
- 457. YARD SETBACK, SIDE – The required horizontal distance between a structure and/or use and an adjoining side lot line.
- 458. ZONING – The designation of specified zones, reserving them for certain uses together with limitations on lot area, heights of structures and other stipulated requirements.
- 459. ZONING PERMIT – A permit stating that the purpose for which a building, structure, sign, and/or land is to be used is in conformity with the applicable requirements of this Zoning Ordinance for the applicable zone in which it is, or will be, located.

Section 203. Abbreviations.

For the purposes of this Zoning Ordinance, the following abbreviation shall include the following:

- A. ADA – The most recent version of the Americans with Disabilities Act of 1990 and 2008 as amended.
- B. AEU – Animal Equivalent Unit.
- C. BOA – The Bureau of Aviation of the Pennsylvania Department of Transportation (PennDOT), or any successor agency.
- D. CAFO – Concentrated Animal Feeding Operation.
- E. CAO – Concentrated Animal Operation.
- F. FAA – The Federal Aviation Administration of the United States Department of Transportation (USDOT), or any successor agency.
- G. FCC – The Federal Communications Commission, or any successor agency.
- H. FEMA – The Federal Emergency Management Agency, or any successor agency.
- I. FIA – The Federal Insurance Administration, or any successor agency.
- J. ft. – Feet.
- K. IBC – The most recent version of the International Building Code as referenced in the PA UCC adopted by the Township of Rapho.
- L. IRC – The most recent version of the International Residential Code as referenced in the PA UCC adopted by the Township of Rapho.
- M. lbs. – Pounds.
- N. ins. – Inches
- O. LCCD – The Lancaster County Conservation District, or any successor agency.
- P. LCPC – The Lancaster County Planning Commission, or any successor agency.
- Q. MPC – The most recent version of the Pennsylvania Municipalities Planning Code Act of 1968, P. L. 805, No. 247 as reenacted and amended.
- R. PA DAG – The Pennsylvania Department of Agriculture, or any successor agency
- S. PA DCED – The Pennsylvania Department of Community and Economic Development, or any successor agency.

- T. PA DEP – The Pennsylvania Department of Environmental Protection, or any successor agency.
- U. PA DPW – The Pennsylvania Department of Public Welfare, or any successor agency.
- V. PA FBC – The Pennsylvania Fish and Boat Commission, or any successor agency.
- W. PA GC – The Pennsylvania Game Commission, or any successor agency.
- X. PA L&I – The Pennsylvania Department of Labor and Industry, or any successor agency
- Y. PA PUC – The Pennsylvania Public Utility Commission, or any successor agency.
- Z. PA SCC – The Pennsylvania State Conservation Commission, or any successor agency.
- AA. PA UCC – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third (3rd) party or the PA L&I.
- AB. PennDOT – The Pennsylvania Department of Transportation, or any successor agency.
- AC. PHMC – The Pennsylvania Historical and Museum Commission, or any successor agency.
- AD. PNDI – Pennsylvania Natural Diversity Inventory.
- AE. SLDO – The most recent version of the Rapho Township Subdivision and Land Development Ordinance.
- AF. sq. ft. – Square feet.
- AG. SRBC – Susquehanna River Basin Commission, or any successor agency.
- AH. UCC – The most recent version of the Pennsylvania Construction Code Act of November 10, 1999, P.L. 491, No. 45 as amended, also known as the Uniform Construction Code.
- AI. UGA – Urban Growth Area as set forth in the most recent version of the Comprehensive Plan adopted by the Township of Rapho.
- AJ. USACE – The United States Army Corps of Engineers, or any successor agency.
- AK. USDA, NRCS – The United States Department of Agriculture, Natural Resources Conservation Service, or any successor agency.
- AL. USEPA – The United States Environmental Protection Agency, or any successor agency.
- AM. USDOT – The United States Department of Transportation, or any successor agency.

- AN. USGS – The United State Geological Survey, or any successor agency.
- AO. VGA – Village Growth Area as set forth in the most recent version of the Comprehensive Plan adopted by the Township of Rapho.

ARTICLE 3
BASE ZONES

ARTICLE 3**BASE ZONES****Section 301. Agricultural and Rural Zones.**

- A. Designation and Purpose Statements. See Table 3-1.1 in this subsection below for the designations and purpose statements of the applicable Agricultural and Rural Zones which are shown on the Official Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Official Zoning Map (S. 108.)*:

TABLE 3-1.1
DESIGNATION AND PURPOSE STATEMENTS –
AGRICULTURAL AND RURAL ZONES

AGRICULTURAL AND RURAL ZONES' NAMES AND OFFICIAL ZONING MAP & TEXT SYMBOLS	AGRICULTURAL AND RURAL ZONES' PURPOSE STATEMENTS
1. Agricultural (A) Zone	The primary purpose of the (A) Zone is to promote the continuation and preservation of agricultural activities in those areas most suitable for such activities. Areas contained within the (A) Zone have been specifically identified as possessing valuable and nonrenewable natural and cultural resources. The (A) Zone also intends to protect and stabilize the Township's viable agricultural economy by limiting the non-agricultural development of agricultural properties and eliminating uses that are incompatible with agricultural operations, but permitting limited agricultural support businesses. Consequently, non-agricultural-uses are limited and any future occupants in the (A) Zone must be willing to accept the impacts associated with normal agricultural operations and practices, and related businesses. Finally, the provisions of the (A) Zone have been specifically formulated to further the objectives of the MPC which provides that local zoning ordinances shall be designed "to preserve prime agriculture and farm land considering topography, soil type and classification, and present use."
2. Rural (R) Zone	The primary purpose of the (R) Zone is to promote a continuation of the rural character of the area, characterized by farming, a mixture of sparsely-developed residential uses, and other small-scale non-agricultural non-residential uses. The (R) Zone is not likely to be served by public sewer service or public water service within the foreseeable future; therefore, larger lot sizes are indicated. The (R) Zone generally includes areas not possessing "prime agricultural soils"; nonetheless, its sparse development contributes to the Township's overall rural flavor.

- B. Permitted Uses. See Table 3-1.2 in this subsection below for the types of uses permitted in the applicable Agricultural and Rural Zones as set forth by this Zoning Ordinance. Uses are divided into those Permitted by Right listed as "P" (zoning decision by Township Zoning Officer); permitted by Special Exception listed as "SE" (zoning decision by the Township Zoning Hearing Board), and permitted by Conditional Use listed as "CU" (zoning decision by the Township Board of Supervisors). Many of the uses permitted by the above three (3) categories must comply with certain criteria, which are found in Article 5, Article 6, or

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elsewhere in the Zoning Ordinance. The specific section numbers of Article 5, Article 6, or elsewhere in this Zoning Ordinance where the criteria are located are noted in the table. Uses not listed in the table below or identified by “NP” shall specifically not be permitted in the applicable Agricultural and Rural Zones:

**TABLE 3-1.2
PERMITTED USES –
AGRICULTURAL AND RURAL ZONES**

USE	AGRICULTURAL AND RURAL ZONES		SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(A) ZONE	(R) ZONE	
1. RESIDENTIAL USES			
a. Conversion, Two Family	SE	SE	602
b. Flag Lot Residence	P	P	602
c. Manufactured/Mobile Home Park	NP	SE	602
d. Single Family Detached Dwelling ¹	P	P	N/A
2. NON-RESIDENTIAL USES			
a. AGRICULTURAL/FORESTRY USES			
(1). Agri-Business	SE	NP	603
(2). Agricultural Operation	P	P	603
(3). Agricultural Related Business	CU	NP	603
(4). Boarding/Riding Stable	SE	SE	603
(5). Crops/Gardening (Other than an Agricultural Operation)	P	P	N/A
(6). Forestry (Commercial Timber Operations)	P	P	510
(7). Kennel	SE	NP	603
(8). Kennel, Boarding	SE	SE	603
b. COMMERCIAL USES			
(1). Airport/Heliport	CU	NP	604
(2). Animal Hospital	CU	NP	604
(3). Campground	NP	SE	604
(4). Golf Course	NP	SE	604
(5). Shooting Range	CU	NP	604
c. INSTITUTIONAL/CIVIC USES			
(1). Clubhouse or Lodge, Private	SE	SE	606
(2). Conservation Area	P	P	N/A
(3). Municipal Use	P	P	N/A
(4). Park/Playground	P	P	N/A
(5). Place of Religious Worship	p2.a. / SE2.b.	SE	606
(6). Public Utility	P	P	N/A
(7). School, K-12	p3.a. / SE3.b.	SE	606

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USE	AGRICULTURAL AND RURAL ZONES		SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(A) ZONE	(R) ZONE	
d. MISCELLANEOUS USES			
(1). Manure Digester Energy Production Facility	CU	NP	607
(2). Solar Energy Production Facility	CU	NP	607
(3). Telecommunications Tower	CU	NP	607
(4). Communications Antennas, Structures, and Equipment in Street Rights-of-Way (co-location)	P	P	530 & 607
(5). Communications Antennas, Structures, and Equipment in Street Rights-of-Way	CU	NP	607
3. SPECIFIC ACCESSORY USES			
a. Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P	P	
b. Accessory Employee Dwelling	P	SE	608
c. Accessory Family Member Dwelling	P	P	608
d. Agricultural Product Marketing/Sales	P	P	608
e. Agricultural Support Occupation	CU	NP	608
f. Agri-Tainment/Agri-Tourism	CU	NP	608
g. Bed and Breakfast	SE	SE	608
h. Beekeeping	P	P	608
i. Daycare, Family	P	SE	608
j. Helicopter Pad, Private	P	NP	608
k. Home Occupation	SE	SE	608
l. Home Occupation, No-Impact	P	P	202
m. Keeping of Livestock, Non-Commercial	P	P	608
n. Manure Digester System	P	NP	608
o. Manure Storage Facility	P	NP	608
p. Outdoor Furnace	P	NP	608
q. Roadside Stand	P	P	608
r. Rural Occupation	SE	SE	608
s. Telecommunications Antenna	P	P	529

NOTES:**N/A** Not Applicable**P** Permitted by Right (zoning decision by Township Zoning Officer)**SE** Special Exception Use (zoning decision by the Township Zoning Hearing Board)**CU** Conditional Use (zoning decision by the Township Board of Supervisors)**NP** Not Permitted

1 Includes, but is not limited to, those lots that do not comply with the minimum lot area, requirements imposed by bulk and area requirements for the (A) Zone in the subsection below relating to *Area and Bulk Requirements (S. 301.C.)*, but were in existence as of January 25, 1994.

2 In the (A) Zone, see the applicable conditions and regulations for the use:

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- a. Permitted by Right set forth in Article 6 of this Zoning Ordinance relating to *Place of Religious Worship in Non-Residential Uses – Institutional/Civic Use Regulations (S. 606.I.)*.
 - b. Permitted by Special Exception set forth in Article 6 of this Zoning Ordinance relating to *Place of Religious Worship in Non-Residential Uses – Institutional/Civic Use Regulations (S. 606.I.)*.
- 3 In the (A) Zone, see the applicable conditions and regulations for the use:
 - a. Permitted by Right set forth in Article 6 of this Zoning Ordinance relating to *School, K-12 in Non-Residential Uses – Institutional/Civic Use Regulation (S. 606.J.)*.
 - b. Permitted by Special Exception set forth in Article 6 of this Zoning Ordinance relating to *School, K-12 in Non-Residential Uses – Institutional/Civic Use Regulations (S. 606.J.)*.

C. Area and Bulk Requirements.

1. See Table 3-1.3 in this subsection below for the area and bulk requirements for principal uses and development activities within the Agricultural (A) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-1.3
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
AGRICULTURAL (A) ZONE**

AGRICULTURAL (A) ZONE									
USE	MINIMUM LOT AREA	MAXIMUM LOT AREA ¹	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	N/A	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	20%	35 ft.
b. Forestry (Commercial Timber Operations); and Crops and Gardening (Other than an Agricultural Operation)	43,560 sq. ft. ³	N/A	60 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
c. Single Family Detached Dwelling ²	43,560 sq. ft. ³	87,120 sq. ft.	60 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.

AGRICULTURAL (A) ZONE								
USE	MINIMUM LOT AREA	MAXIMUM LOT AREA ¹	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE
					FRONT	SIDE (EACH SIDE)	REAR	
d. Single Family Detached Dwelling ⁴	20,000 sq. ft.	87,120 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35 ft.
e. Other Principal Uses	43,560 sq. ft.	10 acres	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	20%
								35 ft.

NOTES:

N/A Not Applicable

1 The maximum lot area shall not apply if the applicant can demonstrate by credible evidence that the area proposed for the proposed non-agricultural use:

- (a) Does not consist of more than fifty (50) percent Class I, II and/or III soils, as identified in the Soil Survey; or
 - (b) Is generally unsuitable for agricultural purposes; or
 - (c) Where an applicant desires to subdivide an existing non-agricultural structure or use from the parent tract, the applicant may opt to impose the maximum lot area requirements of this subsection (S. 301.C.1.) upon such non-agricultural structure or use, rather than on a proposed non-agricultural structure or use located on the remainder of the parent tract.
- 2 Established after January 25, 1994.
 - 3 The minimum lot size for lots served with both public sewer service and public water service may be reduced to fifteen thousand (15,000) square feet, and shall otherwise comply with the standards for Single Family Detached Dwellings existing as of January 25, 1994.
 - 4 Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

2. See Table 3-1.4 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Agricultural (A) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-1.4
ACCESSORY USE AREA AND BULK REQUIREMENTS –
AGRICULTURAL (A) ZONE

AGRICULTURAL (A) ZONE									
USE	MINIMUM LOT AREA	MAXIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum lot coverage for principal use.	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	N/A	Not permitted within the front yard.	Must comply with the minimum yard setback for the principal use.	Must comply with the minimum yard setback for the principal use.	Included as part of total maximum lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:

N/A Not Applicable

- 1 Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.

- TABLE 3-1.5**
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
RURAL (R) ZONE

RURAL (R) ZONE								
USE	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	20%	35 ft.
b. Single Family Detached Dwelling ¹	43,560 sq. ft.	60 ft.	100 ft.	50 ft.	25 ft.	25 ft.	20%	35 ft.
c. Single Family Detached Dwelling ²	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.
d. Other Principal Uses	43,560 sq. ft.	150 ft.	150 ft.	40 ft.	30 ft.	50 ft.	20%	35 ft.

2 Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

4. See Table 3-1.6 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Rural (R) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-1.6
ACCESSORY USE AREA AND BULK REQUIREMENTS –
RURAL (R) ZONE**

RURAL (R) ZONE						
USE	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS		
				FRONT	SIDE (EACH SIDE)	REAR
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	Not permitted within the front yard.	Must comply with the minimum yard setback for the principal use.	Must comply with the minimum yard setback for the principal use.
					Included as part of total maximum Lot coverage for principal use.	Included as part of total maximum Lot coverage for principal use.
					20 ft. ¹	Not to exceed the height of the principal structure.

NOTES:

N/A Not Applicable

- 1 Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.

D. Additional Layout, Design, and Other Standards.

1. Agricultural (A) Zone. The following regulations apply to the (A) Zone:

a. Number of Permitted Lots or Principal Non-Agricultural Uses and Structures.

- (1). In order to preserve agricultural properties, it is the express intent of the (A) Zone regulations that the subdivision of lots, or the development of non-agricultural uses and structures, shall be limited. In addition, it is the express intent of these provisions that the maximum size of lots created for any use other than for agricultural purposes be limited in order to provide for the retention of tracts of sufficient size to be used for agricultural purposes. Landowners and prospective developers are “put on notice” that they must diligently seek out locations for such non-agricultural development that are not characterized by productive agricultural soils and will not disrupt agricultural operations. These areas must be developed on a priority basis before other agricultural areas will be considered for subdivision and/or land development.
- (2). For each parent tract of contiguous land in single and separate ownership existing as of January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, there may be one (1) lot subdivided or the erection of one (1) single family detached dwelling or other permitted principal non-agricultural building, or establishment of a permitted principal non-agricultural use, in accordance with Table 3-1.7 in this subsection below:

Adopted November 7, 2013

TABLE 3-1.7
NUMBER OF PERMITTED LOTS OR
PRINCIPAL NON-AGRICULTURAL USES

PARENT TRACT LOT AREA		TOTAL NUMBER OF LOTS PERMITTED TO BE SUBDIVIDED OR PRINCIPAL NON-AGRICULTURAL USES PERMITTED TO BE ESTABLISHED ¹
AT LEAST	BUT LESS THAN	
(a). 2 acres	50 acres	1
(b). 50 acres	100 acres	2
(c). 100 acres	150 acres	3
(d). 150 acres	200 acres	4
(e). 200 acres	250 acres	5
(f). 250 acres	300 acres	6
(g). 300 acres	350 acres	7
(h). 350 acres or more		8, plus 1 for every 50 acres over 350 acres

NOTES:

- 1 For undeveloped parcels not containing a principal dwelling or principal non-agricultural building or use on January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, there may be an additional permitted principal non-agricultural structure or use constructed or established on the parent tract in addition to those numbers permitted in Table 3-1.7.

TABLE 3-1.7
NUMBER OF PERMITTED LOTS OR
PRINCIPAL NON-AGRICULTURAL USES

PARENT TRACT LOT AREA		TOTAL NUMBER OF LOTS PERMITTED TO BE SUBDIVIDED OR PRINCIPAL NON-AGRICULTURAL USES PERMITTED TO BE ESTABLISHED ¹
AT LEAST	BUT LESS THAN	
(a). 2 acres	50 acres	1
(b). 50 acres	100 acres	2
(c). 100 acres	150 acres	3
(d). 150 acres	200 acres	4
(e). 200 acres	250 acres	5
(f). 250 acres	300 acres	6
(g). 300 acres	350 acres	7
(h). 350 acres or more		8, plus 1 for every 50 acres over 350 acres

NOTES:

- 1 For undeveloped parcels not containing a principal dwelling or principal non-agricultural building or use on January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, there may be an additional permitted principal non-agricultural structure or use constructed or established on the parent tract in addition to those numbers permitted in Table 3-1.7.

- (3). If a parent tract is to be subdivided to create a new lot or developed for an additional non-agricultural use:
 - (a). The remainder of the parent tract must contain a minimum lot area of twenty (20) acres, and the new lot must conform with the principal use area and bulk requirements set forth in Table 3-1.3 in the subsection above (S. 301.C.).
 - (b). If the parent tract existed on January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994 and contained a lot area of less than twenty (20) acres, then the lot area of the parent tract may be reduced in size without requiring a variance, but the remainder of the parent tract and new lot must otherwise conform with the principal use area and bulk requirements set forth in Table 3-1.3 in the subsection above (S. 301.C.).
 - (c). For a farm core, the remainder of the parent tract and the new lot to be created for the new farm core each must contain a minimum of twenty (20) acres and must conform with the principal use area and bulk requirements set forth in Table 3-1.3 in the subsection above (S. 301.C.).
 - (d). In no case shall a parent tract with a conforming lot area be subdivided or developed to create a new conforming lot area on either the remainder of the parent tract or the new lot.
- (4). Exemptions. Table 3-1.7 set forth in the subsection above (S. 301.D.1.a.(2).) shall not apply in the following circumstances:
 - (a). Table 3-1.7 set forth in the subsection above (S. 301.D.1.a.(2).) shall not apply to permitted accessory dwellings and two family conversions, unless new lots are created for such accessory dwellings or two family conversions.
 - (b). A farm core subdivision (lot add-on that merely transfers actively farmed agricultural land from one (1) farm core to another farm core, but in which no new lots are created) shall not be counted against the permitted number of lots permitted to be created in Table 3-1.7 set forth in the subsection above (S. 301.D.1.a.(2).); however, such transfer shall not cause either farm core to contain less than twenty (20) acres.
 - (c). A subdivision to create a lot which will be transferred to the Township of Rapho, its municipal authorities, and/or

authorized agent or entity with the power of eminent domain, shall not be counted against the number of lots permitted to be created in Table 3-1.7 set forth in the subsection above (S. 301.D.1.a.(2)).

- (5). Regardless of size, no tract of land permitted to be subdivided from its parent tract as one (1) of the total number of lots permitted to be subdivided shall qualify for additional lots or subdivision and no additional non-agricultural use or structure permitted to be established pursuant to the subsection above relating to *Number of Permitted Lots or Principal Non-Agricultural Uses and Structures* (S. 301.D.1.a.) may be developed into an additional principal non-agricultural use or structure. Similarly, any subsequent owner of any portion of the parent tract legally existing on January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, shall be bound by the actions of previous owners in that such current owner may only subdivide the permitted number of lots, or establish the permitted number of non-agricultural uses and structures, if any, remaining from the original number permitted by the subsection above relating to *Number of Permitted Lots or Principal Non-Agricultural Uses and Structures* (S. 301.D.1.a.). Any subdivision and/or land development plan hereafter filed for a tract of land in the (A) Zone shall specify which lot or lots shall carry with them the right to use any unused quota of lots permitted to be subdivided, or the number or amount of development of non-agricultural uses and structures permitted to be established or constructed, as determined by the provisions of this Section.
 - (6). All lots shall comply with the applicable layout and design standards and requirements of the SLDO.
 - (7). For each lot created in the (A) Zone after January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994, the owner shall be required to include the language contained within the subsection below relating to *Agricultural Nuisance Disclaimer* (S. 301.D.1.c.) as a declaration to the recorded deed.
- b. Locational Criteria: All applications for subdivision and/or land development shall be accompanied by a scaled drawing showing all of the potential lots and development permitted, in addition to the following information. The following information is required to allow the Township of Rapho to ensure that the highest quality agricultural land is protected, and to ensure that the new subdivision and/or development impacts agricultural operations to the minimum extent feasible.

- (1). The size, shape, contour and dimensions of the property; and the size, use, and location of all existing structures and uses.
- (2). All previously approved lots and development.
- (3). Land under active cultivation, land used as pasture, and forested land or land within woodlots.
- (4). Soil information for the property, including soil series and soil capability class, subclass, and unit, as classified within the Soil Survey.
- (5). The size, shape, contour, dimension, location, and use of all proposed lots, uses and structures, and on-lot sewage disposal lots. The applicant shall demonstrate that the following location and design considerations have been fully addressed:
 - (a). All uses and lots shall be established on non-prime agricultural land (Soil Capability Classes IV-VIII), when such land is available, or on lands which cannot feasibly be used for agricultural operations, due to existing features of the site such as rock outcroppings or heavily wooded areas, or due to the fact that the size and/or shape of an area suitable for agricultural operation is insufficient to permit the efficient use of agricultural machinery.
 - (b). Where a property is comprised entirely of prime agricultural land (Soil Capability Classes I, II, and III), the least suitable land shall be subdivided and/or utilized for the development.
 - (c). Where all non-prime agricultural land areas have been shown by the applicant to be unsuitable for development because of slope, drainage, flooding, sewage disposal, or other characteristics, the least suitable remaining agricultural land shall be utilized for development.
 - (d). Lots and uses shall be grouped, where possible, adjacent to other similar lots and uses, both within the subject property and in consideration of adjacent properties, to avoid a scattering of development.
 - (e). To the extent feasible, lots shall be located such that disturbance to existing hedgerows, orchards, and other significant native vegetation is minimized.

- (f). Lots shall be located to minimize the length of lot lines shared by all adjoining residential lots and agricultural land.
- (g). Lots shall be located to ensure adequate vehicular access to future lots and/or development not currently proposed.
- c. Agricultural Nuisance Disclaimer: All lands within the (A) Zone are located within an area where land is 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," and the Agriculture Communities and Rural Environment (ACRE), PA Act 38 of 2005, may bar them from obtaining a legal judgment against such normal agricultural operations. From the January 25, 1994 or on the date when such land was first (1st) included in the (A) Zone after January 25, 1994 , all subsequent subdivision plans submitted within the (A) Zone shall require a note which duplicates this section and which must be transferred to the purchaser by the seller.

Section 302. Residential Zones.

- A. Designation and Purpose Statements. See Table 3-2.1 in this subsection below for the designations and purpose statements of the applicable Residential Zones which are shown on the Official Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Official Zoning Map (S. 108.)*:

TABLE 3-2.1
DESIGNATION AND PURPOSE STATEMENTS –
RESIDENTIAL ZONES

RESIDENTIAL ZONES' NAMES AND OFFICIAL ZONING MAP TEXT SYMBOLS	RESIDENTIAL ZONES' PURPOSE STATEMENTS
1. Residential (R-1) Zone	The primary purpose of the (R-1) Zone is to accommodate suburban detached residential growth within the Township. The (R-1) Zone coincides with potential sewer and water utility service areas; however, the actual availability of these services is likely to occur at different times, in different areas. As a result, permitted densities have been adjusted according to the availability of these public utilities. When no public sewer service is provided, minimum lot area requirements have been sized to provide for an initial and an alternate on-site sewage disposal system. Last, multiple family and non-residential uses have been specifically excluded to protect the single-family detached residential character of these neighborhoods.
2. Mixed Residential (R-2) Zone	The primary purpose of the (R-2) Zone is to provide for a mixture of dwelling unit types at a consistent density. Permitted uses will have a maximum density of six (6) dwelling units per acre; however, the Village Overlay Zone (VO) offers an optional set of flexible design standards that seek to recreate traditional-style villages, along with substantial density bonuses. The (R-2) Zone is located within planned utility service areas, and intensive developments are tied to the use of such utilities. All dwellings proposed without the use of public sewer service will be required to be situated to one (1) side of a wider lot, so that potential future infill development on said lots can be protected for when public sewer service becomes available. Other social and civic uses have also been provided to better serve nearby residents.
3. Manufactured / Mobile Home Park Residential (MHP) Zone	This primary purpose of the (MHP) Zone is to acknowledge the numerous manufactured/mobile home park sites within Rapho Township, and protect their continued existence. Should landowners wish to eliminate manufactured/mobile home parks on a particular site, various other uses would be permitted. The (MHP) Zone located outside of the UGAs, is only depicted to acknowledge an existing manufactured/mobile home park; the (MHP) Zone should not be extended or enlarged unless they are located within a UGA.

- B. Permitted Uses. See Table 3-2.2 in this subsection below for the types of uses permitted in the applicable Residential Zones as set forth by this Zoning Ordinance. Uses are divided into those permitted by right listed as “P” (zoning decision by Township Zoning Officer); permitted by special exception listed as “SE” (zoning decision by the Township Zoning Hearing Board), and permitted by conditional use listed as “CU” (zoning decision by the Township Board of Supervisors). Many of the uses permitted by the above three (3) categories must comply with certain criteria, which are found in Article 5, Article 6, or elsewhere of this Zoning Ordinance. The specific section numbers of Article 5, Article 6, or elsewhere of this Zoning Ordinance where the criteria are located are noted in the table. Uses not listed in the table below or identified by “NP” shall specifically not be permitted in the applicable Residential Zones:

Adopted November 7, 2013

**TABLE 3-2.2
PERMITTED USES –
RESIDENTIAL ZONES**

USE	RESIDENTIAL ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(R-1) ZONE	(R-2) ZONE	(MHP) ZONE	
1. RESIDENTIAL USES				
a. Conversion, Multiple Family	NP	CU	NP	602
b. Conversion, Two Family	NP	P	NP	602
c. Manufactured/Mobile Home Park	NP	NP	P ¹ /SE ²	602
d. Multiple Family Dwelling	NP	CU	NP	602
e. Single Family Attached Dwelling	NP	P	NP	602
f. Single Family Detached Dwelling	P	P	P ³	N/A
g. Single Family Semi-Detached Dwelling	NP	P	NP	N/A
h. Two Family Detached Dwelling	NP	P	NP	N/A
2. NON-RESIDENTIAL USES				
a. AGRICULTURAL/FORESTRY USES				
(1). Agricultural Operation	P	P	P	603
(2). Crops/Gardening (Other than an Agricultural Operation)	P	P	P	N/A
(3). Forestry (Commercial Timber Operations)	P	P	P	510
b. COMMERCIAL USES				
(1). Boarding House	NP	SE	NP	604
c. INSTITUTIONAL/CIVIC USES				
(1). Cemetery	P	P	P	606
(2). Conservation Area	P	P	P	N/A
(3). Daycare, Commercial	NP	SE	NP	606
(4). Medical Residential Campus	NP	CU	NP	606
(5). Municipal Use	P	P	P	N/A
(6). Nursing, Rest, and Retirement Facility	NP	SE	NP	606
(7). Park/Playground	P	P	P	N/A
(8). Place of Religious Worship	SE	SE	SE	606

Adopted November 7, 2013

USE	RESIDENTIAL ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(R-1) ZONE	(R-2) ZONE	(MHP) ZONE	
(9). School, K-12	SE	SE	SE	606
3. SPECIFIC ACCESSORY USES				
a. Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P	P	P	
b. Accessory Family Member Dwelling	P	P	P	608
c. Agricultural Product Marketing/Sales	P	P	P	608
d. Daycare, Family	SE	SE	NP	608
e. Home Occupation	SE	SE	SE	608
f. Home Occupation, No-Impact	P	P	P	202
g. Roadside Stand	P	P	P	608
h. Telecommunications Antenna	P	P	P	529
4. MISCELLANEOUS USES				
a. Communications Antennas, Structures, and Equipment in Street Rights-of-Way (co-location)	P	P	P	530 & 607

NOTES:**N/A** Not Applicable**P** Permitted by Right (zoning decision by Township Zoning Officer)**SE** Special Exception Use (zoning decision by the Township Zoning Hearing Board)**CU** Conditional Use (zoning decision by the Township Board of Supervisors)**NP** Not Permitted**1** Existing as of January 25, 1994.**2** Established after January 25, 1994.

Adopted November 7, 2013

C. Area and Bulk Requirements.

1. See Table 3-2.3 in this subsection below for the area and bulk requirements for principal uses and development activities within the Residential (R-1) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-2.3
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
RESIDENTIAL (R-1) ZONE**

USE	RESIDENTIAL (R-1) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	20%	35 ft.
b. Principal Uses with no public water and no public sewer services	43,560 sq. ft.	100 ft.	100 ft.	50 ft.	30 ft. ¹ /25 ft. ²	50 ft.	20%	35 ft.
c. Principal Uses with public water service only	32,000 sq. ft.	100 ft.	100 ft.	50 ft.	30 ft. ¹ /25 ft. ²	50 ft.	25%	35 ft.
d. Principal Uses with public sewer service only	20,000 sq. ft.	100 ft.	100 ft.	50 ft.	30 ft. ¹ /25 ft. ²	50 ft.	30%	35 ft.
e. Principal Uses with both public sewer and public water services	10,000 sq. ft.	80 ft.	80 ft.	40 ft.	30 ft. ¹ /25 ft. ²	50 ft.	40%	35 ft.

Adopted November 7, 2013

USE	RESIDENTIAL (R-1) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
f. Single Family Detached Dwelling ³	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.

NOTES:**N/A Not Applicable**

- 1 All uses except Single Family Detached Dwelling.
- 2 Single Family Detached Dwelling.
- 3 Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

2. See Table 3-2.4 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Residential (R-1) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-2.4
ACCESSORY USE AREA AND BULK REQUIREMENTS –
RESIDENTIAL (R-1) ZONE

USE	RESIDENTIAL (R-1) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		

Adopted November 7, 2013

USE	RESIDENTIAL (R-1) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	Not permitted within the front yard.	Must comply with the minimum yard setback for the principal use.	Must comply with the minimum yard setback for the principal use.	Included as part of total maximum Lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:
N/A Not Applicable

- 1** Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.

3. See Table 3-2.5 in this subsection below for the area and bulk requirements for principal uses and development activities within the Mixed Residential (R-2) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-2.5
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
MIXED RESIDENTIAL (R-2) ZONE

USE	MIXED RESIDENTIAL (R-2) ZONE								
	MINIMUM LOT AREA	MAXIMUM DENSITY	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	N/A	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	20%	35 ft.
b. Principal Uses with no public water and no public sewer services	43,560 sq. ft.	1	280 ft.	280 ft.	40 ft.	140 ft. one side/ 165 ft. other side	50 ft.	20%	35 ft.
c. Single Family Detached Dwelling with both public sewer and public water services	8,500 sq. ft.	6	80 ft.	80 ft.	35 ft.	10 ft.	15 ft.	40%	35 ft.
d. Single Family Semi-Detached Dwelling with both public sewer and public water services	5,500 sq. ft. / DU	6	50 ft./DU	50 ft./DU	30 ft.	10 ft. detached side / 0 ft. attached side	15 ft.	45%	35 ft.

USE	MIXED RESIDENTIAL (R-2) ZONE								
	MINIMUM LOT AREA	MAXIMUM DENSITY	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
e. Two Family Detached Dwelling with both public sewer and public water service	5,500 sq. ft. / DU	6	50 ft./DU	50 ft./DU	30 ft.	10 ft.	15 ft.	45%	35 ft.
f. Single Family Attached Dwelling with both pubic sewer and public water services	2,000 sq. ft./DU	6	20 ft./DU	20 ft./DU	30 ft.	15 ft. detached side / 0 ft. attached side	15 ft.	60%	35 ft.
g. Other Principal Uses with both public sewer and public water services	10,000 sq. ft.	6	80 ft.	80 ft.	40 ft.	30 ft.	50 ft.	40%	35 ft.

NOTES:

N/A Not Applicable

Adopted November 7, 2013

4. See Table 3-2.6 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Mixed Residential (R-2) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-2.6
ACCESSORY USE AREA AND BULK REQUIREMENTS –
MIXED RESIDENTIAL (R-2) ZONE

USE	MIXED RESIDENTIAL (R-2) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH	REQUIRED MINIMUM YARD SETBACKS			MAXIMUM PERMITTED LOT COVERAGE	MAXIMUM PERMITTED HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures ¹								
(1). Single Family Detached Dwelling and Two Family Detached Dwelling	N/A	N/A	N/A	Not permitted within the front yard.	5 ft.	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ²
(2). Single Family Semi-Detached Dwelling and Single Family Attached Dwelling	N/A	N/A	N/A	Not permitted within the front yard.	5 ft. detached side / 0 ft. attached side	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ²
b. Non-Residential and Other Principal Uses’ Accessory Uses and Structures ³	N/A	N/A	N/A	Not permitted within the front yard.	Must comply with the minimum yard setback for the principal use.	Must comply with the minimum yard setback for the principal use.	Included as part of total maximum Lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:**N/A Not Applicable****1 Excludes Multiple Family Dwelling developments.****2 Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.****3 Includes Multiple Family Dwelling developments.**

Adopted November 7, 2013

5. See Table 3-2.7 in this subsection below for the area and bulk requirements for principal uses and development activities within the Manufactured/Mobile Home Park (MHP) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-2.7
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
MANUFACTURED/MOBILE HOME PARK (MHP) ZONE

USE	MANUFACTURED/MOBILE HOME PARK (MHP) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Manufactured/Mobile Home Park	See Article 6 relating to <i>Manufactured/Mobile Home Park</i> in <i>Residential Use Regulations (S. 602.D.)</i>							35 ft.
c. Single Family Detached Dwelling ¹	43,560 sq. ft.	100 ft.	100 ft.	50 ft.	25 ft.	25 ft.	20%	35 ft.
d. Single Family Detached Dwelling ²	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.
e. Other Principal Uses	43,560 sq. ft.	150 ft.	150 ft.	40 ft.	30 ft.	50 ft.	20%	35 ft.

NOTES:**N/A Not Applicable****1 Established after January 25, 1994.****2 Existing as of January 25, 1994, and does not comply with the area and bulk requirements for Single Family Detached Dwelling established after January 25, 1994.**

Adopted November 7, 2013

6. See Table 3-2.8 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Manufactured/Mobile Home Park (MHP) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-2.8
ACCESSORY USE AREA AND BULK REQUIREMENTS –
MANUFACTURED/MOBILE HOME PARK (MHP) ZONE

USE	MANUFACTURED/MOBILE HOME PARK (MHP) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	Not permitted within the front yard.	Must comply with the minimum yard setback for the principal use.	Must comply with the minimum yard setback for the principal use.	Included as part of total maximum Lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:**N/A** Not Applicable

- 1** Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.

Adopted November 7, 2013

Section 303. Mixed Use Zones.

- A. Designation and Purpose Statements. See Table 3-3.1 in this subsection below for the designations and purpose statements of the applicable Mixed Use Zones which are shown on the Official Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Official Zoning Map (S. 108.)*:

TABLE 3-3.1
DESIGNATION AND PURPOSE STATEMENTS –
MIXED USE ZONES

MIXED USE ZONES' NAMES AND OFFICIAL ZONING MAP & TEXT SYMBOLS	MIXED USE ZONES' PURPOSE STATEMENTS
1. Crossroads Community (CC) Zone	The primary purpose of the (CC) Zone is to promote the continuation of the Township's compact, rural mixed use centers, traditionally located at the intersection of two (2) or more roads. Areas within the (CC) Zone have traditionally been, and are proposed to continue serving as, the central gathering places possessing a compatible mixture of low density residential uses along with a limited amount of supporting small-scale commercial, institutional, or public uses. The (CC) Zone is intended to accommodate a limited amount of new development, but is primarily intended to accommodate a limited amount of infill, reuse, and replacement type development, both which are compatible with the traditional rural character of these areas. Although these areas are supported by rural infrastructure, they are not likely to be served by public sewer service or public water service within the foreseeable future; therefore, larger lot sizes are indicated.
2. Mixed Use Commercial (MUC) Zone	The primary purpose of the (MUC) Zone is to provide for major commercial areas that generate employment, retail businesses, tourism and related dining/lodging, and entertainment uses. The selected location acknowledges prime access to major highways which will serve the commercial uses without generating undue traffic congestion on the Township's rural road system. Specific uses have been limited to avoid unneeded duplication of commercial businesses within nearby Boroughs of Mount Joy and Manheim. Design standards have been imposed to require attractive and functional integrated business centers, rather than freestanding strip development patterns. An overall plan of development approved as a conditional use is required, to ensure comprehensive and efficient use of commercially-zoned land, available infrastructure and public services in a manner that promotes a strong sense of community rather than random development; provides flexibility in design that includes an orderly, integrated, pedestrian-friendly zoning district consisting of a variety of compatible and complementary uses. Dominant building and streetscape elements will encourage connectivity and collectively create a main street atmosphere that includes a varied, coordinated, high-quality design for buildings, signs, parking areas, and streetscape architectural theme.

- B. Permitted Uses. See Table 3-3.2 in this subsection below for the types of uses permitted in the applicable Mixed Use Zones as set forth by this Zoning Ordinance. Uses are divided into those Permitted by Right listed as "P" (zoning decision by Township Zoning Officer); Permitted by Special Exception listed as "SE" (zoning decision by the Township Zoning

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Hearing Board), and Permitted by Conditional Use listed as “CU” (zoning decision by the Township Board of Supervisors). Many of the uses permitted by the above three (3) categories must comply with certain criteria, which are found in Article 5, Article 6, or elsewhere of this Zoning Ordinance. The specific section numbers of Article 5, Article 6, or elsewhere of this Zoning Ordinance where the criteria are located are noted in the table. Uses not listed in the table below or identified by “NP” shall specifically not be permitted in the applicable Mixed Use Zones:

**TABLE 3-3.2
PERMITTED USES –
MIXED USE ZONES**

USE	MIXED USE ZONES		SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CC) ZONE	(MUC) ZONE	
1. RESIDENTIAL USES			
a. Conversion, Multiple Family	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development</i> in <i>Mixed Use Commercial (MUC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.2.b.)</i> .	602
b. Conversion, Two Family	P		602
c. Multiple Family Dwelling	P		602
d. Single Family Attached Dwelling	P		602
e. Single Family Detached Dwelling	P		N/A
f. Single Family Semi-Detached Dwelling	P		N/A
g. Two Family Detached Dwelling	P		N/A
2. NON-RESIDENTIAL USES			
a. AGRICULTURAL/FORESTRY USES			
(1). Agricultural Operation	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development</i> in <i>Mixed Use Commercial (MUC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.2.b.)</i> .	N/A
(2). Crops/Gardening (Other than an Agricultural Operation)	P		N/A
(3). Forestry (Commercial Timber Operations)	P		510
b. COMMERCIAL USES			
(1). Office, Professional and Business	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development</i> in <i>Mixed Use Commercial (MUC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.2.b.)</i> .	N/A
(2). Office, Veterinary	P		N/A
(3). Personal Service	P		N/A
(4). Restaurant	SE		604

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USE	MIXED USE ZONES		SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CC) ZONE	(MUC) ZONE	
(5). Retail Business	SE	Additional Layout, Design, and Other Standards (S. 303.D.2.b.).	604
(6). Shops for Contractors	P		
c. INSTITUTIONAL/CIVIC USES			
(1). Clubhouse or Lodge, Private	SE	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development</i> in <i>Mixed Use Commercial (MUC) Zone</i> in <i>Additional Layout, Design, and Other Standards (S. 303.D.2.b.).</i>	606
(2). Conservation Area	P		N/A
(3). Daycare, Commercial	SE		606
(4). Government Use Other than Municipal Use	SE		606
(5). Library	P		N/A
(6). Municipal Use	P		N/A
(7). Museum	P		N/A
(8). Office, Medical	P		N/A
(9). Park/Playground	P		N/A
(10). Place of Religious Worship	SE		606
(11). Public Utility	P		N/A
(12). School, K-12	SE		606
e. MISCELLANEOUS USES			
(1). Mixed Use Commercial Development	NP	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development</i> in <i>Mixed Use Commercial (MUC) Zone</i> in <i>Additional Layout, Design, and Other Standards (S. 303.D.2.b.).</i>
(2). Communications Antennas, Structures, and Equipment in Street Rights-of-Way (co-location)	P	P	530 & 607
(3). Communications Antennas, Structures, and Equipment in Street Rights-of-Way	NP	CU	607
3. SPECIFIC ACCESSORY USES			

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USE	MIXED USE ZONES		SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CC) ZONE	(MUC) ZONE	
a. Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone, other than specified elsewhere in this Zoning Ordinance including but not limited to Article 5 and Article 6.	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development in Mixed Use Commercial (MUC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.2.b.).</i>	N/A
b. Accessory Employee Dwelling	P		608
c. Accessory Family Member Dwelling	P		608
d. Agricultural Product Marketing/Sales	P		608
e. Bed and Breakfast	SE		608
f. Daycare, Family	P		608
g. Drive-Thru Facility for Permitted Use	SE		608
h. Home Occupation	P		608
i. Home Occupation, No-Impact	P		608
j. Keeping of Livestock, Non-Commercial	P		608
k. Outside Café/Dining	P		608
l. Outside Display	P		608
m. Roadside Stand	P		608
n. Telecommunications Antenna	P		529
4. SPECIFIC TEMPORARY USES			
a. Seasonal Sidewalk Display	P	See the subsection below relating to <i>Elements of a Mixed-Use Commercial Development in Mixed Use Commercial (MUC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.2.b.).</i>	609

NOTES:

N/A Not Applicable

P Permitted by Right (zoning decision by Township Zoning Officer)

SE Special Exception Use (zoning decision by the Township Zoning Hearing Board)

CU Conditional Use (zoning decision by the Township Board of Supervisors)

NP Not Permitted

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C. Area and Bulk Requirements.

1. See Table 3-3.3 in this subsection below for the area and bulk requirements for principal uses and development activities within the Crossroads Community (CC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-3.3
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
CROSSROADS COMMUNITY (CC) ZONE**

USE	CROSSROADS COMMUNITY (CC) ZONE								
	MINIMUM LOT AREA	MAXIMUM DENSITY	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	N/A	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Reuse of an Existing Building on an Existing Lot for a Permitted Use ¹	See the subsection below relating to <i>Community Crossroads (CC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.1.)</i> .	1	See the subsection below relating to <i>Community Crossroads (CC) Zone in Additional Layout, Design, and Other Standards (S. 303.D.1.)</i> .						
c. Principal Uses with no public water and no public sewer services	43,560 sq. ft.	1	280 ft.	280 ft.	40 ft. ²	140 ft. one side/ 165 ft. other side	50 ft.	20%	35 ft.

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USE	CROSSROADS COMMUNITY (CC) ZONE								
	MINIMUM LOT AREA	MAXIMUM DENSITY	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
					FRONT	SIDE (EACH SIDE)	REAR		
d. Single Family Detached Dwelling with both public sewer and public water services	5,500 sq. ft.	8	50 ft.	50 ft.	15 ft. ²	10 ft.	15 ft.	60%	35 ft.
e. Single Family Semi-Detached Dwelling with both public sewer and public water services	3,500 sq. ft. / DU	8	30 ft./DU	35 ft./DU	15 ft. ²	10 ft. detached side / 0 ft. attached side	15 ft.	60%	35 ft.
f. Two Family Detached Dwelling with both public sewer and public water service	3,500 sq. ft. / DU	8	30 ft./DU	35 ft./DU	15 ft. ²	10 ft.	15 ft.	60%	35 ft.
g. Single Family Attached Dwelling with both pubic sewer and public water services	2,000 sq. ft./DU	8	20 ft./DU	20 ft./DU	15 ft. ²	10 ft. detached side / 0 ft. attached side	15 ft.	70%	35 ft.
h. Other Principal Uses with both public sewer and public water services	5,500 sq. ft.	8	50 ft.	50 ft.	15 ft. ²	15 ft.	15 ft.	60%	35 ft.

NOTES:**N/A Not Applicable**

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- 1 Existing as of January 25, 1994, and does not comply with the standards for principal uses established after January 25, 1994.**
- 2 Or see Article 5 of this Zoning Ordinance relating to *Yard Setback and Setback Exceptions/Modifications (S. 535.)*, whichever is less.**

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2. See Table 3-3.4 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Crossroads Community (CC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-3.4
ACCESSORY USE AREA AND BULK REQUIREMENTS –
CROSSROADS COMMUNITY (CC) ZONE

USE	CROSSROADS COMMUNITY (CC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Reuse of an Existing Building on an Existing Lot for a Permitted Use ¹	See the subsection below relating to <i>Community Crossroads (CC) Zone</i> in <i>Additional Layout, Design, and Other Standards (S. 303.D.1.)</i> .							
b. Residential Accessory Uses & Structures ²								
(1). Single Family Detached Dwelling and Two Family Detached Dwelling	N/A	N/A	N/A	Not permitted within the front yard.	5 ft.	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ³
(2). Single Family Semi-Detached Dwelling and Single Family Attached Dwelling	N/A	N/A	N/A	Not permitted within the front yard.	5 ft. detached side / 0 ft. attached side	5 ft.	Included as part of total maximum Lot coverage for principal use.	20 ft. ³

USE	CROSSROADS COMMUNITY (CC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
c. Non-Residential Accessory Uses and Structures ⁴	N/A	N/A	N/A	Not permitted within the front yard.	10 ft.	15 ft.	Included as part of total maximum Lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:

N/A Not Applicable

- 1 Existing as of January 25, 1994, and does not comply with the standards for principal uses established after January 25, 1994.
- 2 Excludes Multiple Family Dwelling developments.
- 3 Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.
- 4 Includes Multiple Family Dwelling developments.

3. See Table 3-3.5 in this subsection below for the area and bulk requirements for principal uses and development activities within the Mixed Use Commercial (MUC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-3.5
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
MIXED USE COMMERCIAL (MUC) ZONE**

USE	MIXED USE COMMERCIAL (MUC) ZONE

	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Mixed Use Commercial Development	See the subsection below relating to <i>Mixed Use Commercial (MUC) Zone</i> in <i>Additional Layout, Design, and Other Standards (S. 303.D.2.)</i> .							

NOTES:

N/A Not Applicable

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4. See Table 3-3.6 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Mixed Use Commercial (MUC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-3.6
ACCESSORY USE AREA AND BULK REQUIREMENTS –
MIXED USE COMMERCIAL (MUC) ZONE

USE	MIXED USE COMMERCIAL (MUC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE	REAR		
a. Non-Residential Accessory Uses and Structures	See the subsection below relating to <i>Mixed Use Commercial (MUC) Zone</i> in <i>Additional Layout, Design, and Other Standards (S. 303.D.2.)</i> .							

NOTES:**N/A Not Applicable**

D. Additional Layout, Design, and Other Standards.

1. Crossroads Community (CC) Zone. The following regulations apply to the (CC) Zone:

- a. Reuse of an Existing Building on an Existing Lot Existing as of January 25, 1994 for a Permitted Use. In instances where a new permitted use is proposed to be located within an existing building on an existing lot existing as of January 25, 1994 and does not comply with the standards for principal uses established after January 25, 1994, the existing building and existing lot shall not be required to comply with the minimum lot area, minimum lot frontage, minimum lot width, or required minimum yard setback standards for principal uses established after January 25, 1994 as long as the existing conditions of the:

- (1). Lot are not further reduced in existing lot area, lot frontage, or lot width; and
- (2). Existing building is not expanded or extended so as to decrease the existing yard setbacks.

The existing lot and the existing building shall otherwise conform with the principal use area, density, and bulk requirements set forth in Table 3-3.3 in the subsection above (S. 303.C.1.) and the standards set forth elsewhere in this Zoning Ordinance.

2. Mixed Use Commercial (MUC) Zone. The following regulations apply to the (MUC) Zone:

- a. Review Process.
 - (1). A Mixed-Use Commercial Development may contain any of those land uses contained in the subsection below relating to *Elements of a Mixed Use Commercial Development (S. 303.D.2.b.)*.
 - (2). The initial approval of the Mixed-Use Commercial Development shall require a conditional use review by the Township Board of Supervisors. For freestanding pad sites, the applicant may choose to identify proposed building envelopes and a list of potential uses to be applied to each pad site respectively, as an alternative to the specific identification of each use. However, in reviewing pad sites, the Township of Rapho will consider the maximum potential build-out and development scenario (maximum density and intensity) of building site envelope and potential uses when evaluating the conditional use application.

- (3). Any subsequent substitution of use within the Mixed-Use Commercial Development shall be permitted by right so long as the proposed use is permitted in the subsection below relating to *Elements of a Mixed Use Commercial Development (S. 303.D.2.b.)* and does not require amendment of the approved site plan beyond that allowed in the subsection below relating to *Revisions to Approved Development (S. 303.D.2.p.)*.
 - (4). Future uses that require amendment of the approved site plan beyond that permitted in the subsection below relating to *Revisions to Approved Development (S. 303.D.2.p.)* shall require conditional use approval set forth in the subsection below relating to *Application for Conditional Use (S. 303.D.2.o.)*.
 - b. Elements of a Mixed-Use Commercial Development. A Mixed-Use Commercial Development shall include one (1) or more of the following:
 - (1). Anchor Use.
 - (a). Anchor Uses are limited to a single user (tenant) space under common ownership having a gross ground-level floor area of seventy-five thousand (75,000) square feet or greater, but less than one hundred fifty thousand (150,000) square feet.
 - (b). The number of Anchor Uses is not limited but shall individually or in a combination with Anchor Use and Large Scale Anchor Use not exceed two hundred twenty-five thousand (225,000) square feet of gross ground-level floor area.
 - (c). Anchor Use may have Linear Shops. Linear Shops, commercial or retail stores having a gross ground-level floor area of less than five thousand (5,000) square feet per shop and located along at least one (1) side of an Anchor Use, shall have external access and may have internal access to the Anchor Use. Linear Shops shall not be included in the overall gross floor area of an Anchor Use.
 - (d). Outside display area, except for sidewalk sales area, shall be enclosed by wall or fence. The material and color of the enclosure shall be consistent with the overall architecture of the building.

- (e). Outside storage areas located at the main entrances shall be enclosed by a wall that is consistent with the architecture of the primary building.
- (2). Large Scale Anchor Use.
 - (a). Large Scale Anchor Uses are limited to a single user (tenant) space under common ownership having a gross ground-level floor area of one hundred fifty thousand (150,000) square feet or greater, but less than two hundred twenty five thousand (225,000) square feet.
 - (b). The (MUC) Zone provides for no more than one (1) Large Scale Anchor Use.
 - (c). Large Scale Anchor Use shall have Linear Shops. Linear Shops, commercial or retail stores having a gross ground-level floor area of less than five thousand (5,000) square feet per shop and located along at least one (1) side of a Large Scale Anchor Use, shall have external access and may have internal access to the Large Scale Anchor Use. Linear Shops shall not be included in the overall gross floor area of a Large Scale Anchor Use.
 - (d). Outside display area, except for sidewalk sales area, shall be enclosed by wall or fence. The material and color of the enclosure shall be consistent with the overall architecture of the building.
 - (e). Outside storage areas located at the main entrances shall be enclosed by a wall that is consistent with the architecture of the primary building.
- (3). Residential Component. The (MUC) Zone encourages and permits a mix of nonresidential and residential uses located within the same building, provided the dwelling unit is located in a building where the lower floor(s) is devoted primarily to a nonresidential use; however, the first (1st) floor or lower floors, as the case may be, may provide for the dwelling unit's use as common areas such as building entrance, lobby, meeting room, business center, and recreation facility. No maximum residential density is prescribed for dwellings.
- (4). Other Permitted Uses. See Table 3-3.7 in this subsection below for the types of uses permitted in a Mixed Use Commercial Development:

**TABLE 3-3.7
PERMITTED USES –
MIXED USE COMMERCIAL DEVELOPMENT**

USE	MIXED USE COMMERCIAL DEVELOPMENT	SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
(a). RESIDENTIAL USES		
i. Dwelling Unit	P	N/A
(b). NON-RESIDENTIAL USES		
i. AGRICULTURAL/FORESTRY USES		
[1]. Crops/Gardening (Other than an Agricultural Operation)	P	N/A
[2]. Forestry (Commercial Timber Operations)	P	510
ii. COMMERCIAL USES		
[1]. Bank and Other Similar Financial Institution	P	N/A
[2]. Convenience Store	P	N/A
[3]. Dry Cleaner, Laundry, and Laundromat	P	N/A
[4]. Hotel/Motel	P	N/A
[5]. Office, Business and Professional	P	N/A
[6]. Personal Service	P	N/A
[7]. Recreation, Indoor	P	N/A
[8]. Restaurant	P	N/A
[9]. Retail Business	P	N/A
[10]. Vehicle Service/Repair, Light/Medium Duty	P	N/A
iii. INSTITUTIONAL/CIVIC USES		
[1]. Conservation Area	P	N/A
[2]. Daycare, Commercial	P	606
[3]. Government Use Other than Municipal Use	P	N/A
[4]. Municipal Use	P	N/A
[5]. Office, Medical	P	N/A
[6]. Park/Playground	P	N/A
[7]. Place of Religious Worship	P	N/A
[8]. Public Utility	P	N/A
(c). SPECIFIC ACCESSORY USES		
i. Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P	

USE	MIXED USE COMMERCIAL DEVELOPMENT	SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
ii. Automated Banking or Postal Facility	P	608
iii. Daycare, Family	P	608
iv. Drive-Thru Facility for Permitted Use	P	608
v. Home Occupation	P	608
vi. Home Occupation, No-Impact	P	608
vii. Mobile Concession/ Street Vendor	P	608
viii. Outside Café/Dining	P	608
ix. Outside Display	P	608
x. Shopping Cart Storage	P	608
(d). SPECIFIC TEMPORARY USES		
i. Seasonal Sidewalk Display	P	609

- c. Architectural Design. The application for conditional use shall include a design guideline that provides an illustrative set of acceptable architectural and construction material features including the following items designed to establish a minimum quality level. The following design guidelines shall be universally applied throughout the Development Tract:

(1). Architectural Theme.

- (a). Buildings shall promote and enhance a pedestrian scale and orientation on any building facade located along a sidewalk by incorporating discernible and architecturally appropriate features, such as, but not limited to, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, or other treatments for visual interest.
- (b). All portions of buildings shall be designed with compatible architectural themes and materials, whether constructed at one time or in stages over a period of time. In addition, buildings shall demonstrate a variety in size, mass and height.

(2). Building Facade.

- (a). Building facades of individual buildings shall vary.

- (b). Recesses and projections to building walls, such as pillars, columns, or other treatments, shall be used to add architectural interest and variety to wall lengths greater than one hundred (100) feet.
- (c). The architectural design and material surface and color of all walls of the building shall be compatible with the front of the building (four [4]-sided architecture).
- (d). Building shall have a clearly-defined, highly-visible entrance.
- (e). Building entry doorways shall allow a minimum five (5) feet of unobstructed sidewalk.
- (f). Loading docks, HVAC equipment, refuse collection stations, and trash compactors areas shall be consistent with the architecture of the building.
- (3). Exterior Building Materials and Colors. The exterior skin of buildings shall be:
 - (a). Constructed with high quality materials which are not comprised solely of smooth-faced concrete block, split-faced concrete block, or prefabricated steel panels.
 - (b). Colors shall be low reflectance, and not primary colors. Building trim and access areas may feature brighter colors, including primary colors.
- (4). Building Height.
 - (a). There is no minimum building height. It is the intent of the Township Board of Supervisors to include multi-story structures within the Development Tract. The desire is to have varying heights for buildings throughout the Development Tract. Seventy-five (75) percent of the linear building front wall space, excluding Anchor Uses and Large Scale Anchor Uses, shall include an architectural appearance of multi-story buildings along the street frontage.
 - (b). The maximum building height shall be six (6) stories.
- (5). Roof Line.
 - (a). Roof line offsets shall be provided to add architectural interest and variety to relieve the visual effect of a long roof.

- (b). Flat roofs shall use architectural features (e.g., parapet, mansard roof, gable roof, hip roof, or dormer) to add interest to relieve the visual appearance. Roof top equipment, such as HVAC, shall be incorporated into the overall design and out of ground-level view within two hundred (200) feet of the equipment.
 - (6). Anchor Use and Large Scale Anchor Use Design. The design guidelines in this subsection are intended to produce Anchor Uses and Large Scale Anchor Uses with more pedestrian orientation and scale than conventional projects. The standards in this subsection below apply to Anchor Uses and Large Scale Anchor Uses.
 - (a). Site Planning. The design shall include an outdoor use area or focal point adjacent to major building entrances. The area shall provide amenities such as a water feature, benches, landscaped areas, etc.
 - (b). Wall Design. All buildings shall be designed to break up the appearance of a box-like structure, especially when visible from non-arterial streets or residential areas.
 - (c). Building Facade Articulation. Include building facade articulation in the form of horizontal and/or vertical design elements to provide variations in wall plane and surface relief, including providing a variety of surface textures, recesses and projections along wall planes. Building facades greater than one hundred (100) feet in length shall incorporate recesses or projections.
 - (7). Architectural Design Assurance. Prior to final plan approval under the applicable plan review procedures and processes of the SLDO, the applicant shall provide legally-binding assurances in a recordable form acceptable to the Township of Rapho that ensures ongoing and future compliance with these architectural design requirements.
- d. Lot Design.
- (1). Application for Entire Development Tract. Any Conditional Use Application shall include the entire Development Tract, unless the Township Board of Supervisors permits a modification of standards with respect to this provision after finding that one or more tracts or parts thereof should not be treated as an integral part of the Development Tract, and the public interest is served by having such

other tract or tracts governed by other portions of the Township's land use ordinances.

- (2). Site Planning. Site planning for the entire development tract shall emphasize pedestrian-oriented features, even though most customer trips to these facilities will be made by motor vehicles. The layout of buildings and parking shall emphasize a strong relationship to adjoining streets, and encourage pedestrian circulation and access between the buildings and the street. Except as provided in the subsection below relating to the permitted exceptions in *Minimum and Maximum Building Setback (S. 303.D.2.d.(6).)*, buildings shall be placed near the street frontage.
- (3). Minimum Lot Area. For individual lots within the Development Tract, there shall be no minimum lot area requirements.
- (4). Minimum Lot Width. For individual lots within the Development Tract, there shall be no minimum lot width requirements.
- (5). Minimum Perimeter Setback. See Table 3-3.8 in this subsection below for the minimum setbacks of Development Tract:

**TABLE 3-3.8
MINIMUM SETBACKS FOR THE
DEVELOPMENT TRACT**

STREET NAME	BUILDINGS, STRUCTURES & OFF-STREET LOADING AREAS	OFF-STREET PARKING AREA
(a). East Main Street/SR 0230	20 ft.	10 ft.
(b). Esbensshade Road	20 ft.	10 ft.
(c). McKinley Drive	0 ft.	10 ft.
(d). Route 283/SR 0283	0 ft.	0 ft.

- (6). **Minimum and Maximum Building Setback**
 - (a). The building setback along one (1) street or access drive shall be a minimum of zero (0) feet and a maximum of fifteen (15) feet from the adjoining street right-of-way line of all new streets and cartway of all new access drives.
 - (b). Buildings shall anchor corners where streets and access drives intersect.
 - (c). Exceptions to the maximum building setback are permitted for:

- i. An outdoor space such as a plaza, courtyard, patio or garden between a building and the sidewalk.
 - ii. Where there is an existing or demonstrated future height volume or high speed traffic, an exception to the maximum building setback could be granted, along one (1) street or access drive, as necessary for outdoor space, traffic geometry, or traffic turning movements.
 - iii. An established pattern of existing buildings that make a pedestrian-oriented street-front non-feasible.
 - iv. Anchor Uses or Large Scale Anchor Uses.
 - v. A street or access drive horizontal alignment and/or intersection radii.
 - vi. Where exceptions to the minimum and maximum building setback are granted within the subsection above (*S. 303.D.2.d.(6).(c).*) due to large vehicle turning movements, the setback areas shall include landscaping, low walls, fencing or railings, and/or other similar site improvements along the sidewalk designed for pedestrian interest, comfort and visual continuity.
- (d). The minimum building separation may be zero (0) feet subject to the IBC as referenced in the PA UCC adopted by the Township of Rapho.
- (7). Clear Sight Triangle. New intersections of streets and new intersections of streets with access drives, that are located within the development, shall provide a clear sight triangle measured fifteen (15) feet along each curb line of the intersection.
- (8). Maximum Lot Coverage. For the Development Tract, the maximum lot coverage shall be eighty-five (85) percent. For individual lots within the Development Tract, there shall be no maximum lot coverage requirements as long as the maximum lot coverage for the Development Tract does not exceed eighty-five (85) percent.

e. Streets, Access Drives, Driveways, and Loading.

- (1). New Streets. To the greatest extent possible, no new street shall be greater in length than five hundred (500) feet without access to another street, access drive, or alley.
- (2). Circulation Pattern.
 - (a). Streets, access drives, and driveways shall, to the greatest extent possible, be designed to reduce traffic speeds and promote safe pedestrian and non-motorized vehicular travel.
 - (b). Whenever possible, vehicle circulation system should maintain a grid pattern.
 - (c). The number of driveway intersections with access drives, and streets shall be minimized.
- (3). Travel Lane Width. The minimum travel lane width shall be eleven (11) feet for each direction of travel, except as provided in Table 3-3.9 in this subsection below:

**TABLE 3-3.9
MINIMUM TRAVEL LANE WIDTH**

ANGLE OF PARKING	TRAVEL LANE – ONE (1)-WAY (TOTAL WIDTH)	TRAVEL LANE – TWO (2)-WAY (TOTAL WIDTH)
(a). 90 degrees	22 ft.	22 ft.
(b). 60 degrees	14½ ft.	20 ft.
(c). 45 degrees	13 ft.	18 ft.
(d). Parallel	11 ft.	22 ft.

- (4). Street and Access Drive Curb.
 - (a). The minimum curb radius for intersections of new streets and/or access drives shall be fifteen (15) feet.
 - (b). Vertical or slant curbs shall be provided along both sides of new streets and/or access drives in accordance with the applicable design and construction standards and requirements of the SLDO.

(5). Traffic-Calming Devices.

- (a). Streets shall include traffic-calming devices to provide pedestrian-friendly speed limits.
- (b). Wherever on-street or on-access drive parking is provided, "bulb-outs" (also known as bump outs, nubs, knuckles, or neck-downs) shall be provided at all intersections of streets, alleys and access drives, and where necessary, to ensure there are no continuous strips of parking in excess of three hundred (300) feet. "Bulb-outs" shall be six (6) feet in depth. "Bulb-outs" located at intersections shall be at least twenty-five (25) feet in length from the curb line of the intersection, and "bulb-outs" shall be at least ten (10) feet in length.
- (c). Where intersections are used by significant numbers of trucks or buses, the bulb-outs need to be designed to accommodate the turning radii of the larger vehicle. However, consideration shall be given to slow vehicle speeds and safe encroachment into adjacent lanes where volumes are low and speeds are slow.
- (d). Street roundabouts may be used for improved safety, speed reduction, aesthetics, and operational functionality. The inscribed circle shall be a minimum diameter of forty-five (45) feet.

(6). Parking Along Street and Access Drive.

- (a). On-street parking is required along the entire length of both sides of all proposed new streets, except in areas that conflict with the function of the street (e.g., traffic flow, travel lanes, intersections, clear sight triangles, pedestrian crosswalks, transit stops, and vehicle turnouts).
- (b). Parking Space Dimensional Requirements. Parking spaces along streets and access drives shall be in provided in accordance with Table 3-3.10 in this subsection below:

**TABLE 3-3.10
MINIMUM PARKING SPACE DIMENSIONS**

PARKING SPACE TYPE	MINIMUM WIDTH	MINIMUM LENGTH/ DEPTH
i. Parallel to Travel Lane	8 ft.	22 ft.
ii. 0.1 – 34.99 degrees	10 ft.	19 ft.
iii 35 – 54.99 degrees	10 ft.	21 ft.
iv. 55 – 89.99 degrees	10 ft.	22 ft.
v. 90 degrees	9 ft.	18 ft.

- (c). Parking spaces along streets and access drives shall be located wherever possible to provide convenient access to stores and shops.
 - (d). Parking spaces along streets and access drives are prohibited within twenty-five (25) feet of the edge of the cartway of intersecting streets and/or access drives.
 - (e). Parking spaces along streets and access drives may be used to meet parking requirements of this Zoning Ordinance.
- (7). Loading Spaces/Zones.
- (a). Loading spaces/zones shall be provided in accordance with the subsection above (*S. 303.D.2.e.(7).*) prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets.
 - (b). A conditional use plan for which a loading space/zone is required shall include a drawing showing the proposed layout of the loading area. The drawing shall clearly indicate the design elements required in the (MUC) Zone.
 - (c). Loading spaces/zones shall be constructed and maintained with a paved surface of concrete or bituminous materials.
 - (d). Loading space/zone may be located in the required yard area.
 - (e). Loading spaces/zones may be specially identified areas along a street, access drive or within a parking area designed to serve the Development Tract.

- (f). Curbside loading spaces/zones are spaces adjacent to a street, access drive or parking lot curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials, bus stop, taxi stand or other passenger curb loading. Loading space/zone signs shall be identified on the plan and installed prior to issuance of an occupancy permit.
- (g). Curbside loading spaces/zones may be parking spaces during specific hours when loading is prohibited.
- (h). Loading spaces/zones may be shared between nearby uses when authorized by the Township Board of Supervisors.
- (i). Loading spaces/zones shall not be used for storing delivery vehicles.
- (j). Off-street loading spaces/zones and curbside loading spaces/zones shall be designed not to interfere with off-street parking or vehicle access.
- (k). Loading Space/Zone Dimensional Requirements. See Table 3-3.11 in this subsection below for the minimum dimensional requirements for loading spaces/zones:

TABLE 3-3.11
MINIMUM DIMENSIONAL REQUIREMENTS FOR
LOADING SPACES/ZONES

USE	MINIMUM LENGTH	MINIMUM WIDTH	MINIMUM HEIGHT CLEARANCE WITHIN AND TO LOADING SPACE/ZONE
i. Anchor Use	63 ft.	12 ft.	15 ft.
ii. Non-Anchor Use	33 ft.	12 ft.	15 ft.

- (l). The minimum number of required loading berths/zones shall be in accordance Article 5 of this Zoning Ordinance relating to *Off-Street Loading Facilities (S. 519)*, except as provided in Table 3-3.12 in this subsection below:

**TABLE 3-3.12
MINIMUM NUMBER OF
LOADING SPACES/ZONES**

USE	NUMBER OF LOADING SPACES	GROSS FLOOR AREA
i. Office; Bank and Other Similar Financial Institution; Theater; Auditorium; Other Similar Recreation, Indoor; Hotel/Motel	None	Less than 10,000 sq. ft.
	1	10,000 to 100,000 sq. ft.
	+1	Each additional 100,000 sq. ft.
ii. Retail Business; Personal Service; Restaurant	None	Less than 10,000 sq. ft.
	1	10,001 to 25,000 sq. ft.
	2	25,001 to 50,000 sq. ft.
	+1	Each additional 50,000 sq. ft.

f. Public Water and Public Sewer Service. The Development Tract shall be served by public water service and public sewer service.

g. Pedestrian Facilities.

(1). Sidewalk Location.

- (a). Sidewalks shall be provided along all new streets and new access drives, unless an alternate plan is demonstrated to work better to provide for such pedestrian traffic likely to make use of the facilities planned for the site.
- (b). Sidewalks must be provided along the full length of the building along any building facade with a customer entrance.
- (c). Pedestrian walkways that cross driving lanes must be distinguished from driving surfaces by the use of special pavers, bricks, colored and/or textured concrete, painted asphalt, or textured asphalt to enhance pedestrian safety.
- (d). Sidewalks, to the greatest extent possible, shall connect to existing or planned pedestrian networks located at the perimeter of the Development Tract.
- (e). Sidewalks are not required along Route 283/SR 0283.

- (f). Sidewalks or other types of pedestrian routes located within the lot shall be provided for pedestrian flow along Esbenshade Road, Authority Lane, and East Main Street/ SR 0230.
- (g). Parking lots containing over one hundred fifty (150) parking spaces shall include sidewalk paths that link the parking lot to an overall pedestrian circulation system. Pedestrian walkways within the site that are not separated from a driving lane must be distinguished from driving surfaces through the use of special pavers, bricks, colored and/or textured concrete, painted asphalt, or textured asphalt to enhance pedestrian safety. Pedestrian circulation in parking areas should be parallel to traffic flow toward building entrances.
- (h). Sidewalks are not required to serve all individual parking spaces.
- (i). Sidewalks are not required along the outline of a parking lot, unless such configuration is necessary to provide direct pedestrian access.
- (2). Sidewalk Width. Sidewalks shall not be less than eight (8) feet wide when adjacent to a non-residential building entrance, and not less than five (5) wide elsewhere.
- (3). Sidewalk Construction Material.
 - (a). Sidewalks shall be constructed of masonry pavement, pre-cast ornamental concrete pavers, poured-in-place concrete, patterned poured concrete, special pavers, or bricks.
 - (b). Sidewalks that are not located along the side of a street or access drive shall be defined using pavement treatments, signs, striping, pedestrian-scaled ornamental median refuge areas, and landscaping, as appropriate.
- (4). Sidewalk Crossings.
 - (a). Sidewalk intersections with a street, access drive, or parking lot aisle shall be clearly identified to the driver and pedestrian through the use of paint, alternate pavement materials or patterned pavement.

- (b). Pedestrian crosswalks shall be provided on-site at all anticipated pedestrian crossings of streets and access drives.
 - (c). Pedestrian crosswalks shall conform to PennDOT specifications, but in no case shall pedestrian crosswalks be less than six (6) feet in width.
 - (d). Pedestrian crosswalks shall be provided with clearly-defined pedestrian access-ways that distinguish the travel lane for the purpose of increasing awareness of the presence of pedestrians and vehicles. Except on arterial and collector streets, raised crosswalks shall be provided for mid-block pedestrian crossings. Examples of appropriate warning devices are:
 - i. Raised crosswalks to increase visibility of the crosswalk and to decrease the vehicle speeds.
 - ii. Bulb-outs to narrow pavement width at pedestrian crossings.
 - iii. Center medians for pedestrian refuge in areas of wide pavement to allow the pedestrian to cross each direction of traffic separately.
 - iv. Yield to pedestrian signage.
 - (e). Where possible, pedestrian crosswalk areas near truck and freight delivery and loading spaces/zones should be avoided.
 - (f). Drop-off and pickup zones shall be well delineated for pedestrians and separated from the flow of vehicle traffic.
- h. Public Transit. Where a regional mass transit system provides service along a street adjacent to the Development Tract, or where such a system is proposed as part of an adopted municipal or regional transportation plan, an appropriate drop-off and shelter facility shall be located along such street, or within such development, or at some alternate location, as may be specified by the mass transit provider, or Township Board of Supervisors. The drop-off and shelter location shall be shown on the conditional use plan and constructed when mass transit service is available.
- i. Off-Street Parking. Parking lots shall be designed to be equally pedestrian and vehicular oriented.

- (1). Location and Design of Parking, Except for Anchor Uses and Large Scale Anchor Uses. Parking shall not be the dominant visual element of a site. Large, expansive paved areas between the building and the street are to be avoided in favor of smaller multiple lots separated by landscaping or buildings, or located to the sides and rear of buildings. Parking areas with greater than thirty (30) parking spaces shall include landscape islands at the end of parking space rows to separate parking spaces from access lanes.
- (2). Location and Design of Parking for Anchor Uses and Large Scale Anchor Uses. It is the nature of large retail uses that most customers arrive by car and make purchases that could not be carried home by foot or bicycle. While the separation of pedestrian and vehicle travel throughout the parking lot is not practicable, to the greatest extent possible, parking space orientation shall provide for pedestrian travel along vehicle access aisles, as opposed to travel between parked vehicles. Pedestrian crossings located at the entrance to Anchor Uses and Large Scale Anchor Uses shall be provided with pedestrian crosswalks that are distinguished driving surfaces through the use of special pavers, bricks, colored and/or textured concrete, painted asphalt, or textured asphalt.
- (3). Pedestrian Routes. Safe and direct pedestrian routes shall be provided through parking areas to primary entrances.
- (4). Shopping Carts. Parking areas shall include an adequate number of shopping cart corrals where carts can be dropped-off without obstructing vehicle, bicycle, or pedestrian traffic movement, or being left in landscape planter areas. Cart corrals shall be both attractive and durable.
- (5). Construction Materials. All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another dust-free surface with the approval of the Township Board of Supervisors.
- (6). Required Number of Parking Spaces.
 - (a). All uses, excluding commercial daycare; hotel/motel; and residential uses, shall be provided with a minimum of four (4) parking spaces per one thousand (1,000) square feet of gross floor area, and a maximum number of five (5) parking spaces per one thousand (1,000) square feet of gross floor area. Gross floor area square footage of Linear Shops shall not be included in the overall gross floor area to establish the required number of parking spaces.

- (b). Hotel, motel and similar lodging shall be provided with at least one (1) parking space for each guest unit plus one-half ($\frac{1}{2}$) space for each employee on the largest shift.
 - (c). Residential units shall be provided with at least two (2) parking spaces for each dwelling unit.
 - (d). The required number of parking spaces may be provided in common parking areas, garages, deck parking, and on-street parking.
 - (e). Shared parking may be provided at a reduced rate of three and three-tenths (3.3) parking spaces per one thousand (1,000) square feet of gross floor area for non-residential buildings, in accordance with the publication titled "Shared Parking Second Edition", 2005, by Urban Land Institute.
- (7). Parking Spaces.
- (a). Parking Space Dimensional Requirements. Parking spaces shall be in provided in accordance with Table 3-3.13 in this subsection below:

**TABLE 3-3.13
MINIMUM PARKING SPACE DIMENSIONS**

PARKING SPACE TYPE	MINIMUM WIDTH	MINIMUM LENGTH/ DEPTH
i. Parallel to Travel Lane	8 ft.	22 ft.
ii. Not Parallel to Travel Lane	8 ft.	18 ft.

- (b). ADA Handicapped Accessible Parking Facilities. The required number of handicapped accessible parking spaces required by the Americans with Disabilities Act (ADA) shall be in accordance with the most recent version of the ADA Standards for Accessible Design of the United States Department of Justice and the IBC as referenced in the PA UCC adopted by the Township of Rapho, whichever is more restrictive. The applicant shall certify in writing or plan note that the application for development complies with all relevant ADA requirements. ADA handicapped accessible parking spaces may count toward the total number of required parking spaces for uses.

(8). Travel Lane Width.

- (a). See Table 3-3.14 in this subsection below for the minimum widths of travel lanes between rows of parking spaces:

TABLE 3-3.14
MINIMUM TRAVEL LANE WIDTH

ANGLE OF PARKING	TRAVEL LANE – ONE (1)-WAY (TOTAL WIDTH)	TRAVEL LANE – TWO (2)-WAY (TOTAL WIDTH)
i. 90 degrees	22 ft.	22 ft.
ii. 60 degrees	14½ ft.	20 ft.
iii. 45 degrees	13 ft.	18 ft.
iv. Parallel	11 ft.	22 ft.

- (b). Interior travel lanes with no parking shall be at least eleven (11) feet wide for each travel lane.
- (c). All dead-end parking lots shall be designed to provide sufficient backup area for all end spaces.
- (9). Pavement Markings. Parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives. As a minimum, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four (4) inches in width. Painted lines, arrows and dividers shall be provided and maintained to control parking, and when necessary, to direct vehicular circulation.
- (10). Curbing for Uses That Are Not Anchor Uses or Large Scale Anchor Uses.
- (a). Parking spaces shall be guarded by curbs or other protective devices, which are arranged so that parked cars cannot project into the streets, yards or walkways.
- (b). Not less than a four (4) foot radius of curvature shall be permitted for horizontal curves in parking areas.
- (11). Parking Garages. Parking garages are encouraged to meet parking requirements. Above-ground parking garages shall comply with all provisions of a principal use.
- (12). Off-Street Surface Parking Lot Landscape Planting.

- (a). A minimum of forty (40) percent of the length of off-street surface parking lots that adjoin East Main Street/SR 0230, Esbshade Road or McKinley Drive, shall be screened from the street by any combination of a three and one-half (3½) foot high masonry wall, fence or earthen berms with landscape material. (See Figures 3-3.1 and 3-3.2 or illustrative examples of a pier, fence and hedge screening.)

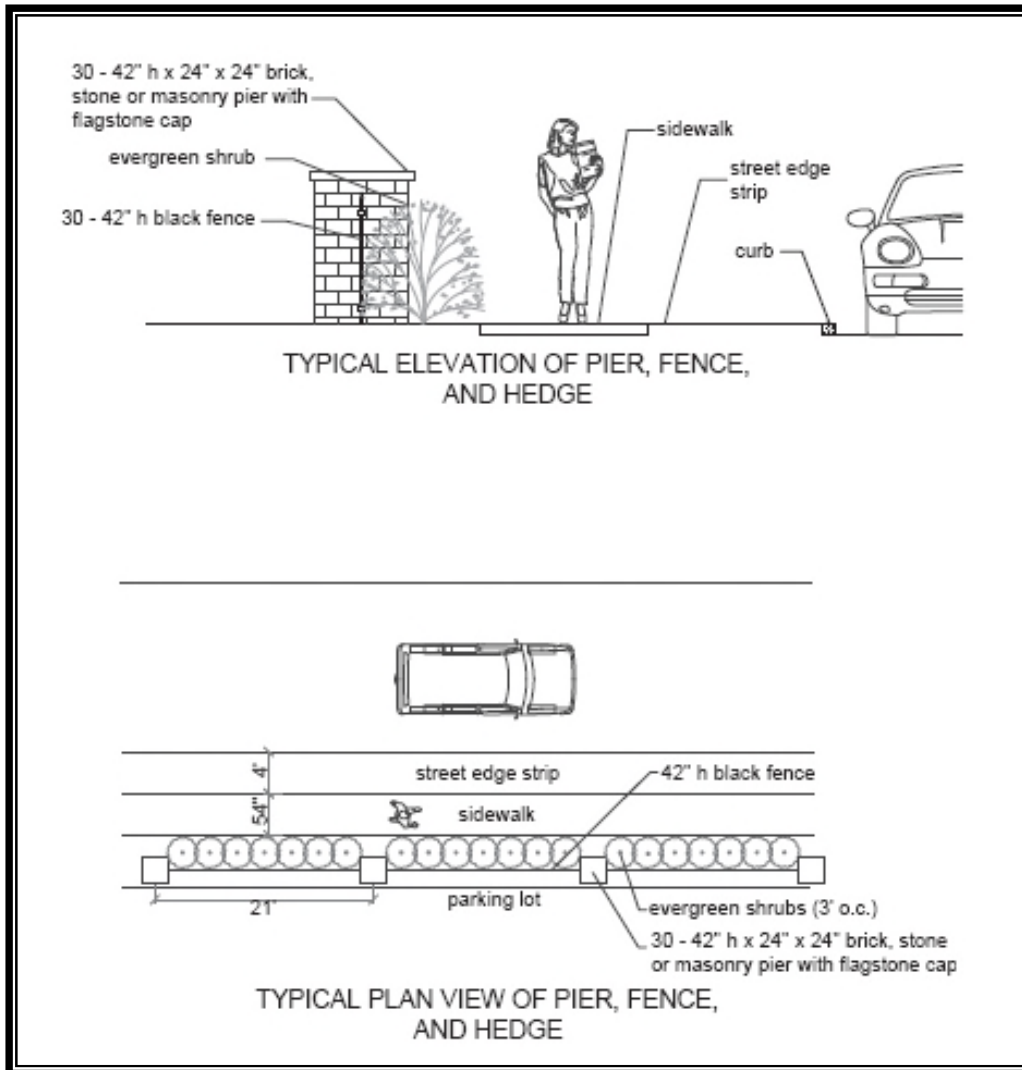


FIGURE 3-3.1
TYPICAL PLAN VIEW OF PIER, FENCE, AND HEDGE

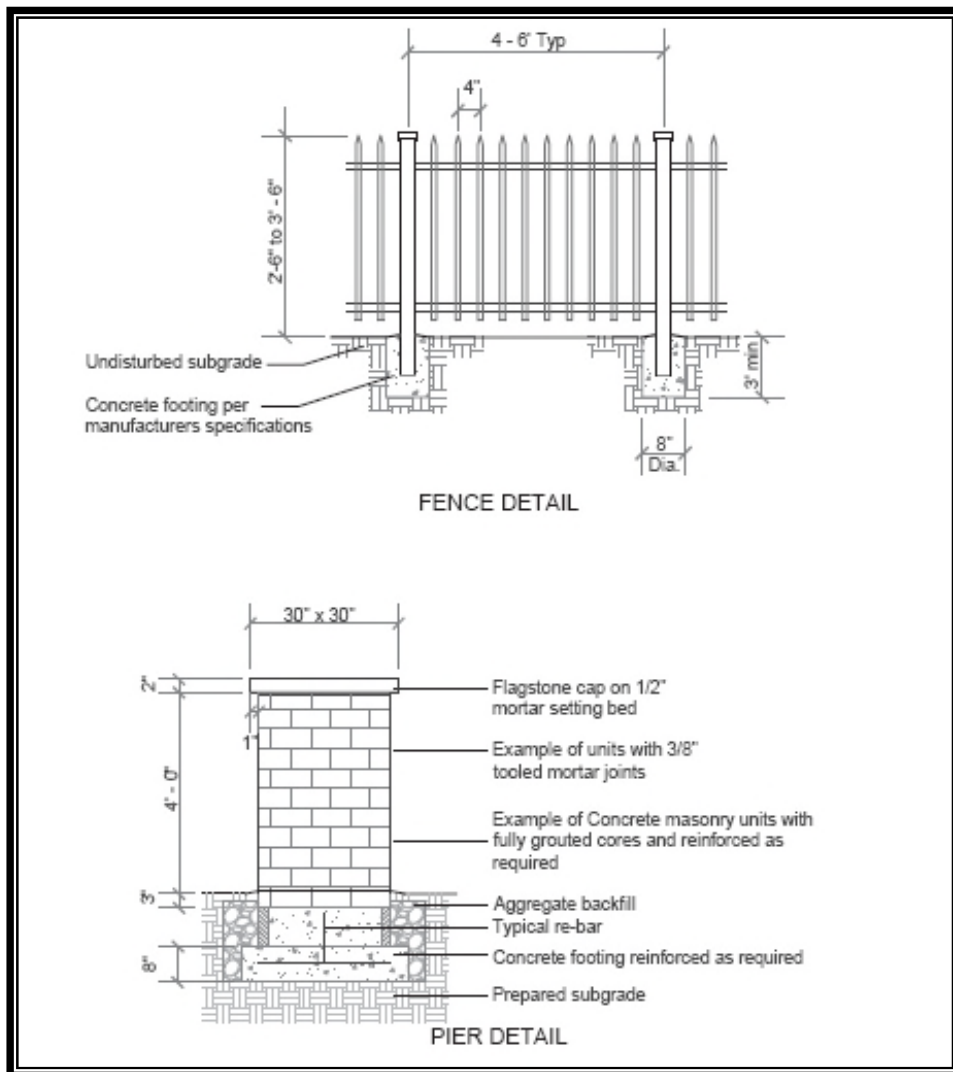


**FIGURE 3-3.2
FENCE AND PIER DETAIL**

- (b). Off-street surface parking lots that contain twenty (20) or more parking spaces shall provide a parking lot landscape planting area of five (5) square feet per parking space.
- (c). The required off-street surface parking lot landscaping may be used to define sidewalk areas, parking areas, pedestrian areas, and travel lanes. When the required amount of landscape planting area encumbers the parking lot and traffic circulation functions, up to fifty (50) percent of the required landscape planting area may be located at the entrance and/or perimeter to the parking lot.

- (d). The location of landscape planting in Anchor Use and Large Scale Anchor Use parking lots may be consolidated for planting of large stands of trees to break up the scale of the parking lot.
- (e). Ground cover alone is not sufficient interior landscaping. Trees, shrubs or other approved material shall be provided. At least one (1) shade tree shall be provided for each eight hundred (800) square feet, or fraction, of required landscape area in the parking lot. These shade trees may be located within and along the perimeter of the parking lot.
- (f). Deciduous trees shall have a clear trunk at least five (5) feet above finished grade. Evergreen trees shall have a minimum height of six (6) feet. Evergreen trees shall be considered only for perimeter planting for parking lots.
- (g). Wheel stops or curbing shall be provided to insure no greater than two and one-half (2½) feet overhang into the interior landscaped area.

j. Landscape Planting.

(1). Landscape Elements.

- (a). Any required landscaping may include a combination of the following elements:
 - i. Berms;
 - ii. Deciduous Trees;
 - iii. Earth Mounds;
 - iv. Evergreens;
 - v. Fences;
 - vi. Flowers;
 - vii. Fountains;
 - viii. Gravel;
 - ix. Ground Covers;

- x. Mulch;
- xi. Rocks;
- xii. Screens;
- xiii. Sculptures;
- xiv. Shrubs;
- xv. Sidewalk Furniture;
- xvi. Vines;
- xvii. Walls; and
- xviii. Other approved materials.

- (b). Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty (80) percent of the required landscape area shall be vegetative in composition.

(2). Screening Elements.

- (a). Screen materials shall be provided in the subsection above relating to *Landscape Planting (S. 303.D.2.j.)* and include:
 - i. Evergreens (trees, hedges or shrubs);
 - ii. Walls and fences (excluding those constructed of corrugated metal, corrugated fiberglass, or sheet metal);
 - iii. Earth berms; or
 - iv. Other approved similar materials.
- (b). Loading docks, trash collection areas, outside storage, and similar facilities shall be screened from adjacent residential lot with material of the same quality and appearance as those used on the building.
- (c). Parking lot screening shall be provided in the subsection above relating *Off-Street Surface Parking Lot Landscape Planting (S. 303.D.2.i.(12).)*.

(3). Street Trees.

- (a). Street trees shall be provided along all streets, except Route 283/SR 0283.
- (b). Each lot shall provide a minimum of one (1) street tree for every seventy-five (75) feet of street frontage.
- (c). Street trees shall be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete. Street trees may be planted elsewhere on the lot if the available area for street trees interferes with pedestrian circulation, vehicle circulation, or utilities.
- (d). Street trees may be separated by a consistent distance, varied distances, or in groupings.
- (e). Street trees shall not be placed in the clear sight triangle of intersections.
- (f). Street trees shall be species that are native to the area and suited for conditions associated with the high volume of impervious ground cover and limited area for branch growth. Trees, at the time of planting, shall be at least two (2) inches in diameter, measured at six (6) inches above the ground.
- (g). Requirements for the measurement, branching, grading, quality, balling, and burlapping of trees shall follow the code of standards recommended by the most recent version of the American Nursery & Landscape Association's American Standard for Nursery Stock, ANSI Z60.1-2004.

(4). Selection and Replacement of Plant Materials.

- (a). Trees and shrubs shall be typical of their species and varieties, normal growth habits, well-developed branches, densely-foliated, and vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project.
- (b). Any tree or shrub which dies shall be replaced. All landscaping and screening treatments shall be properly maintained.

k. Public Activity Spaces.

- (1). Location. Public activity space shall be incorporated into the pedestrian circulation system.
- (2). Pedestrian Amenities. The public activity space is an area with two (2) or more pedestrian amenities. Pedestrian amenities shall include a combination of seating, landscaping, outside café/dining, sidewalk and window display of merchandise, transit shelter, water elements, gazebo, public art display, public performance area, tot lot, clock tower, or other outdoor facilities, all of which shall be acceptable to the Township.
- (3). Retail Use of Public Activity Space. Except as otherwise set forth in the subsection above relating to outside display in *Elements of a Mixed-Use Commercial Development (S. 303.D.2.b.)* retail businesses shall be permitted to have temporary sidewalk displays and sales of merchandise, provided pedestrian circulation or access to/from building shall:
 - (a). Be directly in front and along the wall of the retail establishment.
 - (b). Provide a minimum of five (5) feet of unobstructed sidewalk.
 - (c). Only be on the sidewalk during the retail business hours of operation.
- (4). Restaurant Use of Public Activity Space. Restaurant uses are permitted to operate outside cafés/dining facilities or provide sidewalk seating, including sidewalk areas within the pedestrian system, provided pedestrian circulation or access to/from building entrances is not obstructed.
 - (a). A minimum of five (5) feet of sidewalk measured from the curb to the building shall be maintained clear of tables and chairs.
 - (b). Awnings, canopies or umbrellas shall be permitted to provide shade and architectural interest. Colors shall complement the buildings.
 - (c). Outdoor trash receptacles shall be provided and the public activity space kept litter free.

I. Lighting.

- (1). Lighting Plan. The conditional use application shall include a conceptual description of exterior lighting. A lighting plan that includes photometrics, fixture type, support, and footer details shall be provided at the Subdivision and/or Land Development Plan stage.
- (2). Type of Light Fixture.
 - (a). Pedestrian-scaled ornamental lighting fixtures shall be provided along streets and access drives. The design, size, and placement of outdoor lighting fixtures on buildings and in parking lots shall be in keeping with the architectural style of the buildings. Maximum permitted height shall be thirty-five (35) feet.
 - (b). Lighting fixtures that service off-street parking facilities less than one hundred (100) parking spaces shall be at a lower height. A detailed lighting design plan showing location, number of fixtures, lighting fixture island details, and height of fixtures shall be submitted during the Subdivision and Land Development plan stage for each off-street parking facility.
- (3). Direction of Lighting. Outdoor lighting shall not present a hazard to drivers or pedestrians by impairing their ability to safely traverse the lighted area.
- (4). Illumination Level.
 - (a). Street lighting is not required on Route 283/SR 0283, Esbenschade Road, or East Main Street/SR 0230.
 - (b). Street and access drives shall maintain, at a minimum, an average illumination level of one-half ($\frac{1}{2}$) foot-candles at an elevation of three (3) feet above the ground surface.
 - (c). Off-street parking and pedestrian walkways shall maintain, at a minimum, an average illumination level of two (2) foot-candles at an elevation of three (3) feet above the ground surface.
 - (d). Lighting directly under canopies may not exceed thirty (30) foot-candles at an elevation of three (3) feet above the ground surface. Areas which are adjacent to canopies shall

taper down in illumination level from the level permitted under the canopy to eight (8) foot-candles, at an elevation of three (3) feet above the ground surface, within a horizontal distance equivalent to twice the height of the canopy.

- (e). Unless increased by mandatory street lighting, the maximum illumination level at the lot line of an adjoining residential lot may not exceed two-tenth (0.2) foot-candle at an elevation of three (3) feet above the ground surface.

(5). Timing of Lighting.

- (a). Except for safety and security lighting, or as permitted by condition of approval, outdoor lighting shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to permit extinguishing or reducing the number of light fixtures within a reasonable time after business hours.
- (b). Security lighting fixtures shall be designed to illuminate only the designated area.

(6). Light Glare. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture-mounting height, wattage, aiming angle, and fixture placement. Vegetation screens may provide a secondary means for controlling glare.

(7). Prohibited Lighting. The following lighting used for advertising or promotion shall be prohibited:

- (a). Light output for flagpole lighting exceeding ten thousand (10,000) lumens.
- (b). Searchlights.
- (c). Laser lights.
- (d). Lights that pulse, flash, rotate, or simulate motion.
- (e). White strobe lighting.
- (f). Lights that simulate traffic control signals.

- (8). Canopy Lighting. Canopy lighting shall be accomplished using flat-lens full-cutoff, down-lighting fixtures, shielded in such a manner that the edge of the fixture shield shall be level with or below the light source envelope.
- (9). Exemptions. The standards and requirements for lighting set forth in the subsections above relating to *Lighting (S. 303.D.2.I.)* shall not apply to the following:
 - (a). Decorative holiday lighting from November 15 through the following January 15.
 - (b). Lighting required by law (e.g., aviation lighting, emergency lighting, and temporary lighting other than security lighting at construction projects).

m. Outdoor Signs.

- (1). General Sign Regulations.
 - (a). Signs must be constructed of durable material and maintained in good condition.
 - (b). No sign shall be in such a state of disrepair as to be rotting, falling down, illegible, or have loose parts separated from original fastenings.
 - (c). Whenever a sign becomes structurally unsafe or endangers the safety of buildings, premises, or the public, such sign shall be made safe or removed within five (5) days, whether or not the Township Zoning Officer provides written notice to the owner of the premises on which the sign is located.
 - (d). Advertising painted upon a building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply.
 - (e). Each sign shall be removed when the circumstances leading to its erection no longer apply.
 - (f). Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights that are shielded, so there is no direct light transmitted to other properties or public rights-of-way.

- (g). No sign shall be of the intermittent flashing or rotating type. However, Electronic Message Centers are permitted subject to the requirements of the subsection below relating to *Electronic Message Centers (S. 303.D.2.m.(10)).*
- (h). No sign located within two hundred (200) feet of any traffic light shall be illuminated with red, green, or yellow lights or neon tubing.
- (i). All electrically illuminated signs shall be constructed to the standards of the IBC as referenced in the PA UCC adopted by the Township of Rapho.
- (j). Signs must be positioned so that they do not interfere with any required clear sight triangle.
- (k). No vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, but not limited to:
 - i. Act or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
 - ii. Scenes wherein a person displays the vulva or the anus or other genitals;
 - iii. Scenes wherein artificial devices are employed to depict, or drawings are employed to portray, any of the prohibited signs, photographs or graphic representations described above; and
 - iv. Any other graphic illustration pertaining to specified sexual activities and/or specified anatomical areas.
- (l). No sign shall be erected or located as to prevent free ingress or egress from any window, door or fire escape.
- (m). No sign shall be placed in such a position that it will obscure light or air from a building or which would create a traffic danger.
- (n). No sign shall be permitted which is permanently attached to public utility poles, nor trees which are within the street right-of-way.

- (2). Calculation of Sign Area. The sign area shall be measured by the smallest regular geometric shape not exceeding eight (8) sides encompassing all words and/or symbols composing the sign. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign. If a double-faced sign is back to back with no point more than three (3) feet from another, the area of only the larger face shall be used to calculate the sign area.
- (3). Maximum Sign Area for Building-Mounted Signs, Except for Anchor Uses and Large Scale Anchor Uses.
 - (a). The total permitted building-mounted sign area for each use shall not exceed one and one-half (1½) square feet for each linear foot of building wall that has display windows or a public entrance, to a maximum sign area of one hundred eighty (180) square feet. The total allowable sign area may be a combination of building-mounted sign types.
 - (b). The maximum sign area for building-mounted signs located on Anchor Uses and Large Scale Anchor Uses are set forth in the subsection below relating to *Maximum Sign Area for Building-Mounted Signs for Anchor Uses and Large Scale Anchor Uses (S. 303.D.2.m.(4).)*.
- (4). Maximum Sign Area for Building-Mounted Signs for Anchor Uses and Large Scale Anchor Uses.
 - (a). The total permitted front building wall mounted sign area for each use shall not exceed three and one-half (3½) percent of the total front wall area. The total permitted side and rear building wall mounted sign for each use shall not exceed two (2) percent of the total front wall area.
 - (b). The maximum sign area for building-mounted signs for uses that are not Anchor Uses and Large Scale Anchor Uses are set forth in the subsection above relating to *Maximum Sign Area for Building-Mounted Signs, Except for Anchor Uses and Large Scale Anchor Uses (S. 303.D.2.m.(4).)*.
 - (c). The maximum sign area for Liner Shops are set forth in the subsection above relating to *Maximum Sign Area for Building-Mounted Signs, Except for Anchor Uses and Large Scale Anchor Uses (S. 303.D.2.m.(4).)* and does not affect the maximum sign area for Anchor Uses and Large Scale Anchor Uses.

(5). Building-Mounted Sign Requirements.

(a). Wall Signs.

- i. Wall signs are those signs attached or painted on the wall of a building.
- ii. The area on a wall sign is included in the calculation for maximum building-mounted sign area.
- iii. Wall signs shall not obscure windows or ornamental features of the building.
- iv. Sign bands shall, when provided, be designed into the building facade of the building and be compatible with the design architecture.
- v. Wall signs shall be mounted flush and fixed securely to a building wall, projecting no more than twelve (12) inches from the face of the wall, and not extending sideways from the building face or above the roof line of the building.

(b). Awning and Canopy Sign Requirements.

- i. Awning and canopy signs are those signs printed on, or attached to, an awning or canopy.
- ii. The area on an awning or canopy sign is included in the calculation for maximum building-mounted sign area.
- iii. Awning and canopy sign area shall be oriented towards pedestrians.
- iv. Awnings and canopies must be permanently attached to buildings.
- v. The height of awnings and canopies shall not exceed the height of the building.

(c). Roof Signs.

- i. Roof signs are those signs erected in whole or in part upon the roof of the building.

- ii. The sign area of a roof sign is included in the calculation for maximum building-mounted sign area.
 - iii. Roof signs shall be limited to one (1) sign per street frontage up to three (3) signs.
 - iv. Roof signs are not permitted beyond the highest point of a pitched, mansard, or parapet line of the building.
- (d). Projecting Signs.
- i. Projecting signs are mounted to the face of the building perpendicular to the face of the building, and extend no greater than four (4) feet from the wall surface.
 - ii. The sign area of a projecting sign is included in the calculation for maximum building-mounted sign area.
 - iii. Projecting signs shall be designed so that the support for the projecting sign is visible. Mounting hardware shall be attractive and an integral part of the design. Decorative mounting brackets are encouraged where appropriate to add to the character of the building.
 - iv. Projecting signs shall not be located above the second floor windows in multi-story buildings or extending above the roofline of the building.
 - v. One (1) projecting sign is allowed on the building wall of each use that has display windows or a public entrance.
 - vi. Each projecting sign shall not exceed ten (10) square feet. Projecting signs are included in the calculation of maximum permitted building-mounted sign area.
 - vii. Projecting signs shall provide a minimum vertical clearance of eight (8) feet.

(6). Freestanding Pylon Signs.

- (a). One (1) freestanding pylon sign is permitted for a Development Tract.
- (b). The sign area of a freestanding pylon sign is not included in the calculation for maximum building-mounted sign area.
- (c). The freestanding pylon sign must be located along the frontage of Route 283/SR 0283.
- (d). Each face of a freestanding pylon sign shall not exceed two hundred ten (210) square feet.
- (e). The height of the freestanding pylon sign may be not greater than eighty (80) feet.

(7). Freestanding Monument Signs.

- (a). One (1) freestanding monument sign is permitted at the perimeter of the Development Tract, adjacent to the intersection of a street or access drive, up to a maximum of four (4) freestanding monument signs, except to the extent that any modifications granted for such changes are set forth in the subsection below relating to *Modifications of Standards (S. 303.D.2.r.)*.
- (b). The sign area of a freestanding monument sign is not included in the calculation for maximum building-mounted sign area.
- (c). The height of a freestanding monument sign shall not exceed fifteen (15) feet above the mean level of the ground adjoining the base of the freestanding monument sign.
- (d). Freestanding monument signs may be attached to retention walls; however, the monument sign portion of the retention wall shall not exceed the above-stated height.
- (e). Freestanding monument signs shall be surrounded by a landscaped area that extends a minimum of four (4) feet in all directions.
- (f). Each face of a freestanding monument sign shall not exceed eighty (80) square feet.

(8). **Banner Signs.**

- (a). Banners are permitted as temporary decorations used to advertise or promote community affairs, celebrations, holidays, seasons, etc. Banners shall not advertise or promote the sale of any product or commodity.
- (b). The sign area of a banner sign is not included in the calculation for maximum building-mounted sign area.
- (c). Banners may be attached to buildings, poles and other types of structures.
- (d). The street banners shall be a minimum height of fifteen (15) feet from the street, access drive or driveway.
- (e). The street banners shall not interfere with the clear view of any traffic light or traffic-control sign or device.
- (f). A banner permit is valid only for a period of thirty (30) days following the date of issuance; provided, however, that the Township Zoning Officer may extend the time, not more than an additional thirty (30) days, if the purpose for the banner has not expired.
- (g). Banners shall be constructed from a good grade of canvas or similar material that will not stretch or distort out of shape. They shall be supported by steel cables of sufficient size to safely support a wind load of thirty (30) pounds per square foot of exposed area. Such cable shall be anchored to safely carry the loads imposed. Banners shall not be anchored to any fire escape or public safety sign.

(9). Directional Signs. Directional signs provide directions to pedestrian and vehicular traffic. Signs directing to entrances, exits and other non-business elements of a project are exempt from the sign regulations when the sign area is less than four (4) square feet.

(10). **Electronic Message Centers.**

- (a). Electronic message centers provide a variable message sign utilizing LCD, LED, plasma, CRT, pixelized lights or other animated and/or video-like displays for computer generated messages or some other electronic means of changing copy.

(b). Electronic message centers are allowed on freestanding signs, provided:

- i. Electronic messages shall not change at a rate greater than one (1) time per each fifteen (15) second period.
- ii. Signs shall employ sufficient size lettering and/or symbols for immediate recognition by motorists.
- iii. Signs shall display simple and static messages for immediate recognition by motorists. Messages shall be complete in each display cycle and shall not require viewers to see multiple display cycles to derive its meaning.
- iv. Signs shall use instantaneous transitions from one message display cycle to the next with no blank-outs, scrolling, fading, streaming, zooming, flashing, or any other animated effect for immediate recognition by motorists.
- vi. All owners must notify AMBER Alert and register its location for use as needed at (www.amber.state.pa.us/amber/guestaccount/registration_form.asp). During times of AMBER Alert the dynamic message display must display such information as provided by the PA State Police for no less than fifty (50) percent of the operating time during each one (1) hour cycle.

(11). Temporary Signs.

- (a). See Table 3-3.15 in this subsection below for temporary sign regulations:

**TABLE 3-3.15
TEMPORARY SIGN STANDARDS**

TEMPORARY SIGN TYPE	SIGN FEATURE					
	MAXIMUM NUMBER OF PERMITTED SIGNS	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	MINIMUM SETBACK FROM ADJOINING LOT LINE	SIGN PERMIT REQUIRED	ADDITIONAL REQUIREMENTS
i. Contractor, Architect, Mechanics, Landscaper, and Artisan Sign	1 per firm	32 sq. ft.	8 ft.	5 ft.	No	Sign permitted only while on-site work is in progress. Sign shall be removed within 30 days from completion of construction.
ii. Real Estate Sign	See Table 3-3.16				No	Sale, sold or rent signs shall be placed upon the lot (unit) to be rented or sold. Sign shall be removed within 30 days of sale or rental.
iii. Development Identification Sign (Identifying the Future Development of the Property)	1 per street frontage, but no more than 2 signs	1 sq. ft. per 1,000 sq. ft. of gross floor area, but no more than 64 sq. ft.	10 ft.	10 ft.	Yes	Sign shall not be erected before the proposed development has been submitted for conditional use. Sign shall be removed within 30 days of the installation of the permanent freestanding sign.
iv. Special Event Sign for Public and/or Nonprofit Uses	1 per event	32 sq. ft.	10 ft.	10 ft.	Yes	Sign shall be removed within 7 days from completion of event.
v. Special Event Sign for Business	1 per business event, not to exceed 4 events per year	32 sq. ft.	10 ft.	10 ft.	Yes	Sign shall be erected no more than 14 days prior to the event and removed within 7 days after completion of event.

- (b). Real Estate Signs. See Table 3-3.16 in this subsection below for additional requirements for real estate signs:

**TABLE 3-3.16
ADDITIONAL REAL ESTATE SIGN REQUIREMENTS**

SIZE OF LOT	3 ACRES OR LESS	GREATER THAN 3 ACRES
i. Number of Signs per Street Frontage	2	3
ii. Maximum Sign Area	16 sq. ft.	32 sq. ft.
iii. Maximum Sign Height	8 ft.	10 ft.
iv. Minimum Sign Setback from Adjoining Lot Line	5 ft.	10 ft.

- (12). Portable Signs. Any sign not permanently attached to the ground or other permanent structure, whether or not bolted to the ground, shall be deemed to be a "portable sign." Portable signs are not permitted.
- (13). Prohibited Signs. The following signs are prohibited:
- (a). Illuminated, highly-reflective signs, beacons or spotlights which hamper the vision of motorists or bicyclists, nor other signs with flashing, moving, or swinging displays.
 - (b). Loud, vulgar, indecent, or obscene advertising matter shall not be displayed in any manner.
 - (c). Billboards and Off-Premises Signs.
 - i. Only those signs referring directly to materials or products made, sold or displayed on the premises, to services offered on the premises, and/or to activities conducted on the premises, are permitted.
 - ii. However, signs that exist at the time of enactment of this provision may continue, although they are not in conformance with this provision.
- (14). Location and Placement of Signs.
- (a). Signs must be positioned so that they do not interfere with any clear sight triangle.

- (b). No sign shall be erected or located as to prevent ingress or egress from any window, door or fire escape.
 - (c). No sign shall be permitted which is permanently attached to a public utility pole, or tree located within the street right-of-way.
 - (d). No sign shall be placed in a position which creates a traffic danger.
- n. Conditional Use Standards. Except as provided in this subsection immediately below (S. 303.D.2.n.), the conditional use application for the (MUC) Zone is subject to Article 9 of this Zoning Ordinance relating to *Conditional Uses* (S. 906.).
 - (1). Time Limitations.
 - (a). A Developer's Agreement with the Township of Rapho shall set forth the time period within which applications under the SLDO shall be submitted and necessary permits shall be secured. Because of the potential scope of a mixed-use commercial development, it is likely that the development will be constructed in phases. The initial Subdivision and/or Land Development Plan submittal (i.e., preliminary plan, preliminary/final plan, or preliminary/phase 1 final plan) shall be submitted within twenty-four (24) months of the date of the conditional use approval. In the event the development is phased, the final phase plan shall be submitted to the Township of Rapho within fifteen (15) years from the approval of the phase 1 final plan.
 - (b). The Township Board of Supervisors may extend the fifteen (15) year period for additional five (5) year periods upon request of the Developer.
 - (2). Vested Rights.
 - (a). See Sections 508(4) and 917 of the MPC, which provide an applicant with protection during certain time periods against changes to Township ordinances that would adversely affect an approved development.
 - (b). For mixed-use commercial development that is granted conditional use approval, the vested rights provisions of Section 508.4(2)(iii) of the MPC shall be extended to fifteen (15) years from the date of the preliminary plan approval,

provided the time limitations set forth in the subsection above relating to *Time Limitations (S. 303.D.2.n.(1).)* are complied with. The Township Board of Supervisors may extend this fifteen (15) year period for additional five (5) year periods upon the request of the developer.

- (c). The six (6) month period limit for the protections of and under Section 917 of the MPC shall and is hereby extended to a maximum of twenty-four (24) months from the date of the conditional use approval. The twenty-four (24) month periods shall be extended for the length of any appeal of or challenge to the terms of the conditional use approval.

- o. Application for Conditional Use. At the time of application for conditional use approval, and in addition to the information required as part of the conditional use application set forth in Article 9 of this Zoning Ordinance relating to *Conditional Uses (S. 906.)*, the applicant shall submit the following:

- (1). Site Plan. The site plan shall be drawn at a legible scale and include the following:

- (a). Site Data. Site data shall include the following:

- i. Proposed total gross floor area of commercial use(s);
- ii. Proposed total gross floor area, number of proposed dwellings and total density for residential use;
- iii. Proposed acreage and percentage of green space;
- iv. Total number of proposed on-street and off-street parking spaces;

- (b). Location of proposed commercial building pad sites, floor area, and general description of use including proposed multiple story buildings.

- (c). Location and number of proposed residential units including proposed multiple story buildings.

- (d). Proposed traffic-calming devices.

(e). Proposed location of freestanding signs and known building signs.

(f). Conceptual depiction of the proposed streetscape, landscaped areas and lighting.

(2). Reports. The following conceptual reports shall be submitted:

(a). A description of how the applicant proposes to provide for an integrated development.

(b). A description of how storm water management design complies with the provisions of the Township of Rapho storm water requirements.

(c). A description of the building architectural design criteria, including schematic architectural elevations.

(d). A description of signage design criteria for Anchor Uses and Large Scale Anchor Uses.

(e). A conceptual description of exterior lighting. This description does not need to include photometrics, fixture type, support, and footer.

(f). General information about the proposed covenants, restrictions, and other use requirements imposed by the developer. Final documents shall be submitted with the application under the SLDO.

(3). Traffic Evaluation Study.

(a). A Traffic Impact Study (TIS) for assessing the traffic impacts associated with a proposed development, developed in accordance with in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*in shall be submitted. Scope of the TIS is to be approved by the Township of Rapho prior to data collection.

(b). An addendum, the scope of which is acceptable to the Township of Rapho to an existing traffic impact study shall be submitted for a property that is the subject of a prior traffic impact study which includes an agreement for financial contributions. The addendum to a traffic impact study shall acknowledge any development issues that differ from the prior study. If applicable, additional

contributions/recommended improvements shall credit and/or take into consideration in its analysis earlier traffic impact contributions/off-site improvements.

- (c). For all proposed developments that are not subject to an existing traffic impact study, see Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).

- p. Revisions to Approved Development. The plan presented in support of the Conditional Use is an official part of the record for said Conditional Use. Such plan may be changed as part of approval under the SLDO, without the need to obtain Conditional Use approval of the plan change, provided that:

- (1). To the extent that such changes require additional modifications set forth in the subsection below relating to *Modification of Standards* (S. 303.D.2.r.), Conditional Use approval of such modification is obtained prior to approval of the Preliminary or Final Land Development Plan, whichever applies.
- (2). Such changes do not increase the number of dwelling units or floor area of non-residential uses by more than ten (10) percent, provided such increases remain within the density and area limitations set forth in the (MUC) Zone.
- (3). The Conditional Use Plan, as modified or changed, complies with the standards set forth in the (MUC) Zone (except to the extent that any modifications are granted for such changes set forth in the subsection below relating to *Modification of Standards* (S. 303.D.2.r.)).
- (4). Such changes do not materially increase the overall lot coverage beyond the coverage contemplated under the Conditional Use Plan.
- (5). Such changes do not materially increase the number of new weekday morning, weekday evening or weekend peak hour trips that are projected to be generated by the traffic impact study that is approved by the Township Board of Supervisors for such conditional use.
- (6). Such changes do not alter the layout, location or design of streets, residential uses or nonresidential uses, such that the revised layout is fundamentally different from the approved Conditional Use Plan.

- q. Relationship to Other Ordinances of the Township of Rapho and Sections of This Zoning Ordinance. The (MUC) Zone has different use and design requirements from those contained in other sections of this Zoning

Ordinance, the SLDO, and other ordinances of the Township of Rapho. Except for those requirements contained within Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (S. 402.)*, to the extent the regulations, standards, and provisions of the (MUC) Zone differs (is more or less restrictive) from other Township of Rapho requirements, those within the (MUC) Zone shall govern. However, all other provisions of this and other ordinances of the Township of Rapho shall remain in full force.

- r. Modification of Standards. The Township Board of Supervisors may permit the modification of the design standards, and other requirements of the (MUC) Zone, by conditional use approval in order to encourage the use of innovative design. An applicant desiring to obtain such approval shall, when making application for approval of a development within the (MUC) Zone, make application for such conditional use approval under this subsection (S. 303.D.2.r.). The Township Board of Supervisors shall consider both requests simultaneously. Any application shall be subject to the following standards:

- (1). Such modification of standards, criteria, or regulations better serves or serves equally but in a different manner the intended purposes of the (MUC) Zone.
- (2). The modifications of the standards will not alter the essential character of the Development Tract.
- (3). Such modifications of the standards will not result in adverse impact to adjoining properties, or future inhabitants and occupants of the (MUC) Zone.
- (4). The modifications of the standards will not increase the permitted gross floor area of an Anchor Use or Large Scale Anchor Use beyond the requirement of the subsection above relating to *Elements of a Mixed-Use Commercial Development (S. 303.D.2.b.)*.

Adopted November 7, 2013

Section 304. Business Zones.

- A. Designation and Purpose Statements. See Table 3-4.1 in this subsection below for the designations and purpose statements of the applicable Business Zones which are shown on the Official Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Official Zoning Map (S. 108.)*:

**TABLE 3-4.1
DESIGNATION AND PURPOSE STATEMENTS –
BUSINESS ZONES**

BUSINESS ZONES' NAME AND OFFICIAL ZONING MAP & TEXT SYMBOLS	BUSINESS ZONES' PURPOSE STATEMENTS
1. Commercial Recreation (CR) Zone	This primary purpose of the (CR) Zone is to provide for a wide range of commercial recreational activities that generate employment, retail trade, retail services, tourism and related dining/lodging and entertainment uses. Selected locations acknowledge prime access to major highways which will serve the commercial recreational uses without generating undue traffic congestion on the Township's rural road system. Design standards encourage, and seek to limit such uses within large integrated sites rather than individual freestanding businesses and recognize the need for flexibility for planned growth within such large integrated sites. The Special Review process is consistent with the MPC by encouraging innovation and promoting flexibility, economy and ingenuity in the development process.
2. Highway Commercial (HC) Zone	The primary purpose of the (HC) Zone is to provide suitable locations for a full range of retail, service, and entertainment businesses. The uses may involve outside activities and/or storage areas like automobile, boat and trailer sales, and service establishments. The uses provided in the (HC) Zone are meant to serve local residents, as well as those motorists passing through the Township. Access to these areas is provided by adjoining major roads. Specific setbacks are imposed upon outside storage areas to protect adjoining properties.
3. Industrial (IND) Zone	The primary purpose of the (IND) Zone is to provide for a wide range of industrial activities that contribute to the well-being of the Township by diversifying its economy and providing valuable employment opportunities. The required lot sizes have been kept small to accommodate the start-up industries that are likely to emerge; however, larger and heavier industries have also been permitted. The (IND) Zone provides for light industrial uses as permitted by right, but requires obtainment of a conditional use for heavier and potentially more-objectionable types of industrial uses. These areas have been located near existing public utility service areas and along major roads. Substantial setbacks are used to protect adjoining residences.

- B. Permitted Uses. See Table 3-4.2 in this subsection below for the types of uses permitted in the applicable Business Zones as set forth by this Zoning Ordinance. Uses are divided into those permitted by right listed as "P" (zoning decision by Township Zoning Officer); permitted by special exception listed as "SE" (zoning decision by the Township Zoning Hearing Board), and permitted by conditional use listed as "CU" (zoning decision by the Township Board of Supervisors). Many of the uses permitted by the above three (3) categories must comply with certain criteria, which are found in Article 5, Article 6, or elsewhere of this Zoning Ordinance. The specific section numbers of Article 5, Article 6, or elsewhere of this Zoning Ordinance where the criteria are located are noted in the table.

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Uses not listed in the table below or identified by “NP” shall specifically not be permitted in the applicable Business Zones:

**TABLE 3-4.2
PERMITTED USES –
BUSINESS ZONES**

USE	BUSINESS ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CR) ZONE	(HC) ZONE	(IND) ZONE	
1. RESIDENTIAL USES				
a. Single Family Detached Dwelling ¹	P	P	P	N/A
2. NON-RESIDENTIAL USES				
a. AGRICULTURAL/FORESTRY USES				
(1). Agricultural Operation	P	P	P	603
(2). Boarding/Riding Stable	SE	NP	NP	603
(3). Crops/Gardening (Other than an Agricultural Operation)	P	P	P	N/A
(4). Forestry (Commercial Timber Operations)	P	P	P	510
(5). Kennel, Boarding	NP	NP	P	603
b. COMMERCIAL USES				
(1). Adult Oriented Business and/or Related Use	NP	CU	NP	604
(2). Animal Hospital	NP	P	P	604
(3). Bank and Other Similar Financial Institution	NP	P	NP	N/A
(4). Campground	SE	NP	NP	604
(5). Convenience Store	NP	SE	NP	604
(6). Dry Cleaner, Laundry, and Laundromat	NP	P	P	N/A
(7). Flea Market	NP	SE	NP	604
(8). Funeral Home	NP	SE	NP	604
(9). Hotel/Motel	SE	P	NP	N/A
(10). Landscaping Service	NP	P	P	N/A

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USE	BUSINESS ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CR) ZONE	(HC) ZONE	(IND) ZONE	
(11). Mini-Storage	NP	SE	CU	604
(12). Nightclub	SE	CU	NP	604
(13). Office, Professional and Business	NP	P	P	N/A
(14). Office, Veterinary	NP	P	P	N/A
(15). Personal Service	SE	P	P	N/A
(16). Recreation, Commercial	SE	SE	NP	604
(17). Regional Recreation Attraction	CU	NP	NP	N/A
(18). Restaurant	SE	P	NP	604
(19). Retail Business	SE	P	P	604
(20). School, Commercial	NP	P	P	N/A
(21). Shooting Range	NP	NP	P	604
(22). Shopping Center	NP	CU	NP	604
(23). Shops for Contractors	NP	P	P	N/A
(24). Tavern/Bar	SE	P	NP	604
(25). Vehicle Filling Station	NP	SE	SE	604
(26). Vehicle Parking Lot, Light/Medium Duty	SE	P	P	N/A
(27). Vehicle Reconditioning, Light/Medium Duty	NP	SE	SE	604
(28). Vehicle Sales/Rental, Light/Medium Duty	NP	P	P	604
(29). Vehicle Service/Repair, Light/Medium Duty	NP	SE	SE	604
(30). Vehicle Storage Lot, Light/Medium Duty	NP	SE	SE	604
(31). Vehicle Washing	NP	SE	SE	604
c. INDUSTRIAL AND OTHER SIMILAR INTENSIVE USES				
(1). Crematory Facility	NP	NP	P	N/A
(2). Excavation Contractor	NP	NP	P	N/A
(3). Industrial, General	NP	NP	CU	605
(4). Industrial, Light	NP	P	P	N/A
(5). Junk Yard	NP	NP	CU	605

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USE	BUSINESS ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CR) ZONE	(HC) ZONE	(IND) ZONE	
(6). Machine Shop	NP	NP	P	N/A
(7). Mineral Extraction	NP	NP	CU	605
(8). Outside Storage	NP	NP	P	523
(9). Research and Development	NP	P	P	N/A
(10). Sawmill	NP	NP	P	N/A
(11). School, Vocational	NP	P	P	N/A
(12). Solid Waste Operations	NP	NP	CU	605
(13). Trailer Sales, Service and Storage Facility	NP	P	CU	604.R
(14). Truck/Motor Freight Terminal	NP	NP	CU	605
(15). Truck Stop/Travel Plaza	NP	CU	CU	605
(16). Vehicle Auction	NP	NP	CU	605
(17). Vehicle Parking Lot, Heavy Duty	NP	NP	P	N/A
(18). Vehicle Reconditioning, Heavy Duty	NP	NP	CU	605
(19). Vehicle Sales/Rental, Heavy Duty	NP	NP	CU	605
(20). Vehicle Service/Repair, Heavy Duty	NP	NP	P	605
(21). Vehicle Storage Lot, Heavy Duty	NP	NP	CU	605
(22). Warehousing, Distribution and Wholesaling	NP	NP	CU	605
d. INSTITUTIONAL/CIVIC USES				
(1). Clubhouse or Lodge, Private	P	P	P	606
(2). Community Outreach Center	NP	NP	CU	606
(3). Conservation Area	P	P	P	N/A
(4). Daycare, Commercial	NP	SE	P	606
(5). Government Use Other than Municipal Use	SE	SE	SE	606
(6). Hospital	NP	CU	NP	606

Adopted November 7, 2013

USE	BUSINESS ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CR) ZONE	(HC) ZONE	(IND) ZONE	
(7). Library	NP	P	NP	N/A
(8). Municipal Use	P	P	P	N/A
(9). Museum	P	P	NP	N/A
(10). Nursing, Rest, and Retirement Facility	NP	P	NP	606
(11). Office, Medical	NP	P	P	N/A
(12). Park/Playground	P	P	P	N/A
(13). Place of Religious Worship	P	P	P	606
(14). Public Utility Structure	P	P	P	N/A
(15). School, K-12	P	P	P	606
(16). School, Professional, College, and University	NP	P	NP	N/A
e. MISCELLANEOUS USES				
(1). Billboard	NP	NP	CU	607
(2). Manure Digester Energy Production Facility	NP	NP	CU	607
(3). Telecommunications Tower	NP	NP	CU	607
(4). Wind Energy Production Facility	NP	NP	CU	607
(5). Communications Antennas, Structures, and Equipment in Street Rights-of-Way (co-location)	P	P	P	530 & 607
(6). Communications Antennas, Structures, and Equipment in Street Rights-of-Way	CU	CU	CU	607
3. SPECIFIC ACCESSORY USES				
(a). Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P	P	P	N/A

Adopted November 7, 2013

USE	BUSINESS ZONES			SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
	(CR) ZONE	(HC) ZONE	(IND) ZONE	
(b). Accessory Employee Dwelling	P	P	P	608
(c). Accessory Family Member Dwelling	P	P	P	608
(d). Accessory Retail Sales of products produced on-site provided the net retail sales area is no more than ten (10) percent of the gross floor area of the building	NP	NP	P	
(e). Agricultural Product Marketing/Sales	P	P	P	608
(f). Bed and Breakfast	SE	NP	NP	608
(g). Daycare, Family	P	P	P	608
(h). Drive-Thru Facility for Permitted Use	SE	SE	P	608
(i). Helicopter Pad, Private	NP	P	P	608
(j). Home Occupation	P	P	P	608
(k). Home Occupation, No-Impact	P	P	P	202
(l). Keeping of Livestock, Non-Commercial	P	P	P	608
(m). Outside Café/Dining	P	P	NP	608
(n). Outside Display	P	P	P	608
(o). Outside Storage	P	P	P	523
(p). Recycling Drop-Off Site	NP	P	P	
(q). Shopping Cart Storage	NP	P	P	608
(r). Telecommunications Antenna	P	P	P	529
4. SPECIFIC TEMPORARY USES				
(a). Seasonal Sidewalk Display	NP	P	P	609

NOTES:**P** Permitted by Right (zoning decision by Township Zoning Officer)**SE** Special Exception Use (zoning decision by the Township Zoning Hearing Board)**CU** Conditional Use (zoning decision by the Township Board of Supervisors)**NP** Not Permitted**N/A** Not Applicable**1** Existing as of January 25, 1994.

Adopted November 7, 2013

C. Area and Bulk Requirements.

1. See Table 3-4.3 in this subsection below for the area and bulk requirements for principal uses and development activities within the Commercial Recreation (CR) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

**TABLE 3-4.3
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
COMMERCIAL RECREATION (CR) ZONE**

USE	COMMERCIAL RECREATION (CR) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Other Principal Uses	87,120 sq. ft.	250 ft.	250 ft.	50 ft. ¹	30 ft. ¹	50 ft. ¹	70%	35 ft.
c. Single Family Detached Dwelling ²	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.

NOTES:**N/A Not Applicable**

- 1 Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a fifty (50) foot yard setback which shall be improved with a landscape screening strip and screening in accordance with Article 5 relating to *Screening and Landscaping (S.526.)*. No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.
- 2 Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

2. See Table 3-4.4 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Commercial Recreation (CR) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-4.4
ACCESSORY USE AREA AND BULK REQUIREMENTS –
COMMERCIAL RECREATION (CR) ZONE

USE	COMMERCIAL RECREATION (CR) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum lot coverage for principal use.	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	25 ft. ²	15 ft. ²	25 ft. ²	Included as part of total maximum lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:

N/A Not Applicable

- Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.
- Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a fifty (50) foot yard setback which shall be improved with a landscape screening strip and

screening in accordance with Article 5 relating to *Screening and Landscaping (S. 526.)*. No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.

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3. See Table 3-4.5 in this subsection below for the area and bulk requirements for principal uses and development activities within the Highway Commercial (HC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-4.5
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
HIGHWAY COMMERCIAL (HC) ZONE

USE	HIGHWAY COMMERCIAL (HC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Other Principal Uses with no public water and no public sewer services	43,560 sq. ft.	200 ft.	200 ft.	35 ft. ¹	25 ft. ¹	15 ft. ¹	55%	35 ft.
c. Other Principal Uses with public water service only	32,670 sq. ft.	150 ft.	150 ft.	35 ft. ¹	25 ft. ¹	15 ft. ¹	60%	35 ft.
d. Other Principal Uses with public sewer service only	20,000 sq. ft.	125 ft.	125 ft.	35 ft. ¹	25 ft. ¹	15 ft. ¹	65%	35 ft.
e. Other Principal Uses with both public sewer and public water services	15,000 sq. ft.	100 ft.	100 ft.	35 ft. ¹	25 ft. ¹	15 ft. ¹	70%	35 ft.

USE	HIGHWAY COMMERCIAL (HC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
f. Single Family Detached Dwelling ²	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.

NOTES:

N/A Not Applicable

- Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a fifty (50) foot yard setback which shall be improved with a landscape screening strip and screening in accordance with Article 5 relating to *Screening and Landscaping (S. 526.)*. No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.
- Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

Adopted November 7, 2013

4. See Table 3-4.6 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Highway Commercial (HC) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-4.6
ACCESSORY USE AREA AND BULK REQUIREMENTS –
HIGHWAY COMMERCIAL (HC) ZONE

USE	HIGHWAY COMMERCIAL (HC) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum lot coverage for principal use	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	17.5 ft. ²	12.5 ft. ²	7.5 ft. ²	Included as part of total maximum lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:

N/A Not Applicable

- Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.
- Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a fifty (50) foot yard setback which shall be improved with a landscape screening strip and screening in accordance with Article 5 relating to *Screening and Landscaping (S. 526.)*. No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.

Adopted November 7, 2013

5. See Table 3-4.7 in this subsection below for the area and bulk requirements for principal uses and development activities within the Industrial (IND) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-4.7
PRINCIPAL USE AREA AND BULK REQUIREMENTS –
INDUSTRIAL (IND) ZONE

USE	INDUSTRIAL (IND) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Agricultural Operation	10 acres	100 ft.	100 ft.	50 ft.	25 ft.	50 ft.	20%	35 ft.
b. Other Principal Uses	43,560 sq. ft.	200 ft.	200 ft.	50 ft. ¹	30 ft. ¹	35 ft. ¹	80%	35 ft.
c. Single Family Detached Dwelling ²	20,000 sq. ft.	60 ft.	100 ft.	40 ft.	15 ft.	50 ft.	35%	35 ft.

NOTES:**N/A Not Applicable**

- Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a seventy-five (75) foot yard setback which shall be improved with a landscape screening strip and screening in accordance with Article 5 relating to *Screening and Landscaping (S. 526.)*. No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.
- Existing as of January 25, 1994, and does not comply with the standards for Single Family Detached Dwelling established after January 25, 1994.

Adopted November 7, 2013

6. See Table 3-4.8 in this subsection below for the area and bulk requirements for accessory uses and development activities within the Industrial (IND) Zone, unless otherwise specified elsewhere in this Zoning Ordinance, including but not limited to Article 5 and Article 6:

TABLE 3-4.8
ACCESSORY USE AREA AND BULK REQUIREMENTS –
INDUSTRIAL (IND) ZONE

USE	INDUSTRIAL (IND) ZONE							
	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	MINIMUM YARD SETBACKS			MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT
				FRONT	SIDE (EACH SIDE)	REAR		
a. Residential Accessory Uses & Structures	N/A	N/A	N/A	Not permitted within the front yard, unless a minimum 100 ft. setback is provided.	5 ft.	5 ft.	Included as part of total maximum lot coverage for principal use	20 ft. ¹
b. Non-Residential Accessory Uses and Structures	N/A	N/A	N/A	25 ft. ²	15 ft. ²	17.5 ft. ²	Included as part of total maximum lot coverage for principal use.	Not to exceed the height of the principal structure.

NOTES:**N/A** Not Applicable

- Greater than 20 ft. but less than or equal to 25 ft., provided such structures are set back a minimum horizontal distance equal to their height from the side or rear lot line.
- Regardless of the required minimum yard setbacks required in the applicable zone, any lot used principally for non-residential, non-agricultural/forestry purposes, adjoining land or across the street from land within the (R) Zone or Residential Zones shall be maintained with a seventy-five (75) foot yard setback which shall be improved with a landscape screening strip and screening in accordance with Article 5 relating to *Screening and Landscaping* (S. 526.). No principal or accessory use, building, structure, off-street parking lot, loading area, outside storage, or outside display shall be permitted within the additional required setback area.

D. Additional Layout, Design, and Other Standards.

1. Commercial Recreation (CR) Zone. The following regulations apply to the (CR) Zone:
 - a. Special Review Process. Prior to the issuance of a Zoning Permit for any of those uses permitted in the (CR) Zone as set forth in Table 3-4.2. in the subsection above (*S. 304.B.*), the applicant must comply with the following two (2)-stage review process:
 - (1). Stage 1 Concept Master Plan. Prior to, or coincidental with, the approval of a land development for any use or for development of any area contained within the (CR) Zone, the applicant shall submit a Concept Master Plan for conditional use approval by the Township Board of Supervisors in accordance with Article 9 of this Zoning Ordinance relating to *Conditional Uses (S. 906.)*. The requirements of the (CR) Zone shall be used as the specific criteria for evaluating the conditional use application. Such Concept Master Plan shall be submitted by the applicant and shall include a textual and/or graphic description of the following items:
 - (a). The location, boundaries, dimensions, acreage, and ownership of the land to be included within the proposed use.
 - (b). The specific types and mixture of uses proposed of the land to be included within the proposed use (a schematic drawing of proposed use types shall be provided).
 - (c). The road network contained upon the land to be included within the proposed use including major points of access, intersections and any traffic improvements proposed to accommodate the proposed use.
 - (d). The name, location, centerline and present right-of-way width of all adjoining streets.
 - (e). Significant existing environmental or topographic features when located within the subject tract as set forth in applicable preliminary/final plan information standards and requirements of the SLDO.
 - (f). Any regional facilities that are proposed and will serve more than one (1) lot within the proposed development. Examples of such facilities could include storm water management devices, open space areas, pedestrian pathways, and waste water or water facilities.

- (g). Other information illustrating that the basic concept of the proposed uses are well-integrated, functional, efficient and attractive.

- (2). Stage 2 Site Development Plan. As part of the granting of a zoning permit for uses proposed and contained in the Concept Master Plan, the Township Zoning Officer shall review a site plan submitted by the applicant to determine that it complies with the approved Concept Master Plan, and any applicable regulation. Upon determining compliance, the Township Zoning Officer shall issue the permit. Upon determining non-compliance, the Township Zoning Officer may reject the permit for cause and/or may require additional review by other Township Officials or their agents. Such site plan shall include but not be limited to the following:

- (a). Any information necessary to demonstrate compliance with all applicable regulations contained within this Zoning Ordinance;
- (b). A textual and graphic description of how the proposed use(s) complies with the approved Concept Master Plan for the proposed development, plus any conditions of approval attached to the approved Concept Master Plan.

2. Industrial (IND) Zone. The following regulations apply to the (IND) Zone:

a. Optional Development Bonus Incentives.

- (1). Developers of non-residential development are encouraged to maximize the use of lot and enhance the management of storm water in a manner that complements the Township's developing landscape. To that effect, the Township of Rapho offers an optional set of storm water management enhancements above and beyond the requirements of the Township of Rapho and PA DEP tied with an increase in lot coverage via the granting of a Conditional Use by the Township Board of Supervisors. In this case, the base zone stipulates the type of uses permitted and the lot coverage standards; however, applicants may opt to obtain Conditional Use approval from the Township Board of Supervisors subject to specific storm water management standards contained in the subsections below (S. 304.D.2.a.(2). through S. 304.D.2.a.(4).). This carries a prescribed increase in permitted lot coverage as an inducement to prospective developers. These optional standards may only be applied to the lot upon approval by the Township Board of Supervisors and written acceptance by the landowner of all requirements of this subsection (S. 304.D.2.a.) and any valid

conditions of approval attached by the Township Board of Supervisors.

- (2). In order to enhance water quality and volume (above PA DEP and the Township of Rapho's requirements), the applicant shall utilize the list of accepted storm water BMPs including but not limited to the list below to develop a site plan exhibit demonstrating the location, size and number of proposed BMP's to the satisfaction of the Township Board of Supervisors. In addition, the exhibit shall demonstrate the tributary area to each BMP receives runoff:
 - (a). Water Quality Inlet Inserts in all inlets (i.e., snout, trash collecting insert or nutrient separator).
 - (b). Place Bioretention areas in parking areas and detention facilities.
 - (c). Utilize curb openings in lieu of inlets in paved areas.
 - (d). Disconnect storm sewer system by utilizing grass lined swales in place of conveyance pipes.
 - (e). Place inlets in landscaped areas.
 - (f). Separate roof drains from the storm sewer system and discharge directly to, the detention basin or discharge point.
 - (g). Distribute infiltration areas around the site.
 - (h). Utilize porous pavement in parking areas.
- (3). In all cases, the proposed application shall utilize an Operation & Maintenance (O&M) Agreement that implements regular pavement sweeping, proper salt storage, maintaining an on-site spill kit with oil booms, regular visual inspection, assigning a responsible representative to execute O&M responsibilities and regularly scheduled reporting to the Township.
- (4). In return for compliance with the above-described storm water management BMPs, the Township Board of Supervisors may grant the optional development bonuses in Table 3-4.9 as set forth in this subsection below as part of the Conditional Use approval:

**TABLE 3-4.9
OPTIONAL DEVELOPMENT BONUS INCENTIVES**

BASE ZONE	BASE ZONE – MAXIMUM PERMITTED LOT COVERAGE	OPTIONAL DEVELOPMENT BONUS INCENTIVE – MAXIMUM PERMITTED LOT COVERAGE
(a). (IND) Zone	See Table 3.4-7	80%

Section 305. Compliance with General Standards.

Additionally all development activities and uses within the applicable base zones shall comply with all applicable general standards of this Zoning Ordinance including but not limited to:

- A. General Regulations of Article 5 of this Zoning Ordinance.

Section 306. Overlay Zones.

If located within the boundary of the overlay zones set forth in Table 3-6.1 in this subsection below, then development activities or uses within the applicable base zones shall also meet the requirements of the applicable overlay zone provisions set forth in Article 4 of this Zoning Ordinance:

**TABLE 3-6.1
OVERLAY ZONES**

BASE ZONES NAME/ OFFICIAL ZONING MAP & TEXT SYMBOL	OVERLAY ZONES			
	FLOODPLAIN OVERLAY (FPO) ZONE	VILLAGE OVERLAY (VO) ZONE	AIRPORT OVERLAY (APO) ZONE	OPEN SPACE DESIGN OVERLAY (OSDO) ZONE
A. AGRICULTURAL AND RURAL ZONES				
1. Agricultural (A) Zone	X	N/A	X	N/A
2. Rural (R) Zone	X	N/A	N/A	N/A
B. RESIDENTIAL ZONES				
1. Residential (R-1) Zone	X	N/A	N/A	X
2. Mixed Residential (R-2) Zone	N/A	X	N/A	N/A
3. Manufactured/Mobile Home Park Residential (MHP) Zone	X	N/A	N/A	N/A
C. MIXED USE ZONES				
1. Community Crossroads (CC) Zone	N/A	N/A	N/A	N/A

BASE ZONES NAME/ OFFICIAL ZONING MAP & TEXT SYMBOL	OVERLAY ZONES			
	FLOODPLAIN OVERLAY (FPO) ZONE	VILLAGE OVERLAY (VO) ZONE	AIRPORT OVERLAY (APO) ZONE	OPEN SPACE DESIGN OVERLAY (OSDO) ZONE
2. Mixed Use Commercial (MUC) Zone	N/A	N/A	N/A	N/A
D. BUSINESS ZONES				
1. Commercial Recreation (CR) Zone	X	N/A	N/A	N/A
2. Highway Commercial (HC) Zone	X	N/A	X	N/A
3. Industrial (IND) Zone	X	N/A	X	N/A

NOTES:

N/A Not Applicable

X Applicable

ARTICLE 4

OVERLAY ZONES

Section 401. Overlay Zones.

- A. Purpose and Intent. The purpose of Article 4 of this Zoning Ordinance is to:
1. Provide a framework for enabling legislation to aid in the creation of various overlay zones each with special regulations, requirements, and standards;
 2. Provide a description of special regulations, requirements, and standards associated with each overlay zones; and
 3. Provide guidelines for the application of each overlay zone created to assure conformity with the purpose and development objectives of the applicable overlay zone.
- B. General Provisions.
1. Article 4 of this Zoning Ordinance establishes overlay zones that include additional specific regulations, requirements, and standards of limited application to certain designated areas within Rapho Township.
 2. Overlay zones provide additional regulations for development within specific designated areas of Rapho Township, that are identified as possessing special and/or unique conditions, characteristics, circumstances and/or resources of importance, interest, and/or value to Rapho Township. Such overlay zones are established for the purposes of protecting the health, safety and general welfare, and furthering the community development objectives set forth in Article 1 of this Zoning Ordinance relating to *Purpose of Enactment* (§ 102.).
 3. Overlay zones may encompass one (1) or more applicable base zones, or in some instances other overlay zones, and impose more or less, or different regulations, requirements, and standards than those which are required by the applicable base zones or overlay zones.
 4. Applications for development are subject to the provisions of the applicable base zone and the overlay zone.
 5. Although overlay zones may be more or less restrictive than the applicable base zone, unless otherwise specified in Article 4 of this Zoning Ordinance for the applicable overlay zone, wherever and whenever the regulations, requirements, and standards of overlay zones are at variance with the regulations, requirements, and standards of applicable base zones, the most restrictive, or that imposing the higher standards shall govern development.

- C. Overlay Zones Established. The following overlay zones as set forth in Table 4-1.1 and associated special regulations, requirements, and standards are hereby established, and as applicable, the respective overlay zones may be shown on the Official Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Official Zoning Map (§ 108.)*.

**TABLE 4-1.1
OVERLAY ZONES**

OVERLAY ZONE NAME: OFFICIAL ZONING MAP & TEXT SYMBOL	ARTICLE 4, SPECIFIC SECTION REFERENCE
1. Floodplain Overlay (FPO) Zone.	Section 402
2. Airport Overlay (APO) Zone.	Section 403
3. Village Overlay (VO) Zone.	Section 404
4. Open Space Design Overlay (OSDO) Zone.	Section 405

Section 402. Floodplain Overlay (FPO) Zone.

- A. Statutory Authorization. The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Township Board of Supervisors of the Township of Rapho does hereby order as follows in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*.
- B. Abrogation and Greater Restrictions. The regulations and standards of Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of standards of Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*, the more restrictive shall apply.
- C. Warning and Disclaimer of Liability.
1. The degree of flood protection sought by the provisions of Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

2. Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* shall not create liability on the part of the Township of Rapho or any officer or employee thereof for any flood damages that result from reliance on Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* or any administrative decision lawfully made thereunder.

D. Designation of the Floodplain Administrator. The Township Zoning Officer is hereby appointed to administer and enforce Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)* and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

1. Fulfill the duties and responsibilities set forth in these regulations;
2. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees; or
3. Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations.

Administration of any part of these regulations by another entity shall not relieve the Township of Rapho of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program (NFIP) as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

E. Duties and Responsibilities of the Floodplain Administrator.

1. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, including but not limited to, those required by the:
 - a. Pennsylvania Sewage Facilities Act (Act 1966-537, as amended);
 - b. Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended);
 - c. Pennsylvania Clean Streams Act (Act 1937-394, as amended); and
 - d. U.S. Clean Water Act, Section 404, 33, U.S.C. 1344.

No permit shall be issued until this determination has been made.

2. The Floodplain Administrator shall maintain in perpetuity all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
3. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the NFIP.

F. Purpose Statement. In the interest of public health, safety and welfare, the establishment of floodplain conservation controls have been adopted for the following purposes to:

1. Combine with other zoning requirements certain restrictions made necessary for the floodplains to promote the general health, welfare and safety of Rapho Township.
2. Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions or other hazard.
3. Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage.
4. Reduce the financial burdens imposed upon the community, its governmental units and its individuals by frequent and periodic floods and the overflow of lands.
5. Permit certain uses which can be appropriately located in the floodplain as defined herein the subsection below relating to *Identified Floodplain Area (§ 402.H.)* and in Article 2 relating to *Floodplain Overlay Terms & Phrases in Specific Terms and Definitions (§ 202.A.128.)* and which will not impede the flow of floodwaters or otherwise cause danger to life and property at or above or below their locations along the floodway as defined in the subsection below relating to *Identified Floodplain Area (§ 402.H.)* and in Article 2 of this Zoning Ordinance relating to *Floodplain Overlay Terms & Phrases in Specific Terms and Definitions (§ 202.A.128.)*.
6. 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 groundwater absorption for the maintenance of the subsurface water supply.
7. Provide sufficient drainage courses to carry abnormal flows of storm water in periods of heavy precipitation.

G. Delineation of the Floodplain Overlay (FPO) Zone.

1. The (FPO) Zone is defined and established as those areas of Rapho Township subject to flooding, as delineated and defined in the subsections below relating to *Identified Floodplain Area (§ 402.H.1. through § 402.H.3.)*. The most extensive of these areas described in the following sources shall determine the outermost boundary of the (FPO) Zone.
2. Those areas classified as Special Flood Hazard Areas (SFHAs), in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs), issued by the Federal Emergency Management Agency (FEMA), for the Township of Rapho,

Lancaster County, Pennsylvania, dated April 5, 2016 or the most recent revision thereof, including all digital data developed as part of the FIS.

3. The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by the Township of Rapho and declared to be a part of this Zoning Ordinance.

H. Identified Floodplain Area. The identified floodplain area shall consist of the following specific zones:

1. Floodway Zone. The Floodway Zone shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.
 - a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - b. Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the PA DEP Regional Office.
2. AE Zone. The AE Zone shall be those areas identified as Zone AE on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
 - a. The AE Zone adjacent to the floodway shall be those areas identified as Zone AE on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
 - b. No permit shall be granted for any construction, development, use, or activity within any AE Zone without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE at any point.
 - c. AE Zone without floodway shall be those areas identified as Zone AE on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.

3. A Zone.

- a. The A Zone shall be those areas identified as Zone A on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.
- b. In lieu of the above, the Township of Rapho 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 of Rapho.

I. Floodplain Studies Available. Studies used to establish the (FPO) Zone boundaries shall be available for reference and the use of the Township of Rapho and for inspection of any interested party during office hours.

J. Space Below the Lowest Floor.

1. Fully enclosed space below the lowest floor (excluding basements) 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 "fully enclosed space" also includes crawl spaces.
2. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. A minimum of two (2) openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - b. The bottom of all openings shall be no higher than one (1) foot above grade.
 - c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

- K. Changes in Identification of Area. The Identified Floodplain Area may be revised or modified by the Township Board of Supervisors where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, the Township of Rapho shall notify FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data.
- L. Boundary Disputes. Should a dispute arise concerning any boundary of the (FPO) Zone, the initial determination of the Floodplain Administrator may be appealed to the Township Zoning Hearing Board. The burden of proof in such an appeal shall be on the property owner.
- M. Overlay Concept. The (FPO) Zone shall be deemed an overlay on any zone now or hereafter applicable to any lot.
1. Should the (FPO) Zone be declared inapplicable to any tract by reason of:
 - a. The Township Board of Supervisors in amending this Zoning Ordinance;
 - b. The Township Zoning Hearing Board; or
 - c. Any court of competent jurisdiction so interpreting the same;
 then the zoning applicable to such tract shall be deemed to be the base zone in which it is located.
 2. Should the zoning of any tract or part thereof where the (FPO) Zone is located be changed through any legislative or administrative actions or judicial decision, such changes shall have no effect on the (FPO) Zone, unless such change was included as part of the original application.
- N. Permitted Uses. Uses permitted in this subsection below (§ 402.N.1. through § 402.N.11.) are required to obtain a permit in accordance with Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*. The following uses and no others are permitted in the (FPO) Zone:
1. Cultivation and harvesting of crops according to recognized soil conservation practices.
 2. Pasture, grazing land.
 3. Outdoor plant nursery, orchard.
 4. Recreation use, such as park, day camp, picnic grove, golf course, hunting, fishing and boating club, excluding buildings or structures.
 5. Forestry, lumbering and reforestation, excluding storage and mill buildings or structures.

6. Harvesting of any wild crops, such as marsh hay, ferns, moss, berries, or wild rice.
7. Game farm, fish hatchery, hunting and fishing reserves, excluding buildings or structures.
8. Wildlife sanctuary, woodland preserve, arboretum.
9. Outlet installations for sewage treatment plants.
10. Sealed public water supply wells.
11. Utility transmission line.

O. Special Exception Uses. The following uses may be permitted by the Township Zoning Hearing Board as a special exception in accordance with Article 8 of this Zoning Ordinance relating to *Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.)*:

1. Accessory uses customarily incidental to any of the uses permitted in the subsection above relating to *Permitted Uses (§ 402.N.)*.
2. Residential front, side and/or rear yards and uses customarily incidental thereto, except that no structures shall be permitted. Inclusion of floodplain lands with the residential lots in order to meet minimum lot area or yard requirements is contingent upon complying with the objectives and standards set forth in the subsection above relating to the *Purpose Statement (§ 402.F.)* and with any other pertinent Township of Rapho regulations. If such compliance cannot be shown, the land area within the floodplain area shall not be calculated for purposes of determining lot areas or yard requirements.
3. Non-paved parking lots where required by the regulations for any other class or zone.
4. Front, side and/or rear yards of any other zone, except that an area so utilized shall not be inconsistent with the objectives and standards set forth in the subsection above relating to the *Purpose Statement (§ 402.F.)* and with any other pertinent Township of Rapho regulations.
5. Retaining walls, flood retention dams, culverts, bridges, approaches to public and private culverts and bridges and driveways, subject to compliance with the standards set forth in the subsection below relating to *Design and Performance Standards (§ 402.Q.)*.
6. Public and private utilities, provided that the:
 - a. Applicant can offer expert testimony that the proposed use requires location within the (FPO) Zone and cannot be located elsewhere with equal effectiveness;

- b. Proposed use does not involve any of those uses listed in the subsection below relating to *Prohibited Uses* (§ 402.P.);
- c. Use complies with all applicable requirements set forth in the subsection below relating to *Design and Performance Standards* (§ 402.Q.); and
- d. Applicant furnishes written evidence of all needed county, state and federal approvals.

P. Prohibited Uses. The following uses and activities are prohibited in the (FPO) Zone:

- 1. All structures and buildings, except those specifically permitted as set forth in the subsections above relating to *Permitted Uses* (§ 402.N.) and *Special Exception Uses* (§ 402.O.) respectively.
- 2. The filling in of floodplain areas, grading, removal of topsoil, damming or relocation of any water course, except as is necessary to accomplish the uses permitted as set forth in the subsections above relating to *Permitted Uses* (§ 402.N.) and *Special Exception Uses* (§ 402.O.) respectively, and provided no grading or filling is authorized which would cause any increase in flood heights or frequency.
- 3. Special Requirements for Subdivisions and Development.
 - a. Subdivision proposals and development proposals containing at least fifty (50) lots or at least five (5) acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be prohibited.
 - b. But if permitted by a special exception or a variance in accordance with the subsection below relating to Standards and Criteria for Special Exceptions and Variances (§ 402.U.), subdivision proposals and development proposals containing at least fifty (50) lots or at least five (5) acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR). Submittal requirements and processing fees shall be the responsibility of the applicant.

4. Special Requirements for Recreational Vehicles.

- a. Recreational vehicles in Identified Floodplain Areas shall be prohibited.
- b. But if permitted by a special exception or a variance in accordance with the subsection below relating to *Standards and Criteria for Special Exceptions and Variances § 402.U.*), recreational vehicles within any Identified Floodplain Area shall:
 - (1). Be on the site for fewer than one hundred eighty (180) consecutive days; and
 - (2). Be fully licensed and ready for highway use.

No variance or special exception shall be granted for the following:

- 5. Sanitary landfill or disposal sites, dump, junk yard, outside storage of vehicles and/or materials.
- 6. On-site sewage disposal system.
- 7. Swimming pools.
- 8. Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances, or which will be used for any activity requiring the maintenance of a supply (more than five hundred fifty-five [550] gallons or other comparable volume or any amount of radioactive substances) of any of the following dangerous materials or substances on the premises:
 - a. Acetone.
 - b. Ammonia.
 - c. Benzene.
 - d. Calcium Carbide.
 - e. Carbon Disulfide.
 - f. Celluloid.
 - g. Chlorine.
 - h. Hydrochloric Acid.

- i. Hydrocyanic Acid.
 - j. Magnesium.
 - k. Nitric Acid and Oxides of Nitrogen.
 - l. Petroleum products (gasoline, fuel, oil, etc.).
 - m. Phosphorus.
 - n. Potassium.
 - o. Sodium.
 - p. Sulphur and Sulphur products.
 - q. Pesticides (including insecticides, fungicides and rodenticides).
 - r. Radioactive substances, insofar as such substances are not otherwise regulated.
9. The following kinds of activities are prohibited when located entirely or partially within an identified floodplain area. The commencement, or the construction of any structure used for any of the following:
- a. Hospitals.
 - b. Nursing homes.
 - c. Jails or prisons.
 - d. Manufactured/mobile homes, manufactured/mobile home parks, and manufactured/mobile home subdivisions and/or land developments.

Q. Design and Performance Standards.

- 1. General.
 - a. No permitted use or use allowed by special exception shall be permitted within the floodway if the proposed use or development would cause any increase in 1% annual chance flood elevation.
 - b. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Township of Rapho, and until all required permits or approvals have first (1st) been obtained from the PA DEP Regional Office.

- c. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
- d. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
- e. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
- f. All other utilities, such as gas lines, electrical and telephone systems, shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
- g. The maximum depth of flow over any culvert, bridge, approach to a public or private culvert or bridge and driveway shall not exceed four (4) inches in depth.

2. Structural.

- a. All authorized new residential structures (limited to nonconforming structures) as set forth in the subsection below relating to *Nonconforming Uses and Structures (§ 402.S.)* shall have the lowest floor (including basement) elevated to one foot above the 1% annual chance flood elevation.
- b. All authorized new nonresidential structures (limited to nonconforming structures as set forth in the subsection below relating to *Nonconforming Uses and Structures (§ 402.S.)*) shall have the lowest floor (including basement) elevated to one (1) foot above the 1% annual chance flood elevation or, together with attendant utility and sanitary facilities, be flood proofed to that level in accordance with the W-1 or W-2 standards, as contained in the publication *Flood-Proofing Regulations*, UUSACE, June 1972 (as amended March 1992).
- c. All structures, including buildings, air ducts, large pipes and storage tanks shall be firmly anchored to prevent flotation, movement or collapse.

3. Special Requirements for Manufactured/Mobile Homes.

- a. Manufactured/mobile homes and manufactured/mobile home parks are prohibited in the (FPO) Zone, except as a continuation of a nonconforming use.

- b. If any existing manufactured/mobile home shall be replaced, reconstructed, or expanded by addition thereto, then the manufactured/mobile home shall be:
 - (1). Anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the following:
 - (a). Over-the-top ties shall be provided at each of the four (4) corners of the manufactured/mobile home, with two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and one (1) additional tie per side for units less than fifty (50) feet in length.
 - (b). Frame ties shall be provided at each corner of the manufactured/mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.
 - (c). All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.
 - (2). Elevated in accordance with the following requirements:
 - (a). The standards or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the manufactured/mobile home will be one and one-half (1½) feet or more above the elevation of the 1% annual chance flood.
 - (b). Adequate surface drainage is provided.
 - (c). Adequate access for a hauler is provided.
 - (d). Placed on a permanent foundation. Where pilings are used for elevation, the lots shall be large enough to permit steps; piling foundations shall be placed in stable soil no more than ten (10) feet apart; reinforcement shall be provided for pilings that will extend for six (6) feet or more above the ground level.
- c. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the Township Board of Supervisors for manufactured/mobile home parks.

R. Nonconforming Uses and Structures.

1. Continuation. All uses or structures lawfully existing in the (FPO) Zone on August 16, 1982 which are not in conformity with the provisions of this (FPO) Zone, shall be deemed nonconforming uses or structures. Such nonconforming uses or structures may be continued, maintained, repaired and flood proofed, except as otherwise provided for in the (FPO) Zone.
2. Expansion. Nonconforming structures located within the floodway shall not be expanded or enlarged if any increase in the 1% annual chance flood elevation would result.
3. Repair, Reconstruction or Improvement. A nonconforming structure may be repaired, reconstructed or improved provided that the repair, reconstruction or improvement is to an extent or amount less than fifty (50) percent its fair market value. Repair, reconstruction or improvement to an extent of fifty (50) percent or more of the fair market value of the structure shall constitute a substantial improvement and shall be prohibited.

S. Floodplain Permit and Application Procedures. Within the (FPO) Zone, a permit shall be required for any proposed development, construction, reconstruction, placement, replacement, renovation, extension, repair or other improvements of uses or structures, including the placement of manufactured/mobile homes, and activities, such as mining, dredging, filling, grading, paving or drilling operations. In accordance with this subsection and Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*, an application for a permit shall be filed with the Floodplain Administrator who shall make an initial determination on the application. For a use other than those permitted as set forth in the subsection above relating to *Permitted Uses (§ 402.N.)*, an application seeking approval of a special exception or variance shall be forwarded to the Township Zoning Hearing Board, along with required studies or information. Every permit application for development or construction within the (FPO) Zone shall include or be accompanied by all information necessary for the Floodplain Administrator to determine that the proposal meets all the provisions of this (FPO) Zone. Included within this submission shall be copies of all necessary state and federal permits. The following information is specifically required:

1. The elevation, in relation to mean sea level, of the lowest floor (including existing basement).
2. Whether or not the structure includes an existing basement. Basements are prohibited on all new construction.
3. If the non-residential structure is to be flood proofed, the elevation (in relation to mean sea level) to which the structure is to be flood proofed. Only non-residential structures may be floodproofed in lieu of elevating the non-residential structure.
4. If the structure is to be flood proofed, a document certified by a registered

professional engineer or architect certifying that the flood proofing methods used meet the provisions of this (FPO) Zone.

5. The elevation of the 1% annual chance flood.

T. Construction or Development Located Entirely or Partially within any Identified Floodplain Area. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:

1. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
2. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
3. Adequate drainage is provided so as to reduce exposure to flood hazards;
4. Structures will be anchored to prevent floatation, collapse, or lateral movement;
5. Building materials are flood-resistant;
6. Appropriate practices that minimize flood damage have been used; and
7. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.

U. Standards and Criteria for Special Exceptions and Variances. In addition to the provisions of Article 8 of this Zoning Ordinance, in hearing and deciding upon special exceptions and/or variances to be granted or denied under the provisions of the (FPO) Zone, the Township 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, structure or development within the floodway if any increase in the 1% annual chance flood elevation would result.
2. In addition to the standards generally applicable to variances, variances shall only be granted upon a:
 - a. Showing of good and sufficient cause;
 - b. Determination that failure to grant the variance would result in exceptional hardship to the applicant; and

- c. 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. Variances shall only be granted upon the determination that the variances are the minimum necessary to afford relief, considering the flood hazard. If it should become necessary to grant any variance, the applicant shall be required to comply with all the applicable requirements of the most recent version of the NFIP requirements 60.3(a) and (b) (as amended), including the requirements for flood proofing, anchoring and elevation. The applicant must also comply with any other requirements considered necessary by the Township of Rapho.
4. Whenever a variance is granted, the Township Zoning Hearing Board shall notify the applicant in writing that:
 - a. The granting of the variance may result in increased premium rates for flood insurance if construction occurs below the 1% annual chance flood elevation.
 - b. Such variance may increase the risk to life and property.
5. In granting a special exception or variance, the Township Zoning Hearing Board shall require that all buildings and structures shall be designed and constructed so as to have the capability of resisting the 1% annual chance flood.
6. A complete record of all variance requests and actions, including justifications for granted variances, shall be maintained by the Township Zoning Hearing Board. The Township Zoning Hearing Board shall report such decisions in the annual report sent to the FEMA.

Section 403. Airport Overlay (APO) Zone.

- A. Application. The regulations and standards contained in this (APO) Zone shall apply to all applications for development within the (APO) Zone of Rapho Township to:
 1. Erect a new structure;
 2. Add to or increase the height of an existing structure;
 3. Establish, erect, and/or maintain any use, structure, or object (natural or manmade);

within the (APO) Zone of Rapho Township.
- B. Purpose and Intent. The purpose of the (APO) Zone is to:

1. Create an overlay zone that considers safety issues around the Lancaster Airport (LNS);
 2. Regulate and restrict the heights of established uses, constructed structures, and objects of natural growth;
 3. Create appropriate related surface zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such surface zones; and
 4. Create a permitting process for certain uses, structures, and objects within said related zones.
- C. Relation to Other Zones. The (APO) Zone shall not modify the boundaries of any other base zone or overlay zone. Where identified, the (APO) Zone shall impose certain requirements on land use, construction, and development in addition to those contained in the applicable base zone and/or applicable overlay zone for the same area.
- D. Establishment of Airport Overlay (APO) Zone and Related Surface Zones. The (APO) Zone is hereby established and certain surface zones within the (APO) Zone, defined in Article 2 of this Zoning Ordinance relating to *Airport Overlay (APO) Zone Terms & Phrases in Specific Terms and Definitions (§ 202.A.20.)*, depicted on Figure 4.1 in this subsection below, and shown on the Zoning Map listed in Article 1 of this Zoning Ordinance relating to *Establishment of Zones and Zoning Map (§ 108.)*, as follows:
1. Approach Surface Zone.
 2. Transitional Surface Zone.

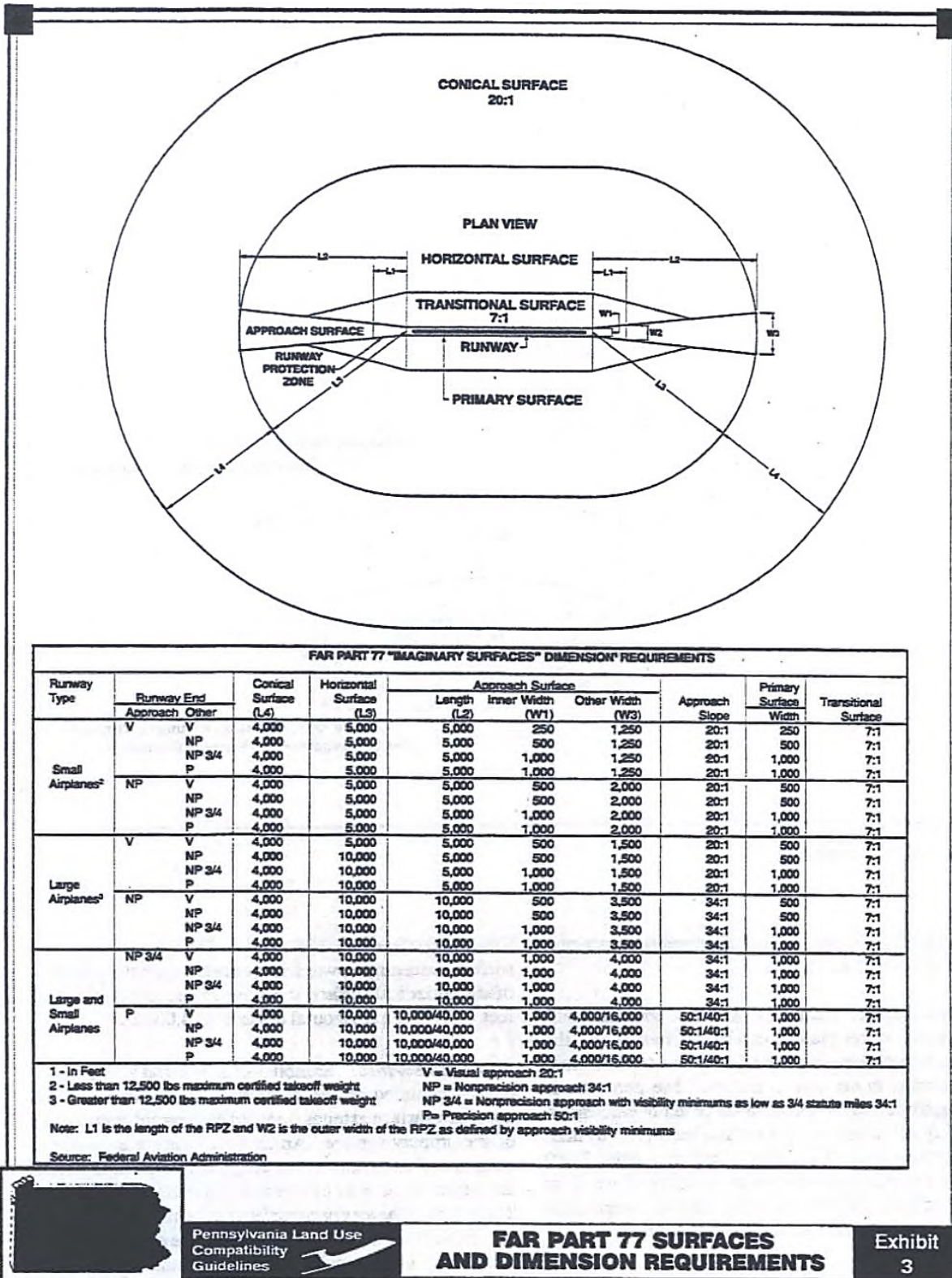


Figure 4-2.1

FAR Part 77 SURFACES AND DIMENSION REQUIREMENTS

(Source: Model Zoning Ordinance Language for an Airport District Overlay; PennDOT, 2010)

E. Permit Applications.

1. As regulated by Act 164 and defined by 14 Code of Federal Regulations Part 77.13(a) (as amended or replaced), proposals for applications to:

- a. Erect a new structure;
- b. Add to or increase the height of an existing structure; or
- c. Establish, erect, and/or maintain any use, structure, or object (natural or manmade);

in the (APO) Zone. The applicant shall first (1st) notify PennDOT's Bureau of Aviation (BOA) by submitting PennDOT Form AV-57 to obtain an obstruction review of the proposal at least thirty (30) days prior to commencement thereof. PennDOT's BOA response must be included with this permit application for it to be considered complete. If PennDOT's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of the (APO) Zone. If PennDOT's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in the subsection below relating to *Variances* (§ 403.F).

2. Exceptions. In the following circumstances notification of an approval by PennDOT's BOA shall not be required:

- a. No permit is required for the routine maintenance and repairs to, or the replacement of parts of existing structures which do not increase the height of an existing structure.
- b. In the areas lying within the limits of the Approach Surface Zones, but at a horizontal distance of not less than four thousand two hundred (4,200) feet from each end of the runway, no permit shall be required for any tree or structure less than two hundred (200) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such Approach Surface Zones.
- c. In the areas lying within the limits of the Transitional Surface Zones beyond the perimeter of the Horizontal Surface Zones, no permit shall be required for any tree or structure less than one hundred fifty (150) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic feature, would extend above the height limit prescribed for such Transitional Surface Zones.
- d. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits

established by this (APO) Zone, except that no permit is required to make maintenance repairs to or to replace parts of existing structures which do not increase the height of an existing structure.

F. Variances. In addition to the provisions set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)* any request for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA's and PennDOT's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:

1. No Objection. The subject construction is determined to not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.
2. Conditional Determination. The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in the subsection below relating to *Obstruction Marking and Lighting (§ 403.I.)*.
3. Objectionable. The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant. Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the purpose and intent in the subsection above relating to *Purpose and Intent (§ 403.B.)*.

G. Use Restrictions. Notwithstanding any other provisions in this (APO) Zone, no use shall be made of land, water, or structure within the (APO) Zone in such a manner as to:

1. Create electrical interference with navigational signals or radio communications between the airport and aircraft;
2. Make it difficult for pilots to distinguish between airport lights and others;
3. Impair visibility within the (APO) Zone of Rapho Township;
4. Create bird strike hazards; or
5. Otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the airport.

Adopted November 7, 2013

- H. Nonconforming Uses, Structures, and/or Trees. The regulations prescribed by the (APO) Zone shall not be construed to require the removal, lowering, or otherwise change to, or alteration of any use, structure, and/or tree identified as nonconforming to the regulations of the (APO) Zone as of the effective date of this Zoning Ordinance, or to otherwise interfere with the continuance of a nonconforming use, structure, and/or tree. No nonconforming use or structure shall be altered, nor tree permitted to grow higher, so as to increase the nonconformity [relating to height and the use restrictions set forth in this (APO) Zone]. A nonconforming use, structure, or tree once abandoned or damaged or destroyed as per to the standards in Article 7 of this Zoning Ordinance, may only be reestablished consistent with the provisions of this (APO) Zone and Article 7 of this Zoning Ordinance.
- I. Obstruction Marking and Lighting. Any permit or variance granted pursuant to the provisions of this (APO) Zone and Articles 8 or 9 of this Zoning Ordinance may be conditioned according to the process described in this (APO) Zone to require the owner of the structure or object of natural growth in question to permit the Township of Rapho, at its own expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

Section 404. Village Overlay (VO) Zone.

A. Purpose Statement and Intent.

1. In compliance with Sections 605.(2) and 605.(3) of the most recent version of the MPC, the (VO) Zone provides a set of design standards that seek to achieve a “village”-type setting that is characteristic of much of Lancaster County's built environment and heritage. All of the design standards of the (VO) Zone are vital if the “village” atmosphere is to be achieved. While many of the following requirements deal with issues that typically transcend zoning jurisdiction, they are provided as optional “overlay” regulations with substantial density bonuses, and are, therefore, considered voluntarily self-imposed by prospective developers, but enforceable by the Township of Rapho. The substantial density bonuses have been provided to offset the increased costs of providing a “high-quality” development that features historic building and streetscape design with historically authentic construction materials such as stone, brick, wood, and slate and with abundant and diverse native landscape materials, and other streetscape and public amenities often overlooked within contemporary suburban neighborhoods.



2. It is the further intent of the Township Board of Supervisors to encourage flexibility, economy and ingenuity in the development of tracts within the (VO) Zone. To this end, the Township Board of Supervisors shall permit the developer to modify the design standards of the (VO) Zone if such modification of standards, criteria, or regulation better serves or serves equally but in a different manner the intended purposes set forth in the (VO) Zone. It is the specific intent of the Township Board of Supervisors to permit developers to consider and utilize innovative methods of design.
 3. Some of the specific development objectives of the (VO) Zone include the design and construction of neighborhoods that:
 - a. Are distinct in their incorporation of significant environmental or topographic features.
 - b. Ensure a diversity of housing types, sizes, and costs with particular emphasis on scattered-site affordable housing opportunities.
 - c. Provide for convenient vehicular access to the neighborhood's edge but increased reliance upon pedestrian movements within its bounds.
 - d. Integrate local businesses and trades to enhance resident convenience and offer limited employment opportunities.
 - e. Make efficient use of local infrastructure and services.
 - f. Reflect the historic and traditional building styles so abundant within the region.
 - g. Reserve and feature civic uses and open spaces as community focal points.
 - h. Provide safe, efficient, and compatible linkages with existing nearby land uses, streets, sidewalks, etc.
 - i. Invite regular and frequent social interaction among its inhabitants.
 - j. Blend all of these above-described features in a way that promotes community identification and a "sense-of-belonging" for the residents.
 4. These development objectives will be used as a measure of conformance with any proposed development within the (VO) Zone.
- B. Review Procedures. The intent of the (VO) Zone is to coordinate zoning approval with subdivision and land development approval. Applicants of proposals within the (VO) Zone are strongly encouraged to submit a sketch plan in accordance with the applicable plan review procedures and processes of the SLDO. During the Sketch Plan review, the applicant and the Township of Rapho should identify an overall design objective for the site and "iron-out" any

Adopted November 7, 2013

fundamental problems associated with the proposed development. Approval of a development within the (VO) Zone is tied to the successful approval of a subdivision and land development plan that meets with the specific requirements of the (VO) Zone and all other applicable requirements of this Zoning Ordinance, the SLDO, and any other applicable ordinances. The applicant shall be required to submit any and all of those materials that are needed to effectively demonstrate compliance with such requirements.

- C. Overall Community Form and Permitted Uses. A successful design extends or enhances the “quality-of-life” attributed to the layout and context of the surrounding area. This measure considers the overall character of the proposed neighborhood with its mixture of uses as compared with the character of its surroundings. The development should create the opportunity to be part of, and be accessible to, a complete community with housing, employment, shopping, worship and recreation.



**FIGURE 4-4.2 AERIAL
OF MIXED USE
NEIGHBORHOOD**

1. See Table 4-4.1 in this subsection below for the types of uses permitted in the (VO) Zone as set forth by this Zoning Ordinance.

**TABLE 4-4.1
PERMITTED USES –
VILLAGE OVERLAY ZONE (VO)**

USE	SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
a. RESIDENTIAL USES	
(1). Multiple Family Dwelling	N/A
(2). Single Family Attached Dwelling	N/A
(3). Single Family Detached Dwelling	N/A
(4). Single Family Semi-Detached Dwelling	N/A
(5). Two Family Detached Dwelling	N/A
b. NON-RESIDENTIAL USES	
(1). AGRICULTURAL/FORESTRY USES	
(a). Crops/Gardening (Other than an Agricultural Operation)	N/A
(b). Forestry (Commercial Timber Operations)	510
(2). COMMERCIAL USES	
(a). Bank and Other Similar Financial Institution	N/A
(b). Convenience Store	N/A

USE	SEE ARTICLES 5, 6, OR ELSEWHERE OF THIS ZONING ORDINANCE FOR ADDITIONAL SPECIFIC USE REGULATIONS
(c). Office, Business and Professional	N/A
(d). Personal Service	N/A
(e). Restaurant	N/A
(f). Retail Business	N/A
(3). INSTITUTIONAL/CIVIC USES	
(a). Cemetery	N/A
(b). Community Gathering Facility	N/A
(c). Conservation Area	N/A
(d). Daycare, Commercial	N/A
(e). Government Use Other than Municipal Use	N/A
(f). Library	N/A
(g). Municipal Use	N/A
(h). Museum	N/A
(i). Office, Medical	N/A
(j). Park/Playground	N/A
(k). Place of Religious Worship	N/A
(l). Public Utility Structure	N/A
c. SPECIFIC ACCESSORY USES	
(1). Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable Zone, other than specified elsewhere in this Zoning Ordinance including but not limited to Article 5, Article 6, or elsewhere of this Zoning Ordinance	N/A
(2). Accessory Family Member Dwelling	608
(3). Automated Banking or Postal Facility	608
(4). Daycare, Family	608
(5). Drive-Thru Facility for Permitted Use	608
(6). Home Occupation	608
(7). Home Occupation, No-Impact	608

NOTES:

P	Permitted by Right (zoning decision by Township Zoning Officer)
SE	Special Exception Use (zoning decision by the Township Zoning Hearing Board)
CU	Conditional Use (zoning decision by the Township Board of Supervisors)
NP	Not Permitted
N/A	Not Applicable

2. Required Mixture of Permitted Uses and Housing Types. See Table 4-4.2 in this subsection below for the required mixture of permitted use and residential dwelling types listed in Table 4-4.1 above within the proposed development in the (VO) Zone as set forth by this Zoning Ordinance.

**TABLE 4-4.2
REQUIRED MIXTURE OF
PERMITTED USES AND
HOUSING TYPES**

PROPOSED USES	REQUIRED PERCENTAGES	
	MINIMUM	MAXIMUM
(a). Common Open Space, Public and/or Institutional/Civic Uses (excluding Public Utilities)	20% (of Gross Area of the Site)	N/A
(b). Single Family Attached Dwellings or Multiple Family Dwellings	N/A	35%
(c). Single Family Detached Dwellings	35%	50%
(d). Single Family Semi-Detached Dwellings or Two Family Detached Dwellings	N/A	35%
(e). Local Commercial Uses for Sites that Serve at least 100 Homes within a 3 Mile Radius	N/A	5% (of Gross Area of the Site) ¹

NOTES:

- ¹ Local commercial uses may be increased in size if the applicant can demonstrate that the proposed location and configuration provides for convenient and safe pedestrian access for multiple neighborhoods that are not being served by other nearby commercial uses.

3. Maximum Impervious Coverage: The maximum permitted impervious coverage shall be seventy-five (75) percent of the gross acreage of a Village Overlay Zone Development site.

- D. Residential Form - A successful project employs an integrated and diverse mixture of housing types and costs; it also provides such units with qualified architectural designs that reflect this region's history. Compact residential lots should be narrow and long with small side yard setbacks; building orientation should also run perpendicular to the street. Exterior pedestrian access should connect the front and rear yards for each attached housing unit. Uses should rely heavily upon adjoining on-street parking, and: driveways and off-street parking should be confined to the rear yard.



**FIGURE 4-4.3 Schoolhouse
Apartments**

1. **Architectural Considerations.** All proposals within the (VO) Zone must incorporate architectural treatments and styles that complement the region's historic resources. All applications shall include the preparation of textual and (typical) graphic descriptions by a Commonwealth-registered architect, of proposed architectural features and styles, which shall be presented for Township consideration during sketch plan review of the subdivision/land development review process.
2. **Required Integration of Housing Types.** Proposed residential areas are required to integrate a variety of housing types. The objective is to ensure various unit types share the streetscape and that no one (1) type dominates large portions of the neighborhood. Developments that isolate the respective types of housing units (e.g., detached, semi-detached, attached, and multiple family) from one (1) another will not be permitted.
3. **Residential Area and Bulk Design Requirements.** See Table 4-4.3 in this subsection below for the residential area and bulk design requirements for all development activities and uses within the (VO) Zone:

**TABLE 4-4.3
RESIDENTIAL AREA AND
BULK DESIGN REQUIREMENTS**

PERMITTED DWELLING TYPE AND RELATED USE	MAXIMUM PERMITTED DENSITY (UNITS/GROSS ACRE)	MAXIMUM PERMITTED IMPERVIOUS COVERAGE ²	MINIMUM/ MAXIMUM FRONT BUILD-TO LINE ¹	REQUIRED MINIMUM YARD SETBACKS	
				SIDE	REAR
(a). Single Family Detached	8	70%	10 ft./15 ft. ^{1a}	6 ft. each side	15 ft.
(b). Single Family Semi-Detached	8	70%	10 ft./15 ft. ^{1a}	6 ft. detached side/ 0 ft. attached side	15 ft.
(c). Two Family Detached	8	70%	10 ft./15 ft. ^{1a}	6 ft. each side	15 ft.
(d). Single Family Attached ^{3,4}	8	70%	10 ft./15 ft. ^{1b}	10 ft. detached side/ 0 ft. attached side	15 ft.
(e). Accessory Structures	N/A	Included as part of total maximum impervious coverage for principal use.	Not permitted within the front yard	5 ft. each side	5 ft.
(f). Multiple Family	8 ⁴	70%	10 ft./15 ft. ^{1b}	10 ft. detached side/ 0 ft. attached side	15 ft.

NOTES:

¹ Front build-to lines shall be measured between the street right-of-way line and the closest facade of the building, including porches. No part of any building shall extend closer to a street than the minimum front build-to line.

a. For single family detached, single family semi-detached, or two family detached buildings, no less than seventy (70)

percent of a building's front facade (including the front facade of any covered or uncovered porches) must be located on the front build-to line.

- b. For single family attached or multiple family dwelling buildings, no less than fifty (50) percent of a building's front facade (including the front facade of any covered or uncovered porches) must be located on the front build-to line.

² Maximum permitted impervious coverage requirements shall not apply to porches located within the front yard.

³ No single family attached dwelling building shall contain more than six (6) units. For each single family attached dwelling building containing more than four (4) units, no more than two-thirds (2/3) of such units shall have the same front yard setback; the minimum variation of setback shall be two (2) feet. In addition, no more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane.

⁴ All single family attached dwelling and multiple family dwelling buildings shall be set back a minimum of ten (10) feet from any interior access drives, or parking facilities contained on commonly-held lands.

4. Residential Building Design Standards. All residences shall comply with the following:

a. Building Height. All principal residences shall be between one and one-half (1½), and three (3) stories in height. In no case shall any principal building exceed forty (40) feet in height. Accessory buildings shall be no more than twenty-five (25) feet in height.

b. Building Orientation and Porches. All residential buildings' main entrances shall face the lot's front yard. At least fifty (50) percent of all detached dwellings located along a public street within the same block shall include porches with a minimum depth of five (5) feet and a minimum length of eight (8) feet, within the front yard.

c. Residential Building Width. No residential dwelling shall be greater than seventy-five (75) feet wide as measured parallel, or approximately parallel, with any street line.

5. Vehicular Access and Parking Requirements for Residences. Parking shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking* (§ 520.). Additionally, no more than three (3) off-street parking spaces shall be permitted on an individual dwelling lot. To the maximum extent feasible, driveways and off-street parking shall only be provided in the rear yard and will rely upon alleys for vehicular access. All on-street parking must be provided within one hundred (100) feet of the dwelling unit served to be calculated as part of the required number of parking spaces.

6. Access Drive Setback Requirements. The setback for access drives from side, rear

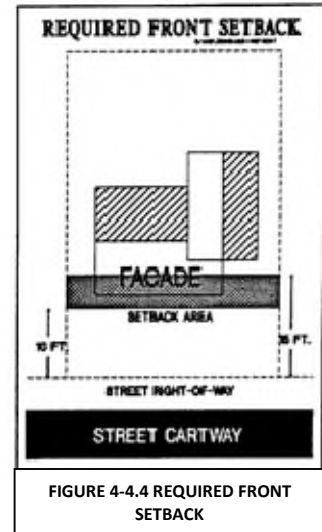


FIGURE 4-4.4 REQUIRED FRONT SETBACK



FIGURE 4-4.5 Vine Street



FIGURE 4-4.6 Rear Yard Alleys & Garages

property lines and/or street rights-of-way shall be ten (10) feet.

7. Access Drive Width. The width of an access drive shall be a minimum of ten (10) feet per travel lane.
8. Driveway Requirements. Certain driveway requirements as set forth in Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (§ 515.)* are not consistent with the overall design characteristics of the (VO) Zone in light of, among other factors, the reduced street width, higher densities and smaller lot sizes associated with the (VO) Zone. The requirements that:
 - a. Driveways shall not connect with a public street within forty (40) feet of the street right-of-way line of any intersection streets; and
 - b. All driveways shall be designed to permit a vehicle turnaround so that vehicles can enter the street right-of-way in a forward direction;are waived for development approved and developed under the (VO) Zone regulations.
9. Single Family Attached Dwellings – Driveway and Garage Requirements. To encourage flexibility, economy and ingenuity in the development of property in the (VO) Zone, the Township Board of Supervisors may permit the developer to modify, pursuant to the provisions in the subsection below relating to *Modifications of Design Standards (§ 404.M.)*, the driveway and garage design standards for single family attached dwellings set forth in Article 5 of this Zoning Ordinance relating *Lot Access, Access Drives, and Driveways (§ 515.)* by providing alternative design standards during the Sketch Plan and/or Preliminary Plan phase of the development. As part of the developer's proposed modification, the developer shall submit architectural renderings prepared by an architect registered/licensed by the Commonwealth of Pennsylvania, depicting the proposed modifications and how the modifications relate to and impact the proposed townhouse building and adjacent structures. If approved by the Township Board of Supervisors, the proposed modification(s) shall be incorporated into developer's Final Plan.
10. Common Open Space. Notwithstanding the definitions of "Common Open Space" and "Open Space, Common or Public", a developer seeking to utilize the design standards of (VO) Zone regulations may include in the calculation of the minimum required common open space, areas between buildings and between buildings and property lines if such area(s) is improved with walking trails, fitness stations, recreational amenities or other improvements acceptable to the Township Board of Supervisors or, in the opinion of the Township Board of Supervisors, such area is integrated into an integral component of the overall open space design.

E. Commercial Form.

When provided, commercial land uses should be confined to one (1) cohesive node or street corridor. Ideal location for commercial uses is central to the neighborhoods



FIGURE 4-4.7 Village of Olde Hickory Shopping Center

served; however,

peripheral locations along existing streets are also acceptable so long as the design of such areas serve pedestrians and vehicles equally well. Commercial areas should be fitted with buildings, signs and sidewalks that are oriented to invite pedestrian access from the adjoining neighborhoods. Off-street parking lots, loading areas, and refuse collection stations, should all be separated from view of the adjoining neighborhoods and screened from adjoining roads.

1. Business Timing. No commercial area shall be approved until such time as at least one hundred (100) new dwelling units are also approved in the (VO) Zone.
2. Location and Layout. All commercial land uses shall be confined to one (1) area that is conveniently accessible to residents of the development. Preferred designs include those that replicate “downtown” settings, or commercial courtyards; however, small-scale shopping centers that adjoin existing roads are also acceptable if the design of the shopping center does not forsake safe and convenient pedestrian access from adjoining neighborhoods.
3. Pedestrian Access. All commercial areas must be integrated upon a system of sidewalks and/or pedestrian pathways, so that all inhabitants of the development and adjoining neighborhoods to be served will have safe and convenient pedestrian access.
4. Proximity to Focal Point. Where practicable, commercial areas shall be part of, contiguous with, or directly across a street from the prominent focal point as required in the subsection below relating to *Prominent Focal Point (§ 404.G.)*.
5. Building Setback and Orientation. Commercial areas shall consist of storefronts that are principally oriented towards pedestrian customers. Buildings should present a uniform pattern of setbacks (except in the case of outside café/dining) that are close to an adjoining sidewalk or courtyard. Such sidewalks and courtyards should incorporate lamp posts, trash receptacles, shade trees, pedestrian benches, and other similar amenities. Shopping center designs must provide for an inviting pedestrian entrance and shopping area that does not require the crossing of heavily-traveled access drives and is visually separated from off-street parking and loading areas.

6. Outside Café/Dining. Outdoor restaurant café/dining, including awnings, umbrellas, tables and chairs, and trash receptacles are permitted, so long as they architecturally and visually complement the overall appearance and function of the commercial courtyard. All activities on-site shall be controlled so as not to constitute a nuisance by means of noise and litter.
7. Outside Display. One (1) sidewalk display bin for retail merchandise shall be permitted per commercial use between the main facade of the building and the adjoining sidewalk/courtyard. Such bin shall be located against the facade and shall not extend more than two (2) feet perpendicular from it. Sidewalk display bins shall not exceed an overall length of fifteen (15) feet, nor an overall height of three (3) feet. Sidewalk bins shall only be exhibited during the use's business hours.
8. Business Signs. Signs for individual commercial uses shall only include wall signs or roof signs. Overall size shall be limited to six (6) square feet per sign. Each business will be permitted one (1) such sign per entrance. The entire commercial area is also permitted two (2) freestanding planned center signs, at least one (1) of which must be oriented to the pedestrian access. Such signs shall not exceed thirty-two (32) square feet and shall be set back a distance at least equal to its height from the closest adjoining property line.
9. Required Parking. Minimum required off-street parking spaces for commercial uses that are part of a downtown or commercial courtyard are computed on the basis of one (1) per three hundred (300) square feet of total floor area, except that convenience stores, and/or offices of physicians, dentists, and veterinarians shall require one (1) space per two hundred (200) square feet of total floor area. In addition, downtown commercial areas and commercial courtyards shall provide for on-street parking adjoining such commercial uses. Within shopping centers, a minimum of one (1) off-street parking space shall be provided for each two hundred (200) square feet of total floor area and no on-street parking is required. All off-street parking must be provided within common parking lots which shall be designed in accordance with the applicable design and construction standards and requirements of the SLDO. All off-street parking for commercial uses shall be set back no less than twenty-five (25) feet and screened from any adjoining property used principally for residential purposes. Furthermore, any access drive to an off-street parking lot must be set back at least forty (40) feet from the adjoining street right-of-way lines of any intersecting street, or five (5) feet from a fire hydrant.
10. Upper-Floor Apartment. For each commercial use within a downtown or commercial courtyard setting, one (1) upper-floor apartment with a separate ground level access and one (1) off-street parking space may be provided.
11. Business Size. While there are no limits on the size of commercial buildings and lots, all businesses shall be selected, sized and designed only to furnish local commercial goods and services that can be delivered to pedestrian patrons. No business shall be permitted that, in the opinion of the Township Board of Supervisors, exceeds this local pedestrian market.

12. Maximum Impervious Coverage. The maximum permitted impervious coverage shall be ninety (90) percent.
13. Minimum Required Yard Setbacks. See Table 4-4.4 in this subsection below for the commercial yard setback requirements for all development activities and uses within the (VO) Zone:

**TABLE 4-4.4
MINIMUM REQUIRED YARD SETBACKS**

COMMERCIAL USE	YARDS ADJOINING OTHER COMMERCIAL USES	YARDS ADJOINING OPEN SPACE, PUBLIC, CIVIC OR RESIDENTIAL USES
(a). Building	None	None ¹
(b). Off-Street Parking	None	25 ft.
(c). Off-Street Loading	None	50 ft.
(d). Refuse Collection Station	None	50 ft.

NOTES

¹ Buildings within a shopping center shall be set back at least fifty (50) feet from any adjoining residential use.

14. Required Off-Street Loading. See Article 5 of this Zoning Ordinance relating to *Off-Street Loading Facilities (§ 519.)*.
15. Height Requirements. All buildings within a “downtown” or commercial courtyard setting shall have at least two (2) stories but no more than three (3) stories. All buildings within a shopping center shall have between one (1) and three (3) stories.
16. Outside Storage. No outside storage is permitted.
17. Waste Products. Refuse collection stations may be permitted within the side or rear yard, provided such refuse collection stations are screened from any adjoining roads and/or properties. All refuse collection stations shall be set back a minimum of fifty (50) feet from any adjoining properties used for a principal residence, common open space or public or civic use. All waste receptacles shall be completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate.
18. Architectural Considerations. All proposals within the (VO) Zone must incorporate architectural treatments and styles that complement the region’s historic resources. All applications shall include the preparation of textual and (typical) graphic descriptions by a Commonwealth-registered architect, of proposed architectural features and styles, which shall be presented for Township consideration during Sketch Plan review of the subdivision/land development review process.

- F. Open Space Form. Important and sensitive environmental or topographic features or resources should be integrated and protected as part of the common open space. Such spaces should invite public use and enjoyment, unless such use would threaten their integrity. Other open spaces should be designed to meet their desired purpose. Parklands, where provided, should be located and improved to invite public use and enjoyment. Where parklands are not offered, fees-in-lieu-thereof shall be provided for Township use. All open spaces should include a description of an acceptable means for their ownership and maintenance.



FIGURE 4-4.8 RECREATION AND OPEN SPACE

1. Significant Environmental or Topographic Features Inventory.
 - a. As part of the Sketch Plan review process, or if the applicant decides to only submit a Preliminary Plan as part of the Preliminary Plan review, applicants shall be required to prepare an inventory of the significant existing environmental or topographic features when located within the subject tract as set forth in the applicable preliminary/final plan information standards and requirements of the SLDO.
 - b. From this inventory and plot, it shall be incumbent upon the applicant to demonstrate that the proposed schematic design of the Village Overlay Zone Development minimizes disturbance of, but integrates and protects these features as part of a meaningful open space network.
2. Proposed Parklands. All proposed developments must either dedicate public parklands or provide a fee-in-lieu-thereof in accordance with the applicable parkland standards and requirements of the SLDO. Such dedicated parklands can be part of the open space required in the subsection above relating to *Required Mixture of Permitted Uses and Housing Types* (§ 404.C.2.) if such space complies with the applicable parkland design standards and requirements of the SLDO.
3. Ownership and Maintenance of Open Space. An essential element of the Village Overlay Zone Development application is a written description and plan for the disposition of ownership of common open space land designating those areas to be offered for dedication, or to be owned by the specific form of organization proposed. The common open space shall be owned and maintained in accordance with applicable open space ownership and maintenance standards and requirements of the SLDO.

- G. Prominent Focal Point. Each development shall have a prominent focal point; some special feature that distinguishes it from other neighborhoods (e.g., Town Square). This can be an existing environmental or topographic features (big trees/groves, ponds and lakes, scenic views, etc.) or an existing man-made feature (important civic buildings, historic sites). The design of the neighborhood should prominently feature this resource by orienting streets and finished elevations to maximize its visibility. In addition, new focal points can be created by assembling important public/civic amenities, with commercial uses and then constructing them with impressive architectural style.
- H. Streetscape Form. The streetscape should be oriented to the pedestrian. It should be safe, functional and attractive. Front-to-front building setbacks should be kept small so as to provide for intimacy and neighborly interaction. Front porches and stoops should be frequently incorporated into the front yards. Streetscapes should generally include sidewalks on both sides of the cartway; all sidewalks shall include aprons for access by handicapped persons according to standards contained within the most recent version of the Americans with Disabilities Act (ADA), in accordance with the most recent version of the ADA version Standards for Accessible Design of the United States Department of Justice and the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho, whichever is more restrictive. Parallel on-street parking lanes should be used to keep impervious coverages low and street widths narrow. Abundant planting strips with one (1) shade tree for every fifty (50) feet of linear sidewalk planting strip is required. Benches, transit stops, streetlights and street signs shall be carefully selected to complement the intimate scale of the streetscape and the historic character of the neighborhood. Individual postal mailboxes shall be affixed to the building façade and street-side fencing must be of a design that, again, complements the theme of the development.
- I. Circulation System Form. A successful project extends existing streets, access drives, and bicycle, pedestrian, and other similar pathways and provides for complete vehicular, bicycle, and pedestrian connection with adjoining neighborhoods. It employs street design standards that favor bicycle and pedestrian movements along designated pathways and at intersections. It also separates off-street parking as viewed from the streetscape with the use of alleys or access drives and rear-yard parking spaces/garages. The street and access drive system should also allow for extension/connection associated with future developments, where appropriate. Street system layout shall also be generally rectilinear (as opposed to curvilinear) except where significant environmental or topographic features dictate otherwise.
1. Design Standards for Streets, Sidewalks, and Alleys. See Table 4-4.5 in this subsection below for the design standards for streets, sidewalks, and alleys within the (VO) Zone.

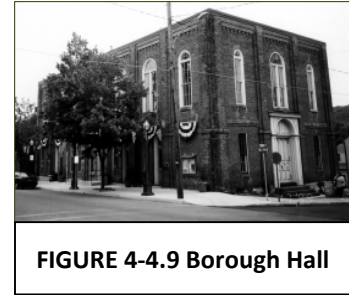


**TABLE 4-4.5
DESIGN STANDARDS FOR STREETS, SIDEWALKS, AND ALLEYS**

STREET CLASSIFICATION (DESIGN SPEED)	MINIMUM REQUIRED WIDTH OF EACH TRAVEL LANE	MINIMUM REQUIRED WIDTH OF EACH PARKING LANE	MINIMUM REQUIRED WIDTH OF EACH SIDEWALK/ PLANTING STRIP	REQUIRED CURB RETURN RADIUS	MINIMUM REQUIRED STREET CENTERLINE TURNING RADIUS	MINIMUM REQUIRED WIDTH OF RIGHT-OF-WAY
(a). Arterial or Collector (25-35 mph)	8 ft. ¹	8 ft.	10 ft.	25 ft.	150 ft.	33 ft.
(b). Local (Max 25 mph)	8 ft. ¹	8 ft.	10 ft.	15 ft.	80 ft.	33 ft.
(c). One-way alley (Max 10 mph)	16 ft. ²	Not Permitted	0 ft.	15 ft.	22 ft.	33 ft. ²

NOTES

¹ In no case shall a cartway be less than sixteen (16) feet wide.

² Private alleys can have right-of-way and travel lane widths of ten (10) feet per lane.

2. Required right-of-way widths shall be computed by adding all of the travel lanes, parking lanes and sidewalk/planting strips proposed for any given segment of road.
3. Where practicable, the design of streets, alleys, and sidewalks should provide for through traffic and pedestrian movements, and should interconnect with existing nearby streets, alleys, and sidewalks. The use of cul-de-sac streets is forbidden, unless accompanied by plans of future adjacent street connections.
4. All intersections of access drives, and/or streets shall provide a three (3) feet high clear sight triangle of thirty (30) feet as measured along the centerline of, and from intersecting rights-of-way and/or access drives.
5. Proposed developments shall promote the use of non-motorized travel (pedestrians, bicycles, scooters, etc.). All travel lanes for such movements shall:
 - a. Be a minimum of five (5) feet wide;
 - b. Have an average grade of no more than five (5) percent;
 - c. Have a maximum grade of fifteen (15) percent; and,
 - d. Be maintained with a dust-free and weatherproof surface.
- J. Landscape Form. Generous landscaping should be distributed throughout the development to offer thermal and visual relief. In those areas of significant environmental or topographic features, existing vegetation should be retained and enhanced, if needed. In developed areas, vegetation shall be selected that best suits its setting and purpose. A variety of species that are native to the area are required.

K. Public Utility and Service Requirements. All proposals within the (VO) Zone must comply with the following:

1. Both public sewer and public water shall be used throughout the development.

2. Where practicable, the retention and regenerative percolation of storm water runoff shall be designed to blend and function within the natural setting of the site. In such instances such facilities can be part of the common open space required in the subsection above relating to *Required Mixture of Permitted Uses and Housing Types (§ 404.C.2.)*. Storm water facilities that, in the opinion of the Township Board of Supervisors, do not blend and function within the natural setting shall not be computed as part of the common open space required in the subsection above relating to *Required Mixture of Permitted Uses and Housing Types (§ 404.C.2.)*.



FIGURE 4-4.10
Attractive
Streetlights

3. All utility lines shall be located underground and within public streets, alleys, or other public rights-of-way. Any required utility structures, buildings, pump stations, transformers, or other similar devices shall be screened from adjoining properties and roads.
4. All streets shall be provided with street lights. Such street lights shall be of such design and light intensity to serve adjoining uses yet complement the development's historic setting.
5. Bus stops shall be placed at appropriate location(s) along major roads serving the proposed development. Their distribution shall be such that no residence within the development shall be situated more than one thousand (1,000) feet from its bus stop. Furthermore, the selection of bus stops shall be logically connected with any existing bus routes. Bus stops shall consist of a minimum pedestrian node consisting of one (1) ten (10) foot by twenty (20) foot sidewalk section, one (1) permanently anchored park bench, street light, and a shade tree. Such bus stops shall be provided, even if existing bus routes do not currently serve the area.
6. Applicants are required to obtain a letter from the fire chief of the company that would provide first (1st)-call service to the proposed development. Such letter should describe any foreseeable problems regarding fire protection for the proposed development. Particular attention should focus upon the location of fire hydrants and street turning radii.

L. Subsequent Revisions Within the Village Overlay (VO) Zone. Once a development is constructed and occupied within the (VO) Zone, subsequent revisions are permitted by right, if they:

1. Do not violate any provisions of this Zoning Ordinance.

2. Do not violate any of the standards imposed upon the entire development.
3. Do not violate any conditions attached to the original approval of the (VO) Zone.
4. Do not adversely affect the architecture of the approved existing development.

M. Modifications of Design Standards. The Township Board of Supervisors may permit the modification of the design standards in order to encourage the use of innovative design. A developer desiring to obtain such approval shall, when making application for approval for a Village Overlay Zone Development as required by the standards of the (VO) Zone, also make application for approval under this subsection (§ 404.M.). The Township Board of Supervisors shall consider both requests simultaneously. Any modification of the design standards shall be subject to the following standards:

1. Such modifications of design standards better serve the intended purposes of the (VO) Zone.
2. Such modifications of design standards would not result in adverse impact to adjoining properties, nor future inhabitants within the Village Overlay Zone Development.
3. Such modifications will not result in an increase in residential densities permitted for the site.
4. The extent of modification provides the minimum amount of relief necessary to ensure compliance with the preceding criteria in the subsections above (§ 404.M.).

Section 405. Open Space Design Overlay (OSDO) Zone

A. Purpose Statement and Intent.

1. Within the UGA, it is the intent of the Township Board of Supervisors to:
 - a. Provide an opportunity for flexibility in lot designs and building arrangement not afforded by conventional lot-by-lot development.
 - b. Provide for a more varied, innovative, and efficient development pattern.
 - c. Promote new development which complements existing uses, landscapes, and community character.
 - d. Preserve unique, sensitive, and important natural features and landscapes on the site by locating new building sites in areas removed from such features and landscapes.

- e. Retain and protect the unique, sensitive, and important natural features and landscapes in public open space land within, near, and connected to residential development and other park, recreation, and open space areas.
 - f. Provide for the orderly, appropriate and compatible preservation, growth, and development in Rapho Township, by incorporating the overall objectives and principles of, as well as seeking to implement portions of, the most recent version of the Comprehensive Plan, any regional open space, recreation, and greenway plan, or other applicable plan adopted by the Township of Rapho.
2. While many of the following standards, criteria, and regulations deal with issues that typically transcend zoning jurisdiction, such standards, criteria, and regulations are provided as an optional set of “overlay” regulations for additional residential density bonuses in exchange for a larger portion of the site be preserved as public open space land, and are, therefore, considered voluntarily self-imposed by prospective developers, but enforceable by the Township of Rapho.
 3. Relationship to Other Ordinances of the Township of Rapho and Sections of This Zoning Ordinance. The (OSDO) Zone has different use and design requirements from those contained in other sections of this Zoning Ordinance, the SLDO, and other ordinances of the Township of Rapho. Except for those requirements contained within Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*, to the extent the regulations, standards, and provisions of the (OSDO) Zone differs (is more or less restrictive) from other Township of Rapho requirements, those within the (OSDO) Zone shall govern. However, all other provisions of this and other ordinances of the Township of Rapho shall remain in full force.

B. Eligibility.

1. Minimum Size. The lot area of the tract proposed for an Open Space Development shall be no less than ten (10) contiguous acres.
2. Public Water and Public Sewer Service. The tract proposed for an Open Space Design Development shall be served by public water service and public sewer service.

C. Review Process.

1. General Provisions.
 - a. An Open Space Design Development shall be permitted when approved as a conditional use in accordance with the provisions of Article 9 of this Zoning Ordinance relating to *Conditional Uses (§ 906.)* and where the applicant, to the satisfaction of the Township Board of Supervisors, can demonstrate compliance with all standards, criteria, and regulations set forth in the

(OSDO) Zone, unless otherwise modified per the terms of the (OSDO) Zone regulations.

- b. The applicant is strongly encouraged to submit a Sketch Plan in accordance with the SLDO, to the Township Planning Commission and to discuss the community development and open space resource conservation objectives with the Township Planning Commission prior to a conditional use application being formally submitted.

2. Conditional Use Plan Submission. At the time of application for conditional use approval, and in addition to the information required as part of the conditional use application set forth in Article 9 of this Zoning Ordinance relating to *Conditional Uses (§ 906.)*, the applicant shall submit the following:

- a. Site Data. Site data shall include the following:
 - (1). Proposed number, density, and type of dwellings and the total density for the entire proposed tract; and
 - (2). Proposed acreage and percentage of required public open space land.
- b. Landmarks within the proposed tract, including the location of all existing:
 - (1). Unique, sensitive, and important natural features and landscapes identified in the subsection below relating to *Public Open Space Land Standards (§ 405.F.)*.
- c. All existing land uses and lot lines within two hundred (200) feet of the proposed tract, including the location of all:
 - (1). Unique, sensitive, and important natural features and landscapes identified and to the extent required in the subsection below relating to *Unique, Sensitive, and Important Natural Features and Landscapes (§ 405.F.2.)*, only to the extent such information is available from publically-available sources including but not limited to those listed in *Unique, Sensitive, and Important Natural Features and Landscapes* as well as the Lancaster County GIS data, USGS 7.5', Lancaster County and municipal comprehensive plans.
- d. Conceptual Public Open Space Land Plan showing the potential layout, design, uses, facilities, and activities of the public open space land.
- e. Reports and Other Information. The following conceptual reports and information shall be submitted:

- (1). A feasibility report on both sewer service and water service conforming to the requirements of the SLDO.
 - (2). A description of how storm water management design complies with the provisions of the Township of Rapho storm water requirements.
 - (3). A description of the general character of the intended exterior architectural design of all principal buildings to be constructed on lands as part of an Open Space Design Development in accordance with the standards, criteria, and regulations set forth in the (OSDO) Zone, including conceptual graphic architectural elevations of the principal buildings.
 - (4). An analysis of the suitability of the potential layout, design, uses, facilities, and activities of the public open space land which is to be created as part of the Open Space Design Development, as shown on the Conceptual Public Open Space Land Plan.
 - (5). A traffic impact study prepared in accordance with Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (§ 533.), if applicable.
 - (6). A request for modification in accordance with the subsection below relating to *Modifications of Standards, Criteria, and Regulations* (§ 405.C.4.), if applicable.
3. Revisions to Approved Development. The plan presented in support of the conditional use is an official part of the record for said conditional use. Such plan may be changed as part of approval under the SLDO, without the need to obtain conditional use approval of the plan change, provided that:
 - a. To the extent that such change requires additional modification set forth in the subsection below relating to *Modification of Standards, Criteria, and Regulations* (§ 405.C.4.), conditional use approval of such modification is obtained prior to approval of the Preliminary or Final Subdivision and/or Land Development Plan, whichever applies.
 - b. Such change does not increase the maximum density limitations set forth in the (OSDO) Zone.
 - c. Such change does not decrease the minimum required percentage of public open space land set forth in the (OSDO) Zone.
 - d. Such change does not increase the maximum lot coverage limitations set forth in the (OSDO) Zone.

- e. Such change does not increase the overall density beyond the density contemplated under the conditional use plan.
 - f. Such change does not decrease the overall percentage of public open space land by more than five (5) percent of the total percentage contemplated under the conditional use plan.
 - g. Such change does not increase the overall lot coverage beyond the coverage by more than five (5) percent of the total lot coverage contemplated under the conditional use plan.
 - h. Such change does not alter the layout, location or design of the circulation system (streets, access drives, and bicycle, pedestrian and other similar pathways), residential uses or nonresidential uses, such that the revised layout is fundamentally different from the approved conditional use plan.
 - i. The conditional use plan, as modified or changed, complies with the standards, criteria, and regulations set forth in the (OSDO) Zone (except to the extent that any modifications are granted for such changes set forth in the subsection immediately below relating to *Modification of Standards, Criteria, and Regulations (§ 405.C.4.)*).
4. Modification of Standards, Criteria, and Regulations. The Township Board of Supervisors, by conditional use approval, may permit the modification of the standards, criteria, or regulations set forth in the (OSDO) Zone in order to encourage the use of innovative design. A developer desiring to obtain such conditional use approval shall, when making application for conditional use approval for an Open Space Design Development as required by the standards, criteria, and regulations of the (OSDO) Zone, also make application for conditional use approval under this subsection (*§ 405.C.4.*). The Township Board of Supervisors shall consider both conditional use approval requests simultaneously. Any conditional use approval permitted for modification of any of the standards, criteria, or regulations set forth in the (OSDO) Zone shall be subject to the following standards:
- a. Such modification of standards, criteria, or regulations better serves or serves equally but in a different manner the intended purposes set forth in the (OSDO) Zone.
 - b. The design and improvement of buildings, lots, or public open space land which shall contain the modifications shall be in harmony with the design and improvement of other lots or public open space land within the Open Space Design Development and shall not, through the use of the modification, be obviously different from, or inferior to, other lots within the Open Space Design Development.

- c. Such modification would not result in adverse impact to adjoining lots, nor future inhabitants within the Open Space Design Development, including but not limited to endangering the public health, safety or welfare by:
 - (1). Making access by emergency vehicles more difficult to dwellings;
 - (2). Violating the other purposes for which zoning ordinances are to be enacted under Section 604(1) of the MPC.
- d. Such modification will not result in configurations of buildings, lots, public open space land, or circulation systems (streets, access drives, and bicycle, pedestrian and other similar pathways) which shall be impractical or detract from the appearance of the Open Space Design Development.
- e. Such modification will not result in an increase in the maximum density limitations permitted for the site set forth in the (OSDO) Zone.
- f. Such modification will not result in a decrease in the minimum required percentage of public open space land for the site set forth in the (OSDO) Zone.
- g. The extent of such modification provides the minimum amount of relief necessary to ensure compliance with the subsection above relating to *Modification of Standards, Criteria, and Regulations (§ 405.C.4.)*.
- h. Screening and landscaping, beyond the minimum required in Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (§ 526.)* may be required to be used to insure the privacy of the future inhabitants of the dwellings within the Open Space Design Development and to attain the proposed use of the public open space land.

D. General Open Space Design Development Standards.

1. Permitted Uses.

- a. See Table 4-5.2 in this subsection below for the types of uses permitted in the (OSDO) Zone as part of an approved Open Space Design Development set forth by this Zoning Ordinance:

TABLE 4-5.2
PERMITTED USES –
OPEN SPACE DESIGN DEVELOPMENT

USE	OPEN SPACE DESIGN DEVELOPMENT PARENT TRACT LOT AREA	
	0.00 TO 9.99 ACRES	10 ACRES AND GREATER
a. RESIDENTIAL USES		
(1). Conversion, Multiple Family	NP	P
(2). Conversion, Two Family	NP	P
(3). Multiple Family Dwelling	NP	P
(4). Single Family Attached Dwelling	NP	P
(5). Single Family Detached Dwelling	P	P
(6). Single Family Semi-Detached Dwelling	NP	P
(7). Two Family Detached Dwelling	NP	P
b. NON-RESIDENTIAL USES		
(1). Neighborhood Center	P	P
(2). Public Open Space Land Uses set forth in the subsection below relating to <i>Public Open Space</i> <i>Permitted Land Uses (§ 405.F.3.)</i>	P	P
c. SPECIFIC ACCESSORY USES		
(1). Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P	P

NOTES:**N/A Not Applicable****P Permitted as part of a proposed Open Space Design Development****NP Not Permitted as part of a proposed Open Space Design Development**

b. Additional Requirements for Specific Non-Residential Uses.

(1). Neighborhood Center

(a). Within a Neighborhood Center the following uses shall be permitted:

i. Commercial Uses.

[1]. Bank or Other Similar Financial Institution;

[2]. Dry Cleaner, Laundry, and Laundromat;

[3]. Office, Professional and Business;

[4]. Personal Services;

[5]. Recreation, Indoor;

[6]. Restaurant; and

[7]. Retail Business.

ii. Institutional/Civic Uses.

[1]. Daycare, Commercial;

[2]. Library; and

[3]. Office, Medical.

iii. Other use which the Township Board of Supervisors determines during the conditional use approval process is substantially similar to the permitted uses in the subsections above (§ 405.D.1.b.(1).(a).).

(b). The Applicant may list a proposed range of uses that will be allowed. If such range of uses is approved as part of the conditional use approval, then each such use shall become permitted by right, provided the use and development conforms to the conditional use approval.

(c). Maximum Size. The Neighborhood Center shall not exceed five thousand (5,000) square feet of gross floor area.

2. Area and Bulk Requirements.

- a. Minimum Required Public Open Space Land. See Table 4-5.3 in this subsection below for the minimum required percentage of public open space land of the lot area (gross acreage) of the tract proposed for an Open Space Design Development, as stipulated for the applicable base zone. The public open space land shall comply with all standards, criteria, and regulations for the public open space land established in the subsection below relating to *Public Open Space Land Standards (§ 405.F.)*.

TABLE 4-5.3
MINIMUM REQUIRED PUBLIC OPEN SPACE LAND –
OPEN SPACE DESIGN DEVELOPMENT

ZONE	MINIMUM AMOUNT OF PUBLIC OPEN SPACE LAND
(1). (R-1) Zone	50%

- b. Maximum Permitted Density Calculation. See Table 4-5.4 in this subsection below for the maximum permissible number of lots or dwelling units on any tract proposed for an Open Space Design Development which shall be calculated by multiplying the lot area of the tract proposed for an Open Space Design Development by the density multiplier stipulated for the applicable base zone:

TABLE 4-5.4
MAXIMUM PERMITTED DENSITY –
OPEN SPACE DESIGN DEVELOPMENT

ZONE	MAXIMUM PERMITTED DENSITY MULTIPLIER FOR OPEN SPACE DESIGN DEVELOPMENT	
	TRACT LOT AREA 0.00 TO 14.99 ACRES	TRACT LOT AREA 15 ACRES AND GREATER
(1). (R-1) Zone	2	12 ¹

NOTES:

- ¹ On tracts with lot areas of fifteen (15) acres or greater, where buildings for multiple family dwellings are proposed, the maximum density may be increased to 15 on that portion of the tract devoted to such dwellings, and the maximum permitted height for multiple family dwellings buildings may be increased to not more than forty-five (45) feet.

- c. Fractional Results of Density Multiplier. When determination of the amount of permitted density results in a fraction less than one-half (1/2), the

fractional result shall be rounded down and disregarded; and any fraction one-half (1/2) or greater, the fractional result shall be rounded up and interpreted as one (1) whole dwelling unit.

- d. The applicant is advised that the maximum number of dwelling units calculated under the provisions in the subsection above relating to *Maximum Permitted Density Calculation (§ 405.D.2.b.)*, may not always be achievable while meeting the minimum requirements for public open space land and all other standards, criteria, and regulations set forth in the (OSDO) Zone.
- e. Area and Bulk Requirements. Within an Open Space Design Development, no minimum lot area is prescribed, rather, the following lot, setback and yard area regulations shall apply to any principal residential building or any other building. At the time of conditional use application, the applicant shall indicate for each permitted use, including potential accessory uses, the limits of the building envelope within which compliance with these provisions is feasible:
 - (1). Minimum Building Separations. See Table 4-5.5 in this subsection below for the minimum building separation distance:

TABLE 4-5.5
MINIMUM BUILDING SEPARATION DISTANCES –
OPEN SPACE DESIGN DEVELOPMENT

FROM	TO	MINIMUM BUILDING SEPARATION DISTANCE AT ANY ONE (1) POINT
(a). Rear Wall of Principal Building	Another Principal Building	50 ft.
(b). Front or Side Wall of Principal Building	Another Principal Building	20 ft.
(c). Accessory Building	Principal Building to which it is accessory (e.g., on the same lot)	20 ft.
(d). Accessory Building	Principal Building to which it is <u>not</u> accessory (e.g., not on the same lot)	50 ft.

- (2). Where any portion of a building wall is located less than five (5) feet from any lot line, the placement and design of windows and doors on such building wall shall ensure privacy for adjacent properties. Privacy is maintained by orienting windows and doors away from sight lines (e.g., above or out of view into adjacent yards or

opposing windows or doors of adjacent buildings) or by using obscure glass.

- (3). Where any portion of a building is located less than five (5) feet from any lot line, a perpetual easement shall be provided for maintenance of such building, and measuring no less than ten (10) feet in width from the affected walls, which may be provided on the adjacent lot as applicable. This provision shall not apply to any lot line which separates two-family, single family attached, single family semi-detached, or multiple family dwelling units on the interior of the same principal building.
- (4). Except as provided under the subsection immediately below for principal buildings (§ 405.D.2.e.(5).), there shall be a minimum and maximum front build-to line, in which no principal building shall be closer than fifteen (15) feet nor further than twenty (20) feet from the street right-of-way or the outside edge of the curb for an access drive. Additionally, no less than seventy (70) percent of a building's front facade (including the front facade of any covered or uncovered porches) must be located on the front build-to line; except, however, no less than fifty (50) percent of any single family attached or multiple family dwelling building must be located on the front build-to line. Front build-to lines shall be measured between the street right-of-way line or the outside edge of the curb for access drives and the closest facade of the building, including porches. No part of any building shall extend closer to a street or access drive than the minimum front build-to line.
- (5). All proposed buildings and dwelling units in an Open Space Design Development shall be situated so that they are set back a minimum distance from the pre-development perimeter boundary of the tract proposed for an Open Space Design equal to the applicable minimum setback dimension under the applicable base zone. Existing buildings and dwellings resulting from the conversion of existing buildings, existing prior to November 7, 2013, shall comply with Article 7 of this Zoning Ordinance relating to *Expansion or Alteration* (§ 704.).
- (6). Maximum Building Dimensions. See Table 4-5.6 in this subsection below for the maximum building dimension regulations:

**TABLE 4-5.6
MAXIMUM BUILDING DIMENSIONS –
OPEN SPACE DESIGN DEVELOPMENT**

USE	MAXIMUM BUILDING WIDTH	MAXIMUM BUILDING DEPTH
(a). Buildings ¹	160 ft.	75 ft.

NOTES:

¹ Existing buildings and dwellings resulting from the conversion of existing buildings, existing prior to November 7, 2013, shall be exempt from these requirements.

(7). Maximum Height. The maximum permitted height shall be forty-five (45) feet.

(8). Additional Requirements for Specific Residential Building Types.

(a). Residential Conversions. All buildings used as part of multiple family conversions or two family conversions shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.

(b). Single Family Attached Buildings.

i. The maximum number of dwelling units within one (1) building shall be eight (8).

ii. The minimum width of an individual single family attached dwelling unit shall be twenty-four (24) feet.

iii. No more than two (2) contiguous dwelling units shall have the same, identical:

[1]. Front yard setbacks and front building wall lines that are generally parallel, otherwise there shall a minimum variation distance of two (2) feet; and

[2]. Roof lines that generally parallel the ground along the same horizontal plane.

- (9). Maximum Permitted Lot Coverage. See Table 4-5.7 in this subsection below for the maximum lot coverage regulations for the buildable portion of the Open Space Design Development tract and public open space land parcel:

TABLE 4-5.7
MAXIMUM LOT COVERAGE –
OPEN SPACE DESIGN DEVELOPMENT

LOT AREA	MAXIMUM LOT COVERAGE
(a). Buildable portion of the Open Space Design Development tract	70%
(b). Public Open Space Land Parcel	10%

- (10). While conformance to these area and bulk regulations set forth in the subsections above (§ 405.D.2.e.) is not dependent upon any specific minimum lot area or dimensions, in the course of conditional use approval, the applicant shall be required to demonstrate to the satisfaction of the Township Board of Supervisors that any lots established under the standards, criteria, and regulations set forth in the (OSDO) Zone are of appropriate size and shape relative to the following:

- (a). Establishment of suitable private yard areas for all residences; but no private yard area, exclusive of buildings, shall be less than four hundred (400) square feet per dwelling unit for single family and two family dwellings;
- (b). The proposed use of and activities upon any adjacent public open space land.
- (c). All principal buildings shall comply with the architectural design provisions of the subsection below relating to *Architectural Design (§ 405.E.1.)*.

E. Additional Building and Development Design Standards.

1. Architectural Design. It is not the intention of the Township of Rapho to govern specific architectural design nor to link conditional use approval to any specific architectural design criteria. Where the Township Board of Supervisors determine that architectural design as presented by the applicant is an essential means by which the Open Space Design Development complies with the objectives set forth in the (OSDO) Zone, the Township Board of Supervisors may require, as a condition of

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approval, legally-binding assurances in a recordable form acceptable to the Township of Rapho that ensures ongoing and future compliance with these architectural design requirements.

F. Public Open Space Land Standards. The location, layout, design, uses, facilities, and activities of the public open space land shall comply with the following standards, criteria, and regulations so as to serve Township residents adequately and conveniently and to promote conservation of the unique, sensitive, and important natural features and landscapes.

1. Consistency with Adopted Plans. The public open space land shall be generally consistent with the most recent version of the Township Comprehensive Plan, any regional open space, recreation, and greenway plan, or other applicable plan adopted by the Township of Rapho.

2. Unique, Sensitive, and Important Natural Features and Landscapes. The public open space land shall be configured to promote conservation of the following unique, sensitive, and important natural features and landscapes, to the extent feasible. It is not the intention of the Township of Rapho to require the preservation of all of the following unique, sensitive, and important natural features and landscapes:

a. Natural Watercourses and Riparian Corridors. Natural watercourses, and riparian corridors as set forth in Article 5 of this Zoning Ordinance relating to *Riparian Corridors (§ 524.)*;

b. Floodplains. Floodplains as set forth in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*;

c. Wetlands. Wetlands delineated by the National Wetlands Inventory (NWI).

d. Karst Topographical Hazards. Lands adjoining and within one hundred (100) feet of karst topographical hazards. Karst topographical hazards are limited to:

- (1). Sinkholes,
- (2). Closed depressions,
- (3). Lineaments in carbonate areas,
- (4). Fracture traces,
- (5). Caverns,
- (6). Faults,
- (7). Tunnels,

- (8). Shafts, and
- (9). Ghost Lakes;
- e. Rock Outcroppings and Unique Geologic Features. Rock outcroppings, and all lands adjoining and within one hundred (100) feet of unique geologic features. Unique geologic features consists of those areas listed in the Pennsylvania Geological Survey's publication, *Outstanding Scenic Geological Features of Pennsylvania (Part 1 & 2)*;
- f. Natural Steep Slopes. Natural steep slope areas consist of contiguous areas of at least three thousand (3,000) sq. ft. with a slope greater twenty-five (25) percent;
- g. Highly Erodible Soils. Highly erodible soils consist of soils:
 - (1). Labeled as Soil Capability Classes VI or Class VII in the Soil Survey; or
 - (2). Having an Erosion Factor K of 0.40 or greater, as listed in Table 16 of the Soil Survey;
- h. PHMC Identified Historic and Archeological Resources;
- i. Natural Heritage Areas. Lands adjoining and within fifty (50) feet of Natural Heritage Areas as identified in the most recent version of the Natural Heritage Inventory of Lancaster County;
- j. Designated Park, Recreation, and Open Space Land. Lands adjoining and within one hundred fifty (150) feet of any designated park, recreation, and open space land areas;
- k. PNDI sites; and
- l. Wildlife and natural habitats.
- 3. Public Open Space Permitted Land Uses. See Table 4-5.8 in this subsection below for the permitted uses for which the public open space land may be used:

**TABLE 4-5.8
PUBLIC OPEN SPACE
PERMITTED LAND USES –
OPEN SPACE DESIGN DEVELOPMENT**

USE	PERMITTED USE OF PUBLIC OPEN SPACE LAND
a. Conservation Areas	P
b. Crops/Gardening	P
c. Municipal Owned Uses	P
d. Parks/Playgrounds	P
e. Accessory uses and structures customarily incidental and subordinate to the principal uses permitted in the applicable zone.	P

NOTES:**P Permitted**

4. Storm Water Management Facilities.

- a. Except as may be provided in the subsection immediately below (§ 405.F.4.b.), no more than fifteen (15) percent of the public open space land shall consist of storm water management facilities. All storm water management facilities permitted to be located in public open space land shall be limited to approved storm water/water quality BMPs complying with the provisions of the Township of Rapho storm water requirements. Such storm water management facilities shall be owned and maintained by an approved Homeowners' Association or other entity approved by the Township Board of Supervisors.
- b. At the discretion of the Township Board of Supervisors, more than fifteen (15) percent of the public open space land may be devoted to storm water management facilities where the applicant can demonstrate to the satisfaction of the Township Board of Supervisors that such facilities:
 - (1). Are designed:
 - (a). As approved stormwater/water quality BMPs;
 - (b). To promote recharge of the groundwater system;
 - (c). To be available and appropriate for active or passive recreational use or scenic enjoyment; and

- (2). Otherwise conform to the purposes standards, criteria, and regulations for public open space land set forth in the (OSDO) Zone.
 - (3). Are owned and maintained by an approved Homeowners' Association, condominium, or other entity approved by the Township Board of Supervisors.
5. Sewage Service and Water Supply Facilities and Essential Services. Subject to the provisions of measurement of minimum required public open space land stipulated in the (OSDO) Zone, underground sewage service and water supply facilities, along with other underground or overhead essential services, may be located entirely or partially within the public open space land. Where such facilities are so located, easements satisfactory to the Township Board of Supervisors shall be established to require and enable maintenance of such facilities by the appropriate parties.
6. Layout and Design of Public Open Space Permitted Land. The layout and design of the required public open space land shall include:
 - a. At least one-half (1/2) of the lots or dwelling units in an Open Space Design Development shall directly adjoin or face the required public open space land across a street or access drive; and all lots or dwelling units shall be within four hundred (400) feet of the required public open space land.
 - b. A centrally located access point to the required public open space land, with a minimum width of thirty-five (35) feet, shall be provided for every fifteen (15) lots or dwelling units.
 - c. At least one (1) side of the required public open space land shall adjoin a street or access drive for a minimum distance of fifty (50) feet and suitable for access of emergency and maintenance vehicles.
 - d. The required public open space land shall be located near and interconnected with park/recreation or open space areas on adjoining parcels wherever possible including, where appropriate, provisions for trails and pathways for general public use to create linked systems within Rapho Township and surrounding municipalities.
7. Areas and Features Not Qualifying for Public Open Space Land.
 - a. No portion of the public open space land shall be measured as contributing to the minimum required public open space land or to any public open space land utilized in calculation of any density bonus where:
 - (1). Within twenty-five (25) feet of any building except buildings devoted to public open space permitted land uses.

- (2). Extending less than one hundred (100) feet in the narrowest dimension at any point, except as provided in the subsection immediately below (§ 405.F.7.b.).
 - b. Where deemed appropriate by the Township Board of Supervisors, public open space land may have a dimension less than one hundred (100) feet if such areas contain at least one (1) of the following amenities:
 - (1). Walking/bicycle trail;
 - (2). Playground facility;
 - (3). Picnic table and bench; or
 - (4). Any other amenity as requested by Township Board of Supervisors and agreed to by applicant.
8. Perimeter Parking and Street Frontage and Access. Where deemed appropriate by the Township Board of Supervisors, the required public open space land shall be provided with sufficient perimeter parking, and with safe and convenient access by adjoining street frontage or other rights-of-way or easements capable of accommodating pedestrian, bicycle, maintenance, vehicle, and other traffic, and containing appropriate access improvements.
9. Coordination with SLDO Park and Recreation Land Dedication Requirements. Open Space Design Developments providing the minimum amount of required public open space land as required by the (OSDO) Zone shall not be required to provide additional park and recreation land or fees in lieu of in accordance with the SLDO.
10. Development in Phases. Where an Open Space Design Development is planned to occur in two (2) or more development phases, all of the required public open space land shall be offered for dedication, and permanently recorded the first (1st) phase.
11. Analysis and Required Public Open Space Land Plan.
 - a. In designing and providing for the public open space land and associated facilities, in addition to the need, adequacy, and feasibility of the proposed location, layout, design, uses, facilities, and activities, the following shall be considered:
 - (1). Compatibility with the public open space resource protection objectives set forth in the subsection above relating to *Public Open Space Land Standards* (§ 405.F.); and
 - (2). The park and recreation facility needs of the Township, and the area adjacent to the proposed Open Space Design Development and the public open space land.

- b. Any application for an Open Space Design Development shall contain a conceptual plan for the long term management of the public open space land which is to be created as part of the Open Space Design Development. At a minimum, such a plan shall include a discussion of the:
 - (1). Manner in which the public open space land will be owned and by whom it will be managed and maintained;
 - (2). Conservation and land management techniques and practices which will be used to conserve and perpetually protect the public open space land, including a conservation plan in accordance with Article 5 of this Zoning Ordinance relating to *Conservation Plans (§ 506.)*, where applicable;
 - (3). Professional and personnel resources that will be necessary in order to maintain and manage the property;
 - (4). Nature of public access that is planned for the public open space land; and
 - (5). Source of money that will be available for such management, preservation and maintenance on a perpetual basis.

The adequacy and feasibility of this conceptual management plan, as well, as its compatibility with the open space resource protection objectives set forth in the subsection above relating to *Public Open Space Land Standards (§ 405.F.)* shall be a factor in the approval or denial of the conditional use application by the Township Board of Supervisors.

- c. The conceptual management plan shall be transformed into a more detailed public open space land management plan and presented to the Township of Rapho for review and approval with the Preliminary Subdivision and/or Land Development Plan. The Township Board of Supervisors may require that the management plan be recorded, with the Final Subdivision and Land Development Plans, in the Office of the Recorder of Deeds of Lancaster County. In order to allow for the changing needs inherent in the perpetual management of land, the management plan shall contain a provision to the effect that it may be changed by written application to the Township Board of Supervisors, so long as the proposed change is feasible and consistent with the purposes of preservation of open space land set forth in the (OSDO) Zone and so long as the plan for such change avoids a likelihood of the obligation for management and maintenance of the land falling upon the Township of Rapho without the consent of the Township Board of Supervisors, and the approval of the Township Board of Supervisors in that regard shall not be unreasonably withheld or delayed.

G. Standards for Ownership of Public Open Space Land.

1. Except to provide for permitted public open space area land uses, public open space land shall be restricted from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the Township of Rapho and duly recorded in the office of the Recorder of Deeds of Lancaster County. Subject to such permanent restrictions and the requirement that the public open space land and associated facilities be open and accessible to the residents of Rapho Township, public open space land in any Open Space Design Development may be owned by the Township Board of Supervisors, a homeowners' association, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership.

a. Offer of Dedication.

- (1). The Township of Rapho may, but shall not be required to, accept dedication in the form of fee simple ownership of the public open space land provided:
 - (a). Such land is open and accessible to the residents of Rapho Township;
 - (b). There is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance and recording fees; and
 - (c). The Township of Rapho agrees to and has access to maintain such lands.
- (2). Where the Township of Rapho accepts dedication of the public open space land that contain improvements, the Township Board of Supervisors may require the posting of financial security to ensure structural integrity of said improvements as well as the functioning of said improvements for a term not to exceed eighteen (18) months from the date of acceptance of dedication. The amount of financial security shall not exceed fifteen (15) percent of the actual cost of installation of said improvements.

b. Homeowners' Association. The public open space land and associated facilities may be held in common ownership by a homeowners' association. The homeowners' association shall be formed and operated under the following provisions:

- (1). The developer shall provide a description of the homeowners' association including its bylaws and methods for maintaining the public open space land.

- (2). The homeowners' association shall be organized by the developer and operating with financial subsidization by the developer, before the sale of any lots within the Open Space Design Development.
- (3). Membership in the homeowners' association shall be mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the homeowners' association from developer to homeowners shall be identified.
- (4). The homeowners' association shall be responsible for maintenance and insurance on the public open space land, enforceable by liens placed by the homeowners' association. Maintenance obligations also may be enforced by the Township of Rapho which may place liens to recover its costs. Any governmental body with jurisdiction in the area where the Open Space Design Development is located may place liens on the owners of the public open space land to collect unpaid taxes.
- (5). The members of the homeowners' association shall share equitably the costs of maintaining and developing such common land. Shares shall be defined within the homeowners' association declaration or bylaws. Homeowners' association dues shall be structured to provide for both annual operating costs and to cover projected long-range costs relating to the repair of any capital facilities (which shall be deposited in a sinking fund reserved for just such purposes).
- (6). In the event of a proposed transfer, within the methods here permitted, of public open space land by the homeowners' association, or of the assumption of maintenance of such land by the Township, notice of such action shall be given to all property owners within the Open Space Design Development.
- (7). The homeowners' association shall have or hire adequate staff or professional consultant to administer common facilities and properly and continually maintain the public open space land.
- (8). The homeowners' association may lease the public open space land to any other qualified person, or corporation, for operation and maintenance of such lands, but such a lease agreement shall provide:
 - (a). That the residents of Rapho Township shall at all times have access to the public open space land and associated facilities contained therein; and
 - (b). The public open space land to be leased shall be maintained for the purposes set forth in the (OSDO) Zone and this Zoning Ordinance.

- (9). The lease shall be subject to the approval of the Township Board of Supervisors and any transfer or assignment of the lease shall be further subject to the approval of the Township Board of Supervisors. Lease agreements so entered upon shall be recorded with the Recorder of Deeds of Lancaster County within thirty (30) days of their execution and a copy of the recorded lease shall be filed with the Secretary of the Township of Rapho.
 - (10). Homeowners' association documentation demonstrating compliance with the provisions herein shall be filed with the Final Subdivision and/or Land Development Plans. At the time of Preliminary Plan submission, the applicant shall provide draft homeowners' association documentation with sufficient detail to demonstrate feasible compliance with the standards, criteria, and regulations set forth in the (OSDO) Zone.
 - c. Condominiums. The public open space land and associated facilities may be held in common through the use of condominium agreement(s), approved by the Township Board of Supervisors. Such agreement shall be in conformance with the Pennsylvania Uniform Condominium Act. All public open space land shall be held as "common elements" or "limited common elements." To the degree applicable, condominium agreement(s) shall comply with the provisions of the subsection above (§ 405.G.1.b.), set forth for homeowners' associations. Condominium agreement(s) shall be filed with the Final Subdivision and/or Land Development Plans. At the time of Preliminary Plan submission, Applicant shall provide draft condominium agreement(s) with sufficient detail to demonstrate feasible compliance with the standards, criteria, and regulations set forth in the (OSDO) Zone.
 - d. Transfer of Easements to a Private Conservation Organization. With the permission of the Township Board of Supervisors, an owner may transfer easements to a private, nonprofit, organization recognized by the Township of Rapho, among whose purpose it is to conserve open space and/or natural resources, provided that:
 - (1). The organization is acceptable to Township Board of Supervisors and is a bona fide conservation organization with perpetual existence;
 - (2). The conveyance contains appropriate provision for proper reverter or retransfer in event that organization becomes unwilling or unable to continue carrying out its functions;
 - (3). A maintenance agreement acceptable to the Township Board of Supervisors is entered into by the developer and the organization; and

- (4). The public open space land and associated facilities are open and accessible to the residents of Rapho Township
 - e. Private Ownership of Public Open Space Land. Public open space land may be retained in ownership by the Applicant or may be transferred to other private parties subject to compliance with all standards, criteria, and regulations for public open space land set forth in the (OSDO) Zone, and open and accessible to the residents of Rapho Township. All or portions of the designated public open space land, where permitted by the Township Board of Supervisors, may be included within or divided among one (1) or more of the individual lots. Where deemed appropriate, the Township Board of Supervisors may require that responsibility for maintenance of the public open space land be conferred upon and/or divided among the owners of one (1) or more individual lots.
2. Public Open Space Land Financial Security for Completion.
- a. All landscape improvements, plantings, accessways, trails, and recreational facilities within the public open space land shall be provided by the developer as applicable. Financial security shall be required to cover costs of all installation of proposed improvements in the public open space land. The financial security shall be in the same form and adhere to the same conditions as otherwise required for proposed improvements under the SLDO.
 - b. An appropriate portion of the financial security will be applied by the Township of Rapho should the developer fail to install the landscape improvements, plantings, accessways, trails, and recreational facilities.
3. Public Open Space Land Financial Security for Maintenance. Where the Township of Rapho accepts dedication of the public open space land that contain improvements, the Township Board of Supervisors may require the posting of financial security to ensure structural integrity of said improvements as well as the functioning of said improvements. The financial security shall be in the same form and adhere to the same conditions as otherwise required for proposed improvements under the SLDO.

ARTICLE 5

GENERAL REGULATIONS

Section 501. Applicability.

Unless otherwise specified in Article 5 below and elsewhere in this Zoning Ordinance, the regulations contained in Article 5 of this Zoning Ordinance shall apply to all uses within Rapho Township.

Section 502. Accessory Alternative Energy Systems.

Accessory alternative energy systems shall be permitted in all zones subject to the following regulations:

- A. Geothermal energy systems shall be permitted in all zones subject to the following regulations:
 1. The design and installation of geothermal systems and related boreholes for geothermal heat pump systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), the International Ground Source Heat Pump Association (IGSHPA), the American Society for Testing and Materials (ASTM), the Air-Conditioning and Refrigeration Institute (ARI), or other similar certifying organizations, and shall comply to the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho and with all other applicable Township requirements. The manufacturer specifications shall be submitted as part of the application.
 2. Only the following types of geothermal energy systems shall be permitted:
 - a. Closed horizontal loop;
 - b. Closed vertical loop; and
 - c. Open horizontal loop systems relying upon injection wells or water courses.
 3. Unless otherwise specified, geothermal system shall comply with the accessory use and structure required yard setbacks for the applicable zone.
 4. For closed loop systems, the following shall apply:
 - a. For all closed loop geothermal systems relying upon circulating fluids, only nontoxic, biodegradable circulating fluids such as food grade propylene glycol shall be permitted.

- b. All horizontal closed loop systems shall be no more than twenty (20) feet deep.
- 5. For open horizontal loop systems, the following shall apply:
 - a. Water Extraction.
 - (1). Open loop systems may utilize a watercourse to the extent permissible under federal, state, or local municipal laws or regulations.
 - (2). All open loop systems which extract water from groundwater sources shall comply with extraction limitations set for potable water wells under federal, state, or local municipal laws or regulations. Installation requirements for extraction wells shall be the same as those for potable water wells, with respect to those regulations designed to prevent aquifer contamination (grouting, etc.), or in conformance with IGSHPA standards, as determined by the Township Engineer.
 - b. Discharge of Water.
 - (1). Discharge of water from open loop systems into sanitary sewer systems shall be prohibited, except upon approval by the sanitary sewage system provider.
 - (2). Discharge of water from open loop systems into storm sewers shall not be permitted.
 - (3). Discharge of water from open loop systems into a watercourse shall require certification by a licensed professional engineer registered by the Commonwealth of Pennsylvania that the design of the watercourse is such that the watercourse can be expected to retain its capacity to meet the needs of the geothermal system over the lifetime of the system and of any other water discharges for which it is used.
 - (4). Discharge of water from open loop systems into a watercourse, shall comply with all Federal, State, or local municipal laws or regulations.
 - (5). Underground injection of water discharge from an open loop system shall be subject to the following conditions:
 - (a). Returned water shall contain no treatment additives or other introduced chemicals.
 - (b). The return well shall be located a minimum distance of two hundred (200) feet from wells on adjacent properties.
 - (c). The return well shall be located a minimum distance of one hundred (100) feet from the on-site well.

- (d). The return well shall recharge the groundwater from which supply water is extracted.
 - (e). Because such return wells are included as "Class V Underground Injection Wells," the applicant shall submit an "Inventory of injection Wells" form, available from the U.S. Environmental Protection Agency and shall comply with all federal, state, or local municipal laws or regulations.
 - (6). The use of open loop systems within identified well head protection areas is prohibited.
- B. Solar energy systems shall be permitted as accessory uses in all zones subject to the following regulations:
 - 1. The design and installation of solar energy systems shall conform to the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements.
 - 2. The design and installation of accessory solar energy system shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), or other similar certifying organizations. The manufacturer specifications shall be submitted as part of the application.
 - 3. For the purposes of this Zoning Ordinance, all 'at grade' or 'above grade' features and facilities relating to ground mounted and/or freestanding solar energy systems including solar photovoltaic cells, panels, or arrays, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing, and foundations shall be considered impervious surface and subject to the maximum lot coverage requirements of the applicable zone, unless the applicant can demonstrate by credible evidence that storm water will infiltrate into the ground beneath the solar collection systems at a rate equal to that of the infiltration rate prior to placement of the system.
 - 4. All solar energy systems shall be attached to a building, or located on an improved surface. If not designed to be attached to the building, the applicant shall demonstrate by credible evidence that such systems cannot feasibly be attached to a building due to structural and/or operational limitations of the building.
 - 5. All solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street rights-of-way.
 - 6. To the extent feasible, all on-site utility and transmission lines shall be placed underground.

7. No part of any solar energy system shall be located within or above any front yard, along any lot frontage, nor within any accessory use and structure required yard setbacks for the applicable zone.
8. All ground mounted and/or freestanding solar energy systems shall be located a minimum distance of one and one tenth (1.1) times the height of the highest point of the solar collection system, from any inhabited structure not located on the lot on which the solar energy system is proposed, lot line or overhead utility line.
9. Solar energy systems mounted on the roof of any building shall be subject to the maximum height regulations specified within the applicable zone.
10. Solar energy systems which are ground mounted or freestanding detached from the principal or accessory structure shall not exceed fifteen (15) feet in height.
11. All applications for solar energy systems shall include the information required for approval pursuant to Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*. In addition, the applicant shall submit:
 - a. A completed glare study ensuring that reflective glare is not directed towards nor upon any adjacent properties or adjacent street rights-of-way. The glare study shall include:
 - (1). Angle of the solar energy system panels at the location;
 - (2). A diagram showing the maximum and minimum angles of reflective glare from the solar energy system panels at the location and the relationship of that glare to adjacent properties, structures and rights-of-way; and,
 - (3). Mitigation plan that limits or eliminates reflective glare on adjacent properties, structures, and rights-of-way;
 - b. Certification from a professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania that the proposed installation of the solar energy system will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with any solar energy system, and applicable requirements of the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho;
 - c. Confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves of such connection. Off-grid systems shall be exempt from this requirement; and

- d. A plan for the removal of the solar energy system when it becomes functionally obsolete or is no longer in use. The owner shall be responsible for the removal of the system within one hundred eighty (180) days from the date the applicant ceases use of the system or the system becomes obsolete. It shall be presumed that the solar energy system is obsolete or is no longer in use if no electricity is generated for a continuous period of one hundred eighty (180) days.
- C. Wind energy systems shall be permitted as accessory uses in all zones subject to the following regulations:
 1. The design and installation of wind energy systems shall be in strict accordance with the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements.
 2. The design and installation of all wind energy systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society for Testing and Materials (ASTM), or other similar certifying organizations, or as approved under an emerging technology program such as the California Energy Commission, International Electrotechnical Commission, or any other wind certification program recognized by the American Wind Energy Association (AWEA) or the U.S. Department of Energy. The manufacturer specifications shall be submitted as part of the application.
 3. No more than one (1) wind energy system shall be permitted per lot.
 4. Wind energy systems shall not generate noise that is perceptible at the lot line. This regulation may be exceeded during short-term events such as utility outages and/or severe wind storms.
 5. To the extent feasible, all on-site utility and transmission lines shall be placed underground.
 6. No part of any accessory wind energy system shall be located within or above any front yard, along any lot frontage, nor within any accessory use and structure minimum required yard setbacks for the applicable zone.
 7. All wind energy systems shall be located a minimum distance of one and one tenth (1.1) times the turbine height from any inhabited structure not located on the lot on which the wind energy system is proposed, lot line or overhead utility line.
 8. No portion of any wind energy system shall extend over parking areas, access drives, driveways or sidewalks.
 9. The minimum height of the lowest position of the wind turbine shall be fifteen (15) feet above the ground. If the wind turbine proposed is a Vertical Axis Wind Turbine

(also referred to as a 'helix type' turbine or VAT), the height between the lowest point of the turbine and the ground may be reduced to eight (8) feet.

10. Wind energy systems shall not display advertising, except for reasonable identification of the accessory wind energy system's manufacturer. Such sign shall have an area of less than four (4) square feet.
11. When an accessory building is necessary for storage cells or related mechanical equipment, the accessory building shall not have a floor area exceeding two hundred (200) square feet, and shall comply with the accessory building requirements specified within the applicable zone.
12. All applications for wind energy systems shall include the information required for approval pursuant to Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*. In addition, the applicant shall submit:
 - a. A plot/site plan showing:
 - (1). Lot lines and physical dimensions of all areas of the subject property that are within a distance equal to two (2) times the total height of the wind energy system.
 - (2). Location, dimensions, and types of existing principal and accessory structures on the property.
 - (3). Location of the proposed wind energy system tower, foundations, guy anchors, and associated equipment.
 - (4). The rights-of-way of any public street adjoining the lot.
 - (5). Any overhead utility lines.
 - b. Wind energy systems system specifications, including manufacturer and model, rotor diameter, tower height, and tower type—freestanding or guyed;
 - c. Certification from a professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania that the tower has been designed and will be constructed in accordance with the current industry standards and applicable requirements of the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho. A copy of the foundation analysis shall also be provided;
 - d. Confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves of such connection. Off-grid systems shall be exempt from this requirement; and

- e. A plan for the removal of the wind energy system when it becomes functionally obsolete or is no longer in use. The owner shall be responsible for the removal of the system within one hundred eighty (180) days from the date the applicant ceases use of the system or the system becomes obsolete. It shall be presumed that the wind turbine is obsolete or is no longer in use if no electricity is generated for a continuous period of one hundred eighty (180) days.

Section 503. Accessory Vehicle Service/Repair of Non-Commercial Motor Vehicles.

Accessory vehicle service/repair of non-commercial motor vehicles shall be permitted in all zones subject to the following regulations:

- A. All vehicles shall be maintained with current, valid registration and inspection as applicable.
- B. All work shall be performed on the vehicle owner's (leasee's) lot of residence.
- C. Work shall be limited to the following:
 1. Servicing and replacement of spark plugs, batteries, distributors and distributor parts.
 2. Repair and replacement of tires and wheels, excluding recapping or re-grooving.
 3. Replacement of water hoses, fan belts, brake fluids, transmission fluid, oil filters, air filters, oil, grease, light bulbs, fuses, floor mats and carpeting, seat covers, seat belts, windshield wipers, mirrors, and engine coolants.
 4. Repair and replacement of car radios, tape players, amplifiers, and speakers.
 5. Cleaning and flushing of radiators.
 6. Repair and replacement of fuel pump, oil pump, and line repairs.
 7. Minor servicing and adjustment of carburetors.
 8. Minor motor adjustments not involving the removal of the motor head or crankcase, nor the revving of the motor.
 9. Minor body repairs, excluding the replacement of body parts, the complete repainting of the body and the application of undercoating.
 10. Cleaning of all exterior and interior surfaces, including washing, shampooing, vacuuming, rubbing, polishing, waxing, and the application of paint sealants.
- D. All by-product or waste fuels, lubricants, chemicals, and other products shall be properly disposed of.

- E. All such activities shall be appropriately operated and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- F. No compressed-air driven tools shall be utilized.
- G. No vehicle shall be stored in a “jacked-up” position, on blocks, or other similar type of lift or support equipment in the:
 - 1. Front yard; nor
 - 2. Any accessory use and structure minimum required yard setbacks for the applicable zone;

for more than thirty (30) days, unless stored within a completely enclosed building.

Section 504. Clear Sight Triangle.

Clear sight triangles shall be provided in all zones subject to the following regulations:

- A. Clear sight triangles shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 - 1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 - 2. Zoning permit process that do not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
- B. No structure, planting, excavation, nor other visual obstruction shall be permitted at a height greater than thirty (30) inches and below ten (10) feet within such area.
- C. A public right-of-way shall also be reserved for the purpose of removing any visual obstruction within the clear sight triangle.
- D. Clear Sight Triangle Distances.
 - 1. Street and Access Drive Clear Sight Triangle. There shall be provided and maintained a clear sight triangle a minimum of one hundred (100) feet as measured along the centerline from the intersecting streets (including corner lots) and access drives. (See Figure 5-4.1)

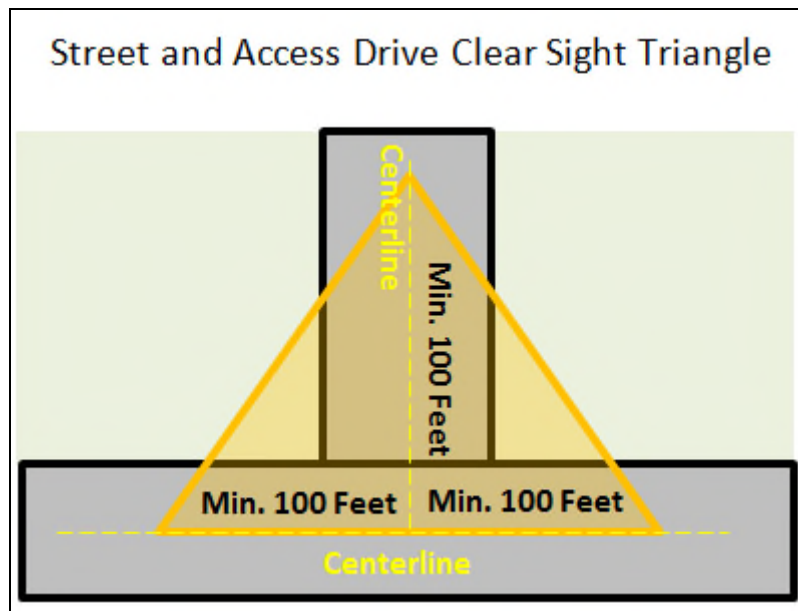


**FIGURE 5-4.1
STREET AND ACCESS DRIVE CLEAR SIGHT TRIANGLE**

2. Driveway Clear Sight Triangle. There shall be provided and maintained a clear sight triangle including two (2) apexes of the triangle located in both directions measured along the centerline of the street intersecting with the driveway, each a minimum of seventy-five (75) feet, and a vertex of the triangle measured along the centerline of the driveway, a minimum of five (5) feet from the adjoining street right-of-way line. (See Figure 5-4.2)

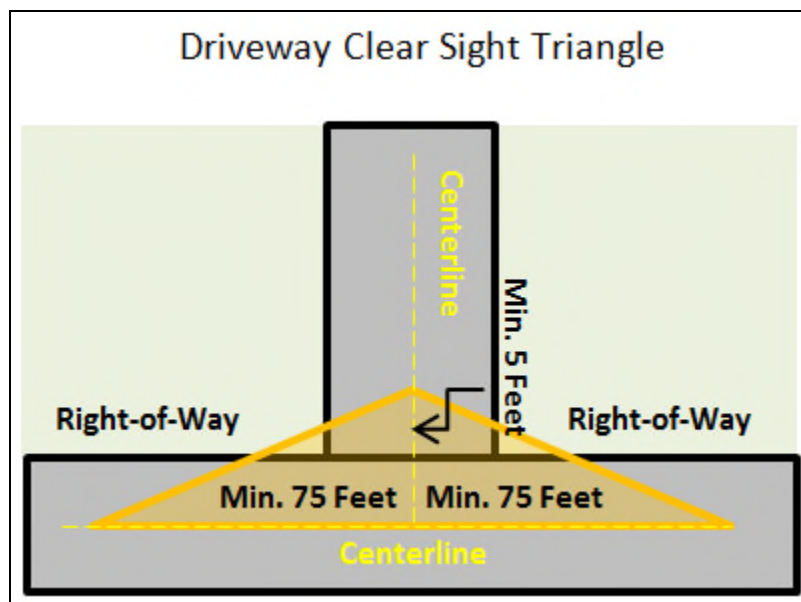


**FIGURE 5-4.2
DRIVEWAY CLEAR SIGHT TRIANGLE**

Section 505. Common Open Space Requirements.

In those instances where common open space is required elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), or when an applicant proposes the use of common open space, in all zones said common open space shall comply with the following requirements:

- A. Required Open Space Design. Required open space shall be designed and arranged to achieve a minimum of one (1) of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:
 - 1. Protection of important natural resources (e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.).
 - 2. Protection of important historical and/or archaeological sites;
 - 3. Provision of usable play and recreation areas that are conveniently accessible to residents within the development and Rapho Township.
 - 4. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools or other similar features and community resources.
- B. Ownership and Maintenance. An essential element of the provision of open space is a written description regarding its ownership and/or disposition. Such ownership and/or disposition shall be accomplished through one (1) of the following:
 - 1. An offer of dedication to the Township of Rapho. The Township of Rapho shall not be obligated to accept dedication of the common open space.
 - 2. With permission of the Township of Rapho, and with appropriate deed restrictions in favor of the Township of Rapho and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the preservation of open space land and/or natural resources. The organization shall be a bona fide conservation organization with a perpetual existence, the conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land, and the organization must enter into a maintenance agreement with the Township of Rapho.
 - 3. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners' associations found in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. § 3101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:

- a. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township of Rapho unless the Township of Rapho has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Zoning Ordinance.
- b. The organization and all lot owners shall enter into a maintenance agreement with the Township of Rapho and shall agree to be bound by the provisions of Article VII of the MPC relating to the maintenance of deteriorating common open space by municipalities.
- c. The Township of Rapho may require the establishment of a reserve fund to which the Township shall be named designated beneficiary, to provide for maintenance of or capital improvements to the common open space.

Section 506. Conservation Plan.

In those instances where a conservation plan is required elsewhere in this Zoning Ordinance, in all zones said conservation plan shall comply with the following requirements:

1. Certified conservation plans are required for agricultural operations, agri-businesses, forestry (commercial timber operations), or other similar agricultural/forestry uses involving earthmoving activities as required by Title 25 of the Pennsylvania Code, Chapter 102 relating to Erosion and Sediment Control.
2. Conservation plans shall be prepared by a Certified Conservation Planner or the applicant, as applicable.
3. Certified conservation plans shall be submitted to the Township of Rapho.

Section 507. Cross Access and Maintenance Agreement and Deed Restriction.

In those instances where a cross access and maintenance agreement and deed restriction is required elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), or when an applicant proposes the use of a shared driveway, shared access drive, parking, and loading facility, or other similar shared or shared improvement, in all zones such shared or shared facilities and improvements shall comply with the following requirements:

- A. Said facilities shall be owned, maintained, and repaired by users of the facilities, as applicable, in accordance with a cross access and maintenance agreement in language acceptable to the Township Solicitor, approved by the Township of Rapho, and recorded in the Office of the Recorder of Deeds of Lancaster County.
- B. Two (2) copies of the cross access and maintenance agreement must be submitted to the Township of Rapho as well as two (2) copies of an appropriate deed restriction. The cross

access and maintenance agreement and deed restriction shall establish responsibility for the ownership, use, maintenance, and repair of the facility and improvements including mowing, snow and ice removal, maintenance of the clear sight triangle and the pavement and base improvements and drainage facilities. References to said cross access and maintenance agreement and deed restriction shall be provided on the plans and recorded.

Section 508. Donation Drop-Off Bins.

Donation drop-off bins shall be permitted in all zones subject to the following regulations:

- A. Donation drop-off bins shall be a permitted accessory use to a permitted principal non-residential use.
- B. Donation drop-off bins shall be limited to those owned or operated by charitable or non-profit organizations.
- C. Each donation drop-off bin shall:
 - 1. Be of the type that each is enclosed by use of a firmly closing receiving door or lid and remains locked so that the donated items may not be accessed by persons other than those responsible for the retrieval of the donated items;
 - 2. Have a maximum capacity of six (6) cubic yards;
 - 3. Have a maximum height of seven (7) feet;
 - 4. Be clearly marked:
 - a. To identify:
 - (1). The specific items and materials requested to be left for donation;
 - (2). The name of the operator or owners of the donation container; and
 - (3). A telephone number where the owner, operator or agent of the owner or operator may be reached at any time.
 - b. To include a notice stating that no items or materials shall be left outside of the donation drop-off bin.
- D. All donated items must be stored within the donation drop-off bin. Donated items shall not be left outside of donation drop-off bins.
- E. Each donation drop-off bin shall be regularly emptied of its contents so that it does not overflow, resulting in the donated items being strewn about the lot or upon any adjoining lot or street right-of-way. Donated items left outside of a donation drop-off bin shall be considered

litter in and in violation of Article 5 of this Zoning Ordinance relating to *Litter (§ 514.)*.

- F. Each donation drop-off bin and the area around each donation drop-off bin shall be maintained by the owner or operator of the donation drop-off bin, or the property owner, and kept free of litter and any other undesirable items or materials.
- G. The maximum number of donation drop-off bins permitted per lot shall be two (2).
- H. Donation drop-off bins shall:
 - 1. Comply with the accessory use and structure minimum required yard setbacks for the applicable zone, except that such containers may be located within front yards, provided they are at least ten (10) feet from any adjoining street right-of-way line.
 - 2. Be permitted to be located:
 - a. On sidewalks (excluding sidewalks within the public right-of-way), under canopies, or other in an area immediately adjacent to the principal building's front building wall or storefront, provided that such location provides clear pedestrian access (sidewalk or other area) at least eight (8) feet wide adjoining the principal building's front building wall or storefront; or
 - b. Within a parking lot, provided that such location does not occur within any area for required vehicular circulation, parking, and loading, or emergency vehicle access (e.g., fire lanes).
- I. The applicant shall submit an hours of operation and management plan in accordance with *Application for Zoning Permits for Non-Residential Uses in Zoning Permits* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- J. This use shall comply with all of the applicable Township of Rapho, county, state and federal statutes, laws, ordinances, regulations, and requirements.

Section 509. Fences and Walls.

Fences and walls shall be permitted in all zones subject to the following regulations:

- A. Fences and walls are not subject to yard or minimum yard setback requirements, but fences and walls shall be located completely within the lot boundary.
- B. Fences and walls shall be durably constructed and well-maintained. Fences and walls that have deteriorated parts and materials shall be replaced or removed.
- C. No fence or wall shall obstruct the clear-sight triangle requirements set forth in Article 5 of this Zoning Ordinance relating *Clear Sight Triangle (§ 504.)*.

- D. No fence or wall shall block motorist view of vehicles entering or exiting the lot.
- E. In the Agricultural and Rural Zones, Residential Zones, and (CC) Zone, no fence or wall shall be erected to a height more than:
 - 1. Three (3) feet along front lot line and along the side lot lines to a distance of twenty-five (25) feet back (in depth) from the front lot line or in the front yard, whichever is a lesser distance, except as provided for the keeping of livestock as set forth in the subsection below (§ 509.G.); and
 - 2. Six (6) feet in any side or rear yard.
- F. In the (MUC) Zone and Business Zones no fence or wall shall be erected to a height of more than ten (10) feet in any yard.
- G. For the purposes of keeping of livestock, fences shall be permitted to be no more than four and one half (4 ½) feet in height along the front lot line and along the side lot lines to a distance of twenty-five (25) feet back (in depth) from the front lot line or in the front yard, whichever is a lesser distance, as long as the fence has a minimum of fifty (50) percent open area (compared to structural area [post, rails, slats or boards, etc.]).

Section 510. Forestry (Commercial Timber Operations).

The cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement shall be permitted in all zones. But where the value of the sale of trees, logs, or other timber products removed exceeds one thousand (1,000) dollars, the operation shall be considered Forestry (Commercial Timber Operations) permitted in all zones subject to the following regulations:

- A. Site Layout and Design.
 - 1. Timber harvesting practices shall protect nearby structures and utility lines.
 - 2. Felling or skidding on or across any public street right-of-way is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for maintenance of the public street.
 - 3. No tops or slash shall be left within twenty-five (25) feet of any adjoining street right-of-way line (or easement as applicable) line providing access to an adjoining residential lot.
 - 4. All tops and slash shall be lopped to a maximum height of four (4) feet above the ground in the following circumstances:
 - a. Between twenty-five and fifty (25 - 50) feet from a public or private street right-of-way (or easement as applicable) providing access to an adjoining residential lot; and

- b. Within fifty (50) feet of a lot line of an adjoining residential use.
 - 5. No tops or slash shall be left on or across any lot line without the consent of the owner thereof.
 - 6. Litter resulting from a timber operation shall be removed from the site before it is vacated by the operator.
- B. Applications. All applications for timber operations shall include the information required for approval pursuant to Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*. In addition, the applicant shall:
 - 1. Specify the:
 - a. Land on which harvesting will occur;
 - b. Expected size of the harvest area; and,
 - c. Anticipated starting or completion date of the operation, as applicable; and
 - 2. Provide written notification information including:
 - a. Any streets affected, dates of affect, plans to restore any damages to streets and contact information for the timber operations submitted to owners of land adjoining the street right-of-way used to access the site.
- C. Preparation of a Logging Plan. Every landowner on whose land timber operation is to occur shall prepare and submit a written logging plan as set forth in the subsection below relating to *Contents of a Logging Plan (§ 510.E.)*, and shall submit the logging plan as part of the information required for approval pursuant to Article 9 of this Zoning Ordinance relating to *Zoning Permits (§ 902.)*. The provisions of the logging plan shall be followed throughout the operation. The logging plan shall be available at the timber operation site at all times during the timber operation and shall be provided to the Township Zoning Officer upon request.
- D. Responsibility for Compliance of a Logging Plan. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.
- E. Contents of the Logging Plan.
 - 1. At a minimum, the logging plan shall include the following:
 - a. Design, construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails and landings.
 - b. Design, construction and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips and water bars.

- c. Design, construction and maintenance of stream and wetland crossings.
 - d. The general location of the proposed operation in relation to streets, including any accesses to those streets.
- 2. Each logging plan shall include a site map containing the following information:
 - a. Site location and boundaries, including both the boundaries of the lot on which the timber operation will take place and the boundaries of the proposed harvest area within that lot.
 - b. Significant topographic features related to potential environmental problems.
 - c. Location of all earth disturbance activities such as roads, landings and water control measures and structures.
 - d. Location of all crossing of waters of the Commonwealth.
 - e. The general location of the proposed timber operation to streets, including any accesses to those streets.
- F. Compliance with State Laws and Regulations. The logging plan shall address and comply with the requirements of all applicable state laws and regulations, including, but not, limited to, the following:
 - 1. Soil Erosion and Sedimentation Control regulations and standards of the LCCD and/or PA DEP requirements.
 - 2. Stream crossing and wetlands protection regulations of PA DEP and/or the USACE.
 - 3. This use shall comply with all of the applicable Township of Rapho, county, state and federal statutes, laws, ordinances, regulations, and requirements.
- G. Relationship of State Laws, Regulations, and Permits to the Logging Plan. Any permit required by state laws and regulations shall be attached to and become part of the logging plan. A Soil Erosion and Sedimentation Control plan that satisfies the requirements of Section 25 Pennsylvania Code, Chapter 102 shall also satisfy the minimum requirements for the logging plan and associated site map, provided that all information required by these subsections is included or attached.
- H. Responsibility for Road Maintenance and Repair and Road Bonding. The landowner and/or the operator shall be responsible for repairing any damage to streets caused by traffic associated with the timber operation pursuant to the provisions of Section 67 Pennsylvania Code, Chapter 189, hauling in excess of posted weight limit. The landowner and/or operator may be required to furnish a bond to guarantee the repair of any such damage, pursuant to the said provisions of the Pennsylvania Code.

Section 511. Garage/Yard Sales.

Garage/yard sales shall be permitted in all zones subject to the following regulations:

- A. The owner and/or occupant of the lot may conduct up to two (2) garage/yard sales per calendar year.
- B. No garage/yard sale shall be conducted for a period longer than three (3) consecutive days.
- C. Garage/yard sales may offer for sale personal possessions; but no import or stocking of inventory shall be permitted.
- D. Permitted signs shall comply with Article 5 of this Zoning Ordinance relating to *Signs* (§ 528.).
- E. Garage/yard sales shall comply with the accessory use and structure required yard setbacks for the applicable zone, except that they may be located in the front yard and have a minimum front yard setback equal to the minimum side yard setback.
- F. The conduct of garage/yard sales beyond the extent described in the subsections above (§ 511.A. through § 511.E.) represents a commercial business and requires appropriate zoning authorization.

Section 512. Height Limit Exceptions/Modifications.

Height limit exceptions/modifications shall be permitted in all zones subject to the following regulations:

- A. The height regulations of the applicable zones do not apply to the following structures or projections (excluding signs), provided such structures or projections are set back a minimum horizontal distance equal to their height from any lot line:
 - 1. Agricultural structures and equipment, and other similar structures when located upon and used as part of an agricultural operation or agri-business.
 - 2. Water towers, antennas, utility poles, place of worship steeples, smokestacks, chimneys, flagpoles, or other similar structures.
 - 3. Rooftop structures for the housing of elevators, stairways, water storage tanks, ventilating fans, and other mechanical appurtenances.
 - 4. Parapet walls or cornices used solely for ornamental purposes if not in excess of five (5) feet above the roof line.
- B. The height regulations of the applicable zones may be modified in accordance with the following standards:

1. In all zones, residential accessory structures and uses. See Article 3 of this Zoning Ordinance relating to the accessory use area and bulk requirements for the applicable zone.
 2. In the Business Zones, provided such structures (excluding signs) and uses are set back a minimum horizontal distance equal to their height from any lot line. In:
 - a. The (CR) and (HC) Zones, structures and uses shall be permitted a maximum height of fifty (50) feet.
 - b. The (IND) Zone, structures and use shall be permitted a maximum height of seventy-five (75) feet.
- C. Height regulations of the applicable zones shall not apply to the following structures, provided the structures comply with the specific height regulations for the use set forth below and elsewhere in this Zoning Ordinance:
1. Telecommunications towers as set forth in Article 6 of this Zoning Ordinance relating to *Telecommunications Tower in Non-Residential Uses - Miscellaneous Use Regulations (§ 607.I.)*;
 2. Wind energy systems as set forth in Article 5 of this Zoning Ordinance relating to *Accessory Alternative Energy Systems (§ 502.C.)* and Article 6 of this Zoning Ordinance relating to *Wind Energy Production Facility in Non-Residential Uses - Miscellaneous Use Regulations (§ 607.F.)*; and
 3. Structures as part of agricultural operations and agri-businesses as set forth in Article 6 of this Zoning Ordinance relating to *Agricultural Operations (§ 603.B.)* and *Agri-Business in Non-Residential Uses - Agricultural/Forestry Use Regulations (§ 603.A.)*.
- D. In no case shall any structure permitted above the maximum permitted height of the applicable zone be used for the purpose of providing additional occupiable space.

Section 513. Improved Surfaces.

Improved surfaces shall be provided, as required, in all zones subject to the following regulations:

- A. Improved surfaces shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 2. Zoning permit process that does not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to

the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.

- B. Unless otherwise provided elsewhere in this Zoning Ordinance, in order to prevent dust, erosion or excessive water flow across streets or adjacent property, portions and areas of lots intended to be used for the following uses listed in the subsections below (§ 513.B.1. and §. 513.B.2.), shall be graded for proper drainage and shall be improved with a durable and dustless surface, such as concrete or bituminous concrete surface unless an alternative material and/or design as part of a readily accepted storm water BMP, in accordance with the applicable design and construction standards and requirements of the SLDO, storm water management requirements, or any other construction materials specifications approved by the Township of Rapho:
 - 1. Lot access (driveways and access drives), parking, loading, vehicle queuing, display, storage, and other similar improvements associated with motor vehicles.
 - 2. All portions of a lot used for outside display or outside storage.

Section 514. Litter.

Relating to control of litter, lots in all zones shall be kept and maintained subject to the following regulations:

- A. No lot shall be developed, used or maintained in a state that creates litter either on the lot or upon any adjoining lot or street right-of-way.
- B. Should any lot or use be conducted or maintained in a condition that causes repeated litter complaints or violations, the owner shall be required, upon the instruction of the Township Zoning Officer, to prepare and implement a working plan for the clean-up of such litter as a condition of zoning compliance.

Section 515. Lot Access, Access Drives, and Driveways.

Lot access, access drives, and driveways shall be provided in all zones subject to the following regulations:

- A. Lot Access and Frontage.
 - 1. Every new lot shall front on and have direct access to an approved public or private street via a driveway or access drive, as applicable.
 - 2. Every new principal use established and/or building erected or moved shall be on a lot that fronts on and has direct access to an approved public or private street via a driveway or access drive, as applicable.

3. If a lot has access to streets of different classifications, access shall be provided on the street conveying the lesser amount of existing or proposed daily traffic.
 4. Lot access shall be so arranged as to minimize danger, congestion, stacking, and queuing along adjoining streets and to avoid the creation of nuisances to adjacent properties.
 5. Uses and structures shall be sited on a lot in such manner to provide for safe and convenient access for servicing the lot and site, fire protection, waste collection, required off-street parking and loading spaces, etc.
- B. Permits Required. Driveways and access drives intersecting with a state or Township owned street or road shall require the obtainment of a Highway Occupancy Permit (HOP) from the applicable entity.
- C. Access drives and driveways shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 2. Zoning permit process that does not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
- D. Access Drive Additional Requirements.
1. Number Per Lot. No more than two (2) access drive connections per lot shall be permitted.
 2. Setbacks from Intersections. Access drive cartways and connections shall be set back a minimum of one hundred (100) feet from the adjoining right-of-way line of any intersecting streets.
 3. Access Drive Width. In no case shall any access drive cartway be less than eighteen (18) feet wide if it provides for truck movement between the public street right-of-way and any required off street loading spaces.
 4. Shared Access Drives. There shall be no required setback from the lot line of an adjoining lot using a shared access drive.
- E. Driveway Additional Requirements.
1. Number Per Lot. No more than two (2) driveway connections per lot shall be permitted.

2. Setbacks. The minimum distance between driveway connections with a street shall be:
 - a. One hundred (100) feet from a driveway connection on the same lot;
 - b. Forty (40) feet from the adjoining right-of-way line of intersecting streets;
 - c. Five (5) feet from a fire hydrant; and
 - d. Three (3) feet from any lot line. Additionally, no portion of any driveway shall be located closer than three (3) feet from any lot line.
3. Slope. A driveway shall not exceed a slope of ten (10) percent within twenty-five (25) feet of the adjoining street right-of-way lines.
4. Driveway Width and Turnaround.
 - a. No driveway shall have:
 - (1). An improved surface width of less than ten (10) feet;
 - (2). A curb cut or connection to the street:
 - (a). Less than ten (10) feet in width; or
 - (b). Greater than twenty-four (24) feet in width.
 - b. All driveways connecting to an arterial or collector street shall be designed to include an improved vehicle turnaround area of a minimum of one hundred seventy-one (171) square feet, to permit vehicles to maneuver in order that said vehicles can enter the street right-of-way in a forward direction.
5. Shared Driveways. In addition to the requirements set forth in the subsections above (§ 515.E.), shared driveways shall be provided subject to the following regulations:
 - a. Maximum Number of Dwelling Units. Shared driveways shall serve no more than four (4) dwelling units.
 - b. Setbacks. There shall be:
 - (1). No required setback from the lot line of an adjoining lot using a shared driveway.
 - (2). A minimum of ten (10) foot setback from any lot line of an adjoining lot that does not use the shared driveway.
6. Shared Driveways or Access Drives for Flag Lots. Shared driveways or access drives for flag lots:

- a. Must serve a minimum of one (1) but no more than two (2) flag lots, but may also serve adjoining non-flag lots, as applicable; and
- b. Shall have a paved width of less than:
 - (1). Sixteen (16) feet provided for that portion of the driveway serving more than one (1) dwelling unit; and
 - (2). No less than the required minimum width for a two (2) way access drive.

Section 516. Man-Made Lakes and Ponds.

Man-made lakes, ponds, dams, and related impoundments shall be permitted in all zones subject to the following regulations:

A. Man-Made Lakes, Dams, and Related Impoundments.

- 1. PA DEP Approvals.
 - a. All man-made lakes, dams and related impoundments located along and connected to a stream, shall require the obtainment of a permit from the PA DEP Bureau of Dams and Waterways, Division of Dam Safety or its successor, or a letter indicating that the proposed use does not require a PA DEP permit.
 - b. All man-made lakes, dams and related impoundments not contiguous to a stream that have an intake, outlet, or both, and/or have an embankment within fifty (50) feet of a stream shall require the obtainment of a permit from the PA DEP Bureau of Dams and Waterways Division of Waterways and Storm Water Management or its successor.
- 2. Setbacks. All man-made lakes, dams, and related impoundments shall be located a minimum of:
 - a. Seventy-five (75) feet from any lot line; and
 - b. Fifty (50) feet from:
 - (1). Subsurface sewage disposal systems; and
 - (2). Wells.
- 3. All other man-made lakes, dams, and related impoundments require the submission of a statement by a qualified, professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania, that the proposed use is properly constructed and will not pose a threat to the public safety nor the environment during

normal flow conditions and those associated with the base flood. All dams shall be constructed to a height of one (1) foot above the water surface elevation occurring during the base flood.

4. Maintenance. All man-made lakes shall be regularly maintained and floating debris shall be removed from all pipes and spillways. All ground cover shall be trimmed. Weeds, brush and trees shall not be permitted to grow on the dam or spillway.

B. Man-Made Ponds and Related Impoundments.

1. In addition to the regulations in this subsection below (§ 516.B.2.), man-made ponds and related impoundments shall comply with the regulations in Article 5 of this Zoning Ordinance relating to *Swimming Pools* (§ 529.).
2. Maintenance. All man-made ponds shall be regularly maintained and floating debris shall be removed so as to not pose a nuisance by reason of odor, or the harboring of insects.

Section 517. Minimum Habitable Floor Area.

Dwelling units, permitted in applicable zones, are subject to the following habitable floor area regulations:

- A. See Table 5-17.1. in this subsection below for the required minimum habitable floor area:

**TABLE 5-17.1
MINIMUM HABITABLE FLOOR AREA**

USE	MINIMUM HABITABLE FLOOR AREA PER DWELLING UNIT
1. Single Family Dwellings and Two Family Dwellings (including conversions)	700 sq. ft.
2. Multiple Family Dwellings (including conversions) and Other Dwelling Types (including accessory dwellings and apartments)	400 sq. ft.

Section 518. Multiple Principal Uses on One (1) Lot.

More than one (1) principal use may be established on a single lot in all zones subject to the following regulations:

- A. A subdivision and/or land development plan has been approved and recorded in compliance with the SLDO, as applicable.

B. A lot in the Mixed Use Zones or Business Zones may include more than one (1) permitted principal use on a single lot in accordance with the following regulations:

1. Existing Buildings (No Alteration/Enlargement). For developments involving more one (1) principal use on a single lot within an existing building in which there is no alteration or enlargement increasing the total size, floor area, and/or height of the existing building as it was on January 25, 1994, the most restrictive of the principal uses' area and bulk requirements of the applicable zone shall apply to the existing building (as opposed to applying each of the requirements to each principal use as if each use was located on each individual lot), but that each principal use shall comply with all other applicable requirements of this Zoning Ordinance.
2. Existing Buildings (Alteration/Enlargement). For developments involving more than one (1) principal use on a single lot within an existing building in which there is an alteration or enlargement increasing the total size, floor area, and/or height of the existing building as it was on January 25, 1994, the total number of principal uses existing in the existing building on January 25, 1994 shall not be increased. Additionally, the most restrictive of the principal uses' area and bulk requirements of the applicable zone shall apply to the existing building (as opposed to applying each of the requirements to each principal use as if each use was located on each individual lot), but that each principal use shall comply with all other applicable requirements of this Zoning Ordinance.
3. New Buildings. For developments with more than one (1) principal use on a single lot involving the erection of a new building, the area and bulk requirements of the applicable zone and all other requirements of this Zoning Ordinance shall apply to each building as though each building were located on an individual lot.

C. A lot in the Agricultural and Rural Zones or the Residential Zones may include more than one (1) permitted principal use on a single lot in accordance with the following regulations:

1. More than One (1) Use and More than One (1) Building. Except as provided in the subsection immediately below (§ 518.C.2.), for developments involving more than one (1) principal use on a single lot, including the erection of a new building, no more than one (1) principal use may be established within one (1) building and no more than one (1) building may be erected upon one (1) lot, provided that each of the principal use's and building's area and bulk requirements of the applicable zone and all other requirements of this Zoning Ordinance have been satisfied as though each principal use and building were located on an individual lot.
2. One (1) Use and More than One (1) Building. For developments involving mobile/manufactured home parks, multiple single family attached dwelling buildings, or more than one (1) multiple family dwelling buildings, on a single lot, more than one (1) building may be established upon one (1) lot, provided the area and bulk requirements of the applicable zone and all other requirements of this Zoning Ordinance shall apply to entire development.

Section 519. Off-Street Loading Facilities.

In those instances where off-street loading facilities are required in accordance with this Section and elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), in all zones said off-street loading facilities shall comply with the following requirements:

- A. Off-street loading facilities shall be required in accordance with this Section and elsewhere in this Zoning Ordinance prior to the occupancy of any building or establishment of any use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:
 1. A new use is established requiring additional loading space.
 2. The use is changed and thereby requires additional loading space.
 3. An existing use is enlarged, thereby requiring additional loading space.
- B. Location and Setbacks. Unless otherwise provided in this Zoning Ordinance:
 1. Ground level off-street loading areas may be located in any side or rear yard.
 2. Off-street loading areas shall comply with the accessory use and structure required yard setbacks for the applicable zone.
 3. To the extent feasible, off-street loading facilities shall be located on a wall of a building not facing any adjoining land in the (R) Zone or Residential Zones.
- C. Connection to Street. Every loading space shall be connected to a street by means of an access drive in accordance with the standards set forth in Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (§ 515.)*.
- D. Separation from Streets, Sidewalks, and Parking Lots. Off-street loading spaces shall be designed so that there will be no need for vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots.
- E. All dead-end off-street loading facilities shall be designed to provide sufficient turnaround and maneuvering area.
- F. Painted lines, arrows and dividers shall be provided and maintained to control loading facilities when necessary to direct vehicular circulation.
- G. Required Off-Street Loading Space Sizes. See Table 5-19.1 in this subsection below for the minimum loading space sizes requirements (excluding access drives, entrances and exits):

TABLE 5-19.1
LOADING SPACE SIZE REQUIREMENTS

TYPE OF USE	MINIMUM LENGTH	MINIMUM WIDTH	MINIMUM HEIGHT CLEARANCE WITHIN AND TO LOADING SPACE/ZONE
1. Industrial, Wholesale, Warehousing and Uses necessitating the deliveries via Tractor Trailer	70 ft.	14 ft.	15 ft.
2. All Other Uses	33 ft.	12 ft.	13 ft.

- G. Schedule of Required Off-Street Loading Spaces: See Table 5-19.2 in this subsection below for the minimum number of required off-street loading spaces per use. When determination of the number of required loading spaces results in a fraction less than one-half (1/2), the fractional result shall be rounded down and may be disregarded; and any fraction one-half (1/2) or greater, the fractional result shall be rounded up and interpreted as one (1) whole loading space:

TABLE 5-19.2
SCHEDULE OF REQUIRED OFF-STREET LOADING SPACES

TYPE OF USE	NUMBER OF LOADING SPACES	PER GROSS FLOOR AREA or DWELLING UNIT
1. Hospital or Other Institutional/ Civic Use	None	Less than 10,000 sq. ft.
	1.0	10,000 to 100,000 sq. ft.
	+ 1.0	Each additional 100,000 sq. ft.
2. Hotel Motel or Similar Lodging Facility	None	Less than 10,000 sq. ft.
	1.0	10,000 to 100,000 sq. ft.
	+1.0	Each additional 100,000 sq. ft.
3. Light Industrial and General Industrial	None	Less than 2,000 sq. ft.
	1.0	2,000 to 25,000 sq. ft.
	+1.0	Each additional 40,000 sq. ft.
4. Multiple Family Dwelling	None	Less than 100 dwelling units
	1.0	100 to 300 dwelling units
	+1.0	Each additional 200 dwelling units
5. Office/Bank and Other Similar Financial Institution	None	Less than 10,000 sq. ft.
	1.0	10,000 to 100,000 sq. ft.
	+1.0	Each additional 100,000 sq. ft.
6. Retail Business, Personal Service, and Restaurant	None	Less than 2,000 sq. ft.
	1.0	2,000 to 10,000 sq. ft.
	2.0	10,001 to 40,000 sq. ft.
	+1.0	Each additional 100,000 sq. ft.
7. Indoor Recreation Facility	None	Less than 10,000 sq. ft.
	1.0	10,000 to 100,000 sq. ft.
	+1.0	Each additional 100,000 sq. ft.

TYPE OF USE	NUMBER OF LOADING SPACES	PER GROSS FLOOR AREA or DWELLING UNIT
8. Funeral Home	None	Less than 3,000 sq. ft.
	1.0	3,000 to 5,000 sq. ft.
	+1.0	Each additional 10,000 sq. ft.
9. Wholesale or Warehousing	None	Less than 1,500 sq. ft.
	1.0	1,500 to 10,000 sq. ft.
	+1.0	Each additional 40,000 sq. ft.

Section 520. Off-Street Parking.

In those instances where off-street parking facilities are required in accordance with this Section and elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), in all zones said off-street parking facilities shall comply with the following requirements:

- A. Off-street parking shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 2. Zoning permit process that do not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
- B. Off-street parking facilities shall be required in accordance with this Section and elsewhere in this Zoning Ordinance prior to the occupancy of any building or establishment of any use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:
 1. A new use is established requiring additional parking spaces.
 2. The use is changed and thereby requires additional parking spaces.
 3. An existing use is enlarged, thereby requiring additional parking spaces.
- C. Parking Lot Setbacks. Unless otherwise provided in this Zoning Ordinance, off-street parking lots shall comply with the accessory use and structure required yard setbacks for the applicable zone.
- D. Parking Space Separation. Parking spaces within off-street parking lots shall be:
 1. At least five (5) feet from any building located on a lot. The said five (5) foot corridor established between parking spaces and buildings shall be for the purpose of providing pedestrian access walkways; and

2. Guarded by curbing in accordance with the applicable design and construction standards and requirements of the SLDO or a similar device at least six (6) inches wide and six (6) inches in height above the paving surface (e.g. wheel stops/bumpers, bollards, etc.) acceptable to the Township of Rapho, to prevent parked vehicles from projecting into the streets, sidewalks, access drives, and access aisles.
- E. Internal Landscaped Islands and Areas. In parking areas or lots containing twenty (20) or more parking spaces, internal landscaped islands and areas shall be provided in accordance with the following. In addition, if a parking lot of fewer than twenty (20) spaces is built without internal landscaped islands and areas, and later additional parking spaces are added so that the total is twenty (20) or more, the internal landscape shall be provided for the entire parking lot:
1. One (1) internal landscape island shall be provided for every ten (10) parking spaces (or twenty [20] double loaded spaces).
 2. Internal landscaped islands shall have a minimum depth of nine (9) feet.
 3. Internal landscape islands shall be placed between double loaded parking spaces and at each end of rows of parking, between parking spaces and adjacent drives and access aisles.
 4. No more than ten (10) parking spaces shall be provided in an unbroken row without the provision of an internal landscape island designed to be parallel to the direction of the adjacent parking spaces, and which connects into the perpendicular internal landscaped island. Each internal landscape island parallel to the direction of the adjacent parking spaces shall have a minimum width of nine (9) feet and minimum depth (length) of eighteen (18) feet.
 5. Internal parking islands shall be landscaped with plantings including one (1) shade tree with a minimum two (2) inch caliper of the trunk measured at a height of six (6) inches above finished grade, for each five (5) parking spaces.
 6. The remaining area of the required internal landscape islands and/or internal landscape area shall be landscaped with turf grass, shrubs or perennials any of which should not exceed two and one-half (2 ½) feet in height, or with another material acceptable to the Township Engineer.
 7. Unless an alternative material and/or design as part of a readily accepted storm water BMP, in accordance with the applicable design and construction standards and requirements of the SLDO, storm water management requirements, or any other construction materials specifications approved by the Township of Rapho, for promoting sustainable storm water management practices, all landscape islands and areas shall be enclosed by appropriate curbing in accordance with the applicable design and construction standards and requirements of the SLDO, storm water management requirements, or any other construction materials specifications

approved by the Township of Rapho, for promoting sustainable storm water management practices, or a similar device at least six (6) inches wide and six (6) inches in height above the paving surface (e.g. wheel stops/bumpers, bollards, etc.), and shall be acceptable to the Township of Rapho.

8. Parked vehicles shall not be permitted to overhang internal landscaped islands and areas by more than two (2) feet.

F. Prohibited Uses of Off-Street Parking Facilities. Off-street parking spaces are for the sole purpose of accommodating the vehicles of persons associated with the use which requires them. Required parking spaces and access to said parking spaces shall not be used for the following:

1. The sale, display or storage of motor vehicles or other merchandise, other than an approved temporary use.
2. Parking and/or storage of vehicles accessory to the use, except during hours when operations are suspended.
3. Performing services (including services to vehicles).
4. Loading and unloading purposes, except during hours when operations are suspended.
5. Temporary storage units and trash/waste disposal (e.g. pallets, cardboard).
6. Required outdoor play areas.

G. Schedule of Required Off-Street Parking Spaces: See Table 5-20.1 in this subsection below for the minimum number of required off-street parking spaces per use. When determination of the number of required parking spaces results in a fraction less than one-half (1/2), the fractional result shall be rounded down and may be disregarded; and any fraction one-half (1/2) or greater, the fractional result shall be rounded up and interpreted as one (1) whole parking space:

**TABLE 5-20.1
PARKING SCHEDULE**

USE	MINIMUM REQUIRED SPACES
1. RESIDENTIAL USES	
a. Conversion, Multiple Family	2 spaces per dwelling unit
b. Conversion, Two Family	2 spaces per dwelling unit
c. Manufactured/Mobile Home Park	2 spaces per dwelling unit. For developments with more than 8 dwelling units, if on-street parking is not provided, an additional ½ space per dwelling unit shall be provided in a common visitor parking compound. Such visitor parking lots shall be sized, arranged, and located so that the spaces are within 300 ft. walking distance to any unit served.
d. Multiple Family Dwelling	2 spaces per dwelling unit. For developments with more than 8 dwelling units, if on-street parking is not provided, an additional ½ space per dwelling unit shall be provided in a common visitor parking compound. Such visitor parking lots shall be sized, arranged, and located so that the spaces are within 300 ft. walking distance to any unit served.
e. Single Family Attached Dwelling	2 spaces per dwelling unit. For developments with more than 8 dwelling units, if on-street parking is not provided, an additional ½ space per dwelling unit shall be provided in a common visitor parking compound. Such visitor parking lots shall be sized, arranged, and located so that the spaces are within 300 ft. walking distance to any unit served.
f. Single Family Detached Dwelling	2 spaces per dwelling unit
g. Single Family Semi-Detached Dwelling	2 spaces per dwelling unit
h. Two Family Detached Dwelling	2 spaces per dwelling unit
i. Other Residential Uses	Other residential uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
2. AGRICULTURAL/FORESTRY USES	
a. Agri-Business	1 space for each non-resident employee on the peak shift
b. Agricultural Operation	1 space for each non-resident employee on the peak shift
c. Agricultural Related Business	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
d. Boarding/Riding Stable	2 spaces per 1,000 sq. ft. of gross floor area
e. Crops/Gardening	1 space per non-resident employee on peak shift
f. Forestry (Commercial Timber Operation)	1 space per employee on the peak shift
g. Kennel, Boarding	2 spaces per 1,000 sq. ft. of gross floor area
h. Wholesale Produce and Tobacco Auction	1 space per 1,000 sq. ft. of gross floor area
i. Other Forestry/Agriculture Uses	Other forestry/agriculture uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
3. COMMERCIAL USES	
a. Adult Oriented Business and/or Related Use	4 spaces per 1,000 sq. ft. of gross floor area.

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USE	MINIMUM REQUIRED SPACES
b. Airport/Heliport	1 space per aircraft storage space, plus (½) of the spaces normally required for other uses accessory to the principal use which listed elsewhere within this parking schedule Table (i.e., restaurant)
c. Animal Hospital	2 spaces per 1,000 sq. ft. of gross floor area
d. Bank and Other Similar Financial Institution	2 spaces per 1,000 sq. ft. of gross floor area
e. Boarding House	1 space for each sleeping/rooming unit for let, plus 2 spaces per dwelling unit of owner/resident manager and other permanent residents of the dwelling
f. Campground	1 space per campsite or bed, plus 1 space per employee on the peak shift
g. Compost Sales	1 space per 1,000 sq. ft. of gross floor area
h. Convenience Store	4 spaces per 1,000 sq. ft. of gross floor area
i. Dry Cleaner, Laundry, and Laundromat	4 spaces per 1,000 sq. ft. of gross floor area
j. Flea Market	4 spaces per 1,000 sq. ft. of net retail sales area
k. Funeral Home	10 spaces per 1,000 sq. ft. display/viewing and assembly rooms
l. Golf Course	2 spaces per hole, plus 2 spaces per 1,000 sq. ft. of gross floor area, plus (½) of the spaces normally required for other uses accessory to the principal use which listed elsewhere within this parking schedule Table (i.e., restaurant)
m. Hotel/Motel	1 space per guest/sleeping room, plus 2 spaces per 1,000 sq. ft. of remaining gross floor area, plus (½) of the spaces normally required for other uses accessory to the principal use which listed elsewhere within this parking schedule Table (i.e., restaurant)
n. Landscaping Service	1 space per 1,000 sq. ft. of gross floor area
o. Mini-Storage	1 space per 20 storage units
p. Nightclub	10 spaces per 1,000 sq. ft. of gross floor area
q. Offices, Professional and Business	3 spaces per 1,000 sq. ft. of gross floor area
r. Offices, Veterinary	3 spaces per 1,000 sq. ft. of gross floor area
s. Personal Service	4 spaces per 1,000 sq. ft. of gross floor area
t. Recreation, Commercial Indoor	4 spaces per 1,000 sq. ft. of gross floor area
u. Recreation, Commercial Outdoor	4 spaces per 1,000 sq. ft. of gross floor area. Where completely outside of an enclosed building, 1 space per each 3 users at maximum occupancy/utilization
v. Regional Recreation Attraction	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
w. Restaurant (Fast Food)	10 spaces per 1,000 sq. ft. of gross floor area
x. Restaurant (Sit Down)	6 spaces per 1,000 sq. ft. of gross floor area
y. Retail Business	2 spaces per 1,000 sq. ft. of gross floor area
z. School, Commercial	1 space per 4 students at maximum occupancy/utilization
aa. Shooting Range	1 space per firing lane/target, plus 2 spaces per 1,000 sq. ft. of remaining gross floor area
ab. Shopping Center	3 spaces per 1,000 sq. ft. of gross floor area
ac. Shops for Contractors	1 space per 1,000 sq. ft. of gross floor area
ad. Tavern/Bar	6 spaces per 1,000 sq. ft. of gross floor area
ae. Theater, Indoor	1 space per 4 seats based on maximum seating capacity or occupancy of largest assembly room
af. Vehicle Filling Station	4 spaces per 1,000 sq. ft. of gross floor area

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USE	MINIMUM REQUIRED SPACES
ag. Vehicle Parking Lot, Light/Medium Duty	No minimum required
ah. Vehicle Reconditioning, Light/Medium Duty	1 space per 1,000 sq. ft. of total interior and exterior display, sales and storage area for vehicles and equipment being reconditioned
ai. Vehicle Sales/Rental, Light/Medium Duty	3 spaces per 1,000 sq. ft. of gross floor area
aj. Vehicle Service/Repair, Light/Medium Duty	3 spaces per 1,000 sq. ft. of gross floor area
ak. Vehicle Storage Lot, Light/Medium Duty	No minimum required
al. Vehicle Washing	3 spaces per 1,000 sq. ft. of gross floor area
am. Other Commercial Uses	Other commercial uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
4. INDUSTRIAL USES	
a. Compost Production Facility	2 spaces per 1,000 sq. ft. of gross floor area
b. Excavator Contractor	1 space per 1,000 sq. ft. of gross floor area
c. Industrial Use, General	1 space per 1,000 sq. ft. of gross floor area up to 20,000 sq. ft., plus 1 space for each 2,000 sq. ft. gross floor area between 20,000 sq. ft. and 40,000 sq. ft., plus 1 space for each 3,000 sq. ft. gross floor area of the building in excess of 40,000 sq. ft.
d. Industrial Use, Light	1 space per 1,000 sq. ft. of gross floor area up to 20,000 sq. ft., plus 1 space for each 2,000 sq. ft. gross floor area between 20,000 sq. ft. and 40,000 sq. ft., plus 1 space for each 3,000 sq. ft. gross floor area in excess of 40,000 sq. ft.
e. Junk Yard	2 spaces per 1,000 sq. ft. of gross floor area
f. Machine Shop	2 spaces per 1,000 sq. ft. of gross floor area
g. Mineral Extraction	1 space per 1,000 sq. ft. of gross floor area
h. Outside Storage	1 space per 1,000 sq. ft. of gross floor area
i. Research and Development	2 spaces per 1,000 sq. ft. of gross floor area
j. Sawmill	1 space per 1,000 sq. ft. of gross floor area
k. School, Vocational	1 space per 3 students at maximum occupancy/utilization
l. Truck/Motor Freight Terminal	1 space per 1,000 sq. ft. of gross floor area up to 20,000 sq. ft., plus 1 space for each 2,000 sq. ft. gross floor area between 20,000 sq. ft. and 40,000 sq. ft., plus 1 space for each 3,000 sq. ft. gross floor area in excess of 40,000 sq. ft.
m. Truck Stop/Travel Plaza	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
n. Vehicle Auction	1 space per 1,000 sq. ft. of total interior and exterior display, sales and storage area for vehicles and equipment being auctioned
o. Vehicle Parking Lot, Heavy Duty	No minimum required
p. Vehicle Reconditioning, Heavy Duty	1 space per 1,000 sq. ft. of total interior and exterior display, sales and storage area for vehicles and equipment being reconditioned
q. Vehicle Sales/Rental, Heavy Duty	3 spaces per 1,000 sq. ft. of gross floor area
r. Vehicle Service/Repair, Heavy Duty	3 spaces per 1,000 sq. ft. of gross floor area
s. Vehicle Storage Lot, Heavy Duty	No minimum required

USE	MINIMUM REQUIRED SPACES
t. Warehousing, Distribution, and Wholesaling	1 space per 1,000 sq. ft. of gross floor area up to 20,000 sq. ft., plus 1 space for each 2,000 sq. ft. gross floor area between 20,000 sq. ft. and 40,000 sq. ft., plus 1 space for each 3,000 sq. ft. gross floor area in excess of 40,000 sq. ft.
u. Other Industrial Uses	Other industrial uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
5. INSTITUTIONAL/CIVIC USES	
a. Cemetery	No minimum required
b. Clubhouse or Lodge, Private	5 spaces per 1,000 sq. ft. of gross floor area
c. Conservation Area	No minimum required
d. Daycare, Commercial	1 space per 6 non-resident (adult or child) enrolled or being cared for
e. Government Facility Other Than Municipal Owned Uses	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
f. Hospital	3 spaces per 1,000 sq. ft. of gross floor area
g. Library	1 space per 1,000 sq. ft. of gross floor area
h. Medical Residential Campus	Nursing Facilities: 2 spaces per 1,000 sq. ft. of gross floor area
	Dwelling Units: 1 space per dwelling unit
	Other uses not specified in this parking schedule: Number of spaces normally required for uses listed elsewhere within this parking schedule Table
i. Municipal Use	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
j. Museum	1 space per 1,000 sq. ft. of gross floor area
k. Nursing, Rest, and Retirement Facility	2 spaces per 1,000 sq. ft. of gross floor area
l. Office, Medical	5 spaces per 1,000 sq. ft. of gross floor area
m. Park/Playground	3 spaces per acre
n. Place of Religious Worship	1 space per 5 seats based on maximum seating capacity or occupancy of largest assembly room
o. Public Utility	1 space per 1,000 sq. ft. of gross floor area
p. School, K-12	Primary (grades K – 6): 2 spaces per classroom, plus 1 space per each 20 seats based on maximum seating capacity or occupancy of largest assembly room
	Secondary and above (grades 7+): 7 spaces per classroom, plus 1 space per each 20 seats based on maximum seating capacity or occupancy of largest assembly room
q. School, Professional, College, and University	Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
r. Other Institutional/Civic Uses	Other institutional/civic uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
6. MISCELLANEOUS USES	
a. Billboard	1 space per site
b. Manure Digester Energy Production Facility	1 space per 1,000 sq. ft. of gross floor area
c. Solar Energy Production Facility	1 space per site
d. Telecommunications Signal Site	1 space per site
e. Wind Energy Production Facility	1 space per site

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USE	MINIMUM REQUIRED SPACES
f. Other Miscellaneous Uses	Other miscellaneous uses not specified in this parking schedule: Number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
7. ACCESSORY USES	
a. Accessory Apartment	In addition to the spaces required as part of the principal use, 2 spaces per dwelling unit
b. Accessory Employee Dwelling	In addition to the spaces required as part of the principal use, 2 spaces per dwelling unit
c. Accessory Family Member Dwelling	In addition to the spaces required as part of the principal use, 2 spaces per dwelling unit
d. Agricultural Product Marketing/Sales	In addition to the spaces required as part of the principal use, 2 parking spaces
e. Agricultural Support Occupation	In addition to the spaces required as part of the principal use, the number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
f. Agri-Tainment/Agri-Tourism	In addition to the spaces required as part of the principal use, 4 spaces per 1,000 sq. ft. of gross floor area. Where completely outside of an enclosed building, 1 space per each 3 users at maximum occupancy/utilization.
g. Automated Banking Facility or Postal Facility	In addition to the spaces required as part of the principal use, 2 spaces per machine when not associated with on-site principal bank or other financial service. Otherwise no minimum required
h. Bed and Breakfast	In addition to the spaces required as part of the principal use, 1 space for each guest/sleeping room
i. Beekeeping	No minimum required
j. Daycare, Family	In addition to the spaces required as part of the principal use, the number of spaces normally required for uses elsewhere within this parking schedule Table for Daycare, Commercial
k. Drive-Thru Facility for Permitted Use	No minimum required
l. Helicopter Pad, Private	No minimum required
m. Home Occupation	In addition to the spaces required as part of the principal use, the number of spaces normally required for similar uses listed elsewhere within this parking schedule Table (e.g., Office, Professional)
n. Home Occupation, No-Impact	No minimum required
o. Keeping of Livestock, Non-Commercial	No minimum required
p. Manure Digester System	No minimum required
q. Manure Storage Facility	No minimum required
r. Outside Café/Dining	In addition to the spaces required as part of the principal use, no minimum required for up to 200 sq. ft. of outside café/dining area, but 1 space for each 100 sq. ft. of outside café/dining area in excess of 200 sq. ft.
s. Outside Display	In addition to the spaces required as part of the principal use, 1 space per 500 sq. ft. of outside display area
t. Recycling Drop-Off Site	In addition to the spaces required as part of the principal use, 2 spaces per site
u. Rural Occupation	In addition to the spaces required as part of the principal use, the number of spaces normally required for similar uses listed elsewhere within this parking schedule Table
v. Shopping Cart Storage	No minimum required

USE	MINIMUM REQUIRED SPACES
w. Telecommunications Signal Site (Antenna Only)	In addition to the spaces required as part of the principal use, 1 space per site
8. TEMPORARY USES	
a. Seasonal Sidewalk Display	No minimum required
b. Temporary Special Event Sales	No minimum required

H. Parking Reductions or Alterations. This subsection (§ 520.H.) is a means for applicants to meet the parking requirements by alternative means other than providing required parking via paved off-street parking spaces located on the same lot.

1. There shall be no required yard setback from the lot line of an adjoining lot using a shared parking lot.
2. Shared Parking. Within the Mixed Use Zones and Business Zones where shared parking is proposed, the following shared parking standards shall apply:
 - a. If parking is proposed to be shared by two (2) or more uses, both uses shall be within the maximum permitted distances set forth in the subsection immediately below (§ 520.H.2.b.). An agreement in a form acceptable to the Township of Rapho and recorded in the Lancaster County Recorder of Deeds shall be presented assuring use of the required parking spaces until or unless the required parking spaces are located on the same lot as the use they serve.
 - b. Applicants of shared parking facilities shall be required to show that of the shared off-street parking area is located:
 - (1). On the lot it is intended to serve; or
 - (2). Within a walking distance of five hundred (500) feet of the building's or use's entrance they serve and comply with the following:
 - (a). There shall be a clearly delineated and direct sidewalk or other similar pedestrian pathway provided from the parking spaces to the building's or use's entrance the parking serves.
 - (b). Parking shall be located so that pedestrians are not required to cross an arterial street to access the parking spaces except at a signalized intersection along a clearly delineated and direct sidewalk or other similar pedestrian pathway.

- c. The total minimum number of required shared or joint use parking spaces shall be calculated according to the following:

- (1). Determine the total minimum number of required parking spaces as set forth in Table 5.20.1 in the subsection above relating to *Schedule of Required Off-Street Parking Spaces (§ 520.G.)*, for each individual use as if each were a separate use.
- (2). Determine each individual use's peak parking total by multiplying total minimum number of required parking spaces as set forth in the Table 5.20.1 in the subsection above relating to *Schedule of Required Off-Street Parking Spaces (§ 520.G.)* by the corresponding parking occupancy rates in Table 5-20.2 in this subsection below for each of the six (6) time periods:

**TABLE 5-20.2
SHARED PARKING CALCULATIONS**

USES	MONDAY – FRIDAY			SATURDAY AND SUNDAY		
	8 am – 6 pm	6 pm – Midnight	Midnight – 8 am	8 am – 6 pm	6 pm – Midnight	Midnight – 8 am
(a). Residential	60%	100%	100%	80%	100%	100%
(b). Office/Warehouse/Industrial	100%	20%	5%	5%	5%	5%
(c). Retail Business/Personal Service	90%	80%	5%	100%	60%	5%
(d). Hotel/Motel	70%	100%	100%	70%	100%	100%
(e). Restaurant	70%	100%	10%	70%	100%	20%
(f). Theatre	40%	80%	10%	80%	100%	10%
(g). Entertainment	40%	100%	10%	80%	100%	50%
(h). Civic/Institutional (Other than listed below)	100%	20%	5%	10%	10%	5%
(i). Clubhouse or Lodge, Private	40%	100%	10%	80%	100%	50%
(j). Places of Religious Worship	10%	5%	5%	100%	50%	5%

- (3). Combine each individual use's peak parking totals for each of the six (6) time periods to produce the all of the uses' aggregate peak parking total for each of the six (6) time periods.
- (4). The greatest of the aggregate peak parking totals of each of the six (6) time periods shall be determined with the required minimum number of required parking spaces set at such level.

- d. Additional Cross Access and Maintenance Agreement and Deed Restriction Requirements. In addition to the requirements set forth in Article 5 of this Zoning Ordinance relating to *Cross Access and Maintenance Agreement and Deed Restriction (§ 507.)*, in the event the property(ies) and/or use(s) undergo change of ownership, the agreement shall be updated to reflect current owner(s) of the use(s) and/or the property(ies). No agreement shall be terminable by any party except upon cessation of the use(s).
3. Overflow Reserve Parking Held. Within all zones, where overflow parking held in reserve is proposed for non-residential uses, the following overflow parking held in reserve standards shall apply:
 - a. Overflow reserve parking areas, which shall include areas of required parking facilities that may remain unpaved, but must be leveled and stabilized in a grass condition, but that also shall be permitted to be constructed with improved pervious surfaces in accordance with the applicable design and construction standards and requirements of the SLDO or any other construction materials specifications approved by the Township of Rapho, so as to provide for possible “overflow” reserve parking for other, seasonal or event peak times, shall be permitted subject to the following:
 - (1). The applicant shall demonstrate that the demand for parking generated by the proposed development will be less than that total minimum number of required parking spaces for the use, and will be no more than that applied for.
 - (2). The applicant shall submit a plot/site plan pursuant to Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.1.)*, including storm water management facilities, designed in strict conformance with all requirements of this Zoning Ordinance as well as the SLDO, storm water management requirements, or any other construction materials specifications approved by the Township of Rapho, for promoting sustainable storm water management practices, prior to any an area designated as overflow reserve parking spaces; and
 - (a). Regardless of the number of parking spaces actually developed, a parking area to accommodate the total minimum number of required parking spaces shall be fully designed, and the area which is proposed to be eliminated shall be shown as the overflow reserve parking spaces and area and designated as such on the plot/site plan;
 - (b). The parking area shall be so designed that the maximum impervious coverage and lot coverage would not be

exceeded in the event that the entire parking area, including overflow reserve parking spaces and areas, is subsequently developed. All overflow reserve parking spaces and areas not utilized for parking shall be landscaped according to an approved plot/site plan.

- b. The total number of overflow reserve parking spaces shall not exceed forty (40) percent of the total minimum number of required parking spaces.
- c. No designated overflow reserve parking space or area shall count toward any required open space, setback, yard or buffer yard requirements.
- d. The applicant shall enter into an agreement with the Township of Rapho agreeing "reserve" the overflow parking spaces and areas for a certain number of years, or an indefinite time period corresponding to the years the use (that the overflow reserve parking spaces and areas are intended for) are in existence. The agreement shall legally bind current and future owners of the land to keep the overflow reserve parking spaces and areas in open space, and to provide the additional required parking improvements, including all related storm water management improvements in accordance with the SLDO, storm water management requirements, or any other construction materials specifications approved by the Township of Rapho, for promoting sustainable storm water management practices, if the Township of Rapho determines it is necessary. Such agreement shall be in a form acceptable to the Township of Rapho and recorded in the Lancaster County Recorder of Deeds.
- e. The Township Zoning Officer shall periodically review the sufficiency of the overflow reserve parking spaces and area. If the Township Zoning Officer in the future determines that the overflow reserve parking spaces or areas are needed to meet actual parking demand, the Township Zoning Officer shall provide a written report of his findings indicating why the parking spaces and improvement are required and send the report to the Township Board of Supervisors and the property owner. The property owner shall be required to meet with the Township Board of Supervisors at a public meeting within thirty (30) days of said notice. The Township Zoning Officer's report will be presented and discussed at the public meeting and the Township Board of Supervisors will render a written decision at a public meeting within forty five (45) days of said meeting. If required, the property owner shall then have one (1) year to develop the overflow reserve parking spaces and areas including all related storm water management improvements in accordance with the SLDO, storm water management requirements, or any other construction materials specifications approved by the Township of Rapho, for promoting sustainable storm water management practices, into the required off-street parking spaces in compliance with previously approved plot/site plan.

4. **Compact Vehicle Parking.** Within all zones where compact vehicle parking is proposed, the following compact vehicle parking standards shall apply.

- a. Where more than ten (10) parking spaces are required and provided in an off-street lot or structure, the maximum permitted amount of parking spaces designated for “compact vehicles” shall not be greater than forty (40) percent.
- b. The minimum required dimensions of one (1) compact vehicle space shall be not less than required in in Table 5-20.3 in this subsection below:

**TABLE 5-20.3
COMPACT VEHICLE PARKING DIMENSIONS**

MINIMUM STALL WIDTH	MINIMUM STALL DEPTH
8 ft.	17 ft.

- c. All compact vehicle parking spaces shall be grouped and located in the same area of the off-street parking lot or structure and be marked to indicate spaces designated for compact vehicle parking.
- I. **Parking and Storage of Unregistered, Uninspected, or Inoperable Motor Vehicles.** Except upon a lot with a principal use including motor vehicle sales, service, or auction, or upon a lot with a principal use of a junkyard, inoperable motor vehicles, or motor vehicles without current, valid registrations and inspections as applicable, shall not be parked or stored upon a lot other than within a completely enclosed building. This requirement shall not apply to implements and other vehicles not normally used as conveyances on the public streets.
 - J. **Parking and Storage of Certain Vehicles.**
 1. **Parking and Storage of Recreational Vehicles.** The parking and storage of recreational vehicles shall be permitted subject to the following regulations:
 - a. All areas used for the storage of recreational vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All recreational vehicles shall be maintained to prevent the leakage of fuels and/or lubricants into the ground.
 - b. Upon any lot used principally for residential purposes, the temporary parking of not more than one (1) Class I or Class II recreational vehicle for periods not exceeding seventy-two (72) hours during any seven (7) day period is permitted in any yard, so long as said recreational vehicle is set back no less than:
 - (1). Ten (10) feet from any adjoining street right-of-way line; and

- (2). Five (5) feet from adjoining side or rear lot lines.
 - c. Upon any lot used principally for residential purposes, the storage of not more than one (1) Class I recreational vehicle for periods exceeding seventy-two (72) hours during any seven (7) day period shall be permitted per lot in a side or rear yard, so long as said recreational vehicle is set back no less than five (5) feet from any adjoining side or rear lot line. All areas used for the storage of Class I recreational vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All recreational vehicles shall be maintained to prevent the leakage of fuels and/or lubricants into the ground.
 - d. The parking or storage of not more than one (1) Class II recreational vehicle in the (R) Zone, Residential Zones, or (CC) Zone, or on any lot used principally for residential purposes shall be permitted subject to the following regulations:
 - (1). In no case shall the recreational vehicle contain more than three hundred twenty (320) square feet, as measured to said vehicle's outermost edges, nor exceed a height of thirteen (13) feet.
 - (2). All recreational vehicles shall be set back a horizontal distance equal to two (2) times the recreational vehicle's height from the adjoining side or rear lot line.
 - (3). No recreational vehicle shall be stored in the required front yard setback. On vacant lots, said recreational vehicles must be stored behind the required front yard setback, as specified for principal uses.
 - (4). Screening shall be provided along any adjoining side or rear lot lines. Screening shall not be required along an adjoining side lot line when the owner resides on one (1) lot, and stores said recreational vehicle on an adjacent vacant lot that he owns. One ten (10) foot wide break in required screening may be provided along one (1) adjoining rear or side lot line for vehicular access onto an adjoining street.
2. Parking of Commercial Heavy Duty Vehicles. The parking of commercial heavy duty vehicles shall be permitted subject to the following regulations:
- a. Except as permitted in the subsection immediately below (§ 520.J.2.b.), the parking of any commercial heavy duty vehicle in the (R) Zone, Residential Zones or (CC) Zone, or lot used principally for residential purposes, is prohibited.
 - b. Within the (A) Zone, the parking of no more than one (1) commercial heavy duty vehicle per lot where the use of such commercial heavy duty vehicle is not incidental to the principal use of the lot, shall be permitted upon a lot

with a principal agricultural operation, agri-business, or residential use, subject to the following regulations:

- (1). The minimum lot area of a residential lot required to park a commercial heavy duty vehicle shall be no less forty-three thousand five hundred and sixty (43,560) square feet, and said parking is limited to a commercial heavy duty vehicle operated by the occupant of the residential lot.
- (2). The parking of a commercial heavy duty vehicle upon an agricultural operation or agri-business lot is permitted, but said parking is not limited to a commercial heavy duty vehicle operated by the occupant of the agricultural operation or agri-business lot.
- (3). No business operation shall be conducted as part of the accessory parking of said commercial heavy duty vehicle.
- (4). When parked outside of a completely enclosed building, a commercial heavy duty vehicle shall:
 - (a). Not be permitted within the front yard, unless a minimum one hundred (100) foot setback is provided; and
 - (b). Comply with the accessory use and structure required yard setbacks for the applicable zone.
- (5). Any driveway used for commercial heavy duty vehicle access shall have a minimum inside turning radius of fifty (50) feet.
- (6). The driveway upon which a commercial heavy duty vehicle is parked must have sufficient area for a truck turnaround, so that the vehicle can enter and exit the site in a forward direction.
- (7). Any driveway used for commercial heavy duty vehicle access shall have a minimum seventy-five (75) foot in length paved apron as measured from the adjoining street right-of-way line.

Section 521. Operations and Performance Standards.

All uses proposed within Rapho Township shall operate in and be maintained to prevent the creation of any nuisance, health hazard or odor, as regulated by this Zoning Ordinance and in compliance with the most recent versions of the applicable state and federal ordinances. The following lists known governmental regulations associated with various land use impacts. This list in no way excludes or limits federal or state jurisdiction over uses within the Township, but is merely provided for information to applicants and landowners.

- A. Noise Pollution and Vibration. “Rules and Regulations” of the PA DEP.
- B. Air Pollution, Airborne Emissions and Odor. “Rules and Regulations” of the PA DEP.
- C. Water Pollution. The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691.1, as amended.
- D. Mine Reclamation and Open Pit Setback. Pennsylvania Act No. 1984-219, the “Noncoal Surface Mining Conservation and Reclamation Act.”
- E. Glare and Heat. “Rules and Regulations” of the PA DEP.
- F. Lighting. All lighting fixtures shall be arranged and shielded to deflect light away from, and prevent objectionable direct lighting and glare beyond the lot lines.
- F. Sewage Disposal. PA Sewage Facilities Act of January 24, 1966, as amended, 35 P.S. § 750.1 et seq.
- G. Nutrient Management. Title 25. Environmental Protection, Chapter 83, Subchapter D. Nutrient Management Rules and Regulations.

Section 522. Outdoor Sport Courts.

Outdoor sport courts shall be permitted as accessory uses in all zones subject to the following regulations:

- A. Outdoor sport courts and all related improvements and appurtenances shall:
 - 1. Be equipped with fences or other barriers that will prevent the trespass of balls or other play objects onto adjoining lots, and comply with the accessory use and structure required yard setbacks for the applicable zone; or
 - 2. Otherwise comply with the principal use and structure required yard setbacks for the applicable zone.

Section 523. Outside Storage.

Outside storage shall be permitted subject to the following regulations:

- A. Unless otherwise provided in this Zoning Ordinance, outside storage shall comply with the accessory use and structure required yard setbacks for the applicable zone.
- B. Where permitted, all items and materials stored as part of outside storage shall be kept in an orderly fashion to permit access and circulation for emergency response.

- C. Except for the outside storage of personal, domestic, or residential related materials on lots used principally for residential purposes, all portions of a lot used for outside storage shall be provided with an improved surface as set forth in Article 5 of this Zoning Ordinance relating to *Improved Surfaces* (§ 513.).

- D. Except as provided in the subsections below relating to *Domestic Compost Facilities* (§ 523.E.), and *Refuse Collection Stations* (§ 523.F.), in the:
 - 1. (R) Zone, Residential Zones, (CC) Zone, or on a lot used principally for residential purposes outside storage of:
 - a. Personal, domestic, or residential related materials (except firewood) shall be prohibited:
 - (1). Within the front yard; or
 - (2). For a period of more than one (1) year.
 - b. Non-personal, business, and other non-residential related materials shall be prohibited.

 - 2. (CR) Zone or (GB) Zone outside storage shall be permitted as an accessory use provided the outside storage area:
 - a. Does not occupy more than fifty (50) percent of the total area the lot covered by buildings;
 - b. Does not occupy more than twenty-five (25) percent of the buildable area of the lot;
 - c. Is located within a side or rear yard;
 - d. Is contained within a completely enclosed structure at least six (6) feet high; and
 - e. Is screened from adjoining streets and lots.

 - 3. (IND) Zone outside storage shall be permitted as a principal use or an accessory use provided the outside storage area:
 - a. Complies with the applicable use and structure required yard setbacks for the applicable zone.
 - b. Is contained within a completely enclosed structure at least six (6) feet high; and
 - c. Is screened from adjoining streets and lots.

4. In all zones, except as permitted in junk yards, the outside storage of junk shall not be permitted.
- E. Domestic Compost Facilities. In all zones, the outside storage of domestic compost as an accessory residential use shall be permitted subject to the following:
1. The placement of framed enclosure for the storage of compost as an accessory residential use is permitted, subject to all accessory use setbacks of the applicable zone.
 2. Only waste materials from the residential use shall be deposited within the domestic compost, and in no case shall meat, or meat by-products, dairy products, or bones be composted.
 3. All domestic compost facilities shall be properly maintained so as not to become a nuisance to nearby properties.
- F. Refuse Collection Stations. In those instances where refuse collection stations are required in accordance with this Section and elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), in all zones said refuse collection stations shall comply with the following requirements:
1. Refuse collection stations shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 - a. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 - b. Zoning permit process that do not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
 2. In all zones, the outside storage of refuse collection stations as an accessory use to permitted multiple family dwelling uses or non-residential non-agricultural/forestry principal uses, shall be permitted subject to the following. Refuse collection stations (including recycling containers) shall be:
 - a. Located within a side or rear yard;
 - b. Screened from adjoining streets and lots; and
 - c. Completely enclosed within a masonry fenced enclosure equipped with a self-latching door or gate.

Section 524. Riparian Corridors.

Riparian corridors shall be provided in all zones subject to the following regulations:

A. Defining and Limits of Riparian Corridors.

1. Riparian corridors shall be determined by the stream order and, as applicable, by status as a specially protected watercourse.
2. In order to define stream order, the Strahler method shall be used. As shown in Figure 5-24.1 in this subsection below, the Strahler method indicates that first (1st) order streams are the smallest streams that typically feed into larger streams. First (1st) order streams have no tributaries or branches. When two first (1st) order streams merge, a second (2nd) order stream is created. First (1st) and second (2nd) order streams together represent headwaters of streams. Any stream ordered higher than six (6) is considered a river.

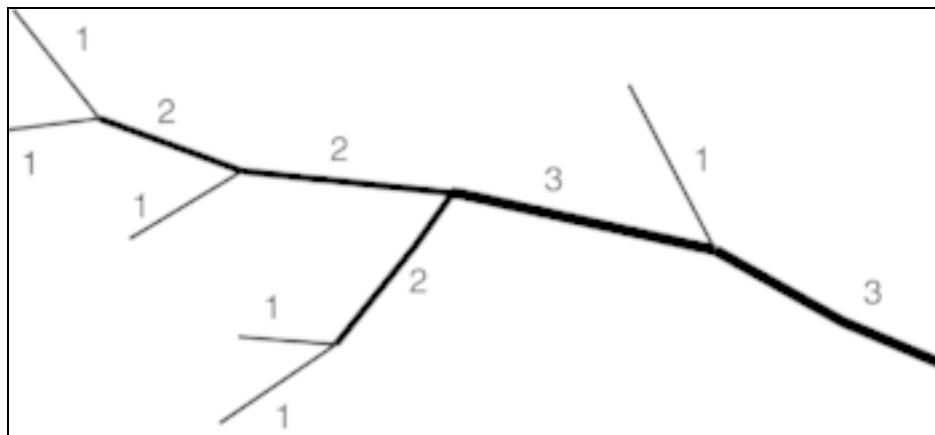


FIGURE 5-24.1
STRAHLER METHOD FOR DETERMINING STREAM ORDER
(Source: Model Conservation Zoning District and
Natural Resource Protection Standards, Lancaster County;
Lancaster County Planning Commission, June 2010:
U.S. Army Corps of Engineers)

3. See Table 5-24.1 for the stream order or designation and minimum required riparian corridor widths:

TABLE 5-24.1
STREAM DESIGNATIONS AND RIPARIAN CORRIDOR WIDTHS

STREAM ORDER OR OTHER STREAM DESIGNATION	MINIMUM RIPARIAN CORRIDOR ¹
a. 1	35 ft.
b. 2	35 ft.
c. 3	50 ft.
d. 4 and greater	75 ft.
e. State-designated High Quality (HQ) Stream or Exceptional Value (EV) Stream as determined by the Pennsylvania State Code Chapter 93.4b	100 ft.
f. Streams with one hundred (100) year floodplain	Includes entire one hundred (100) year floodplain

NOTES:

- 1 Width measured perpendicular to and horizontally from the established ordinary high water mark of a watercourse, on each side of the stream.

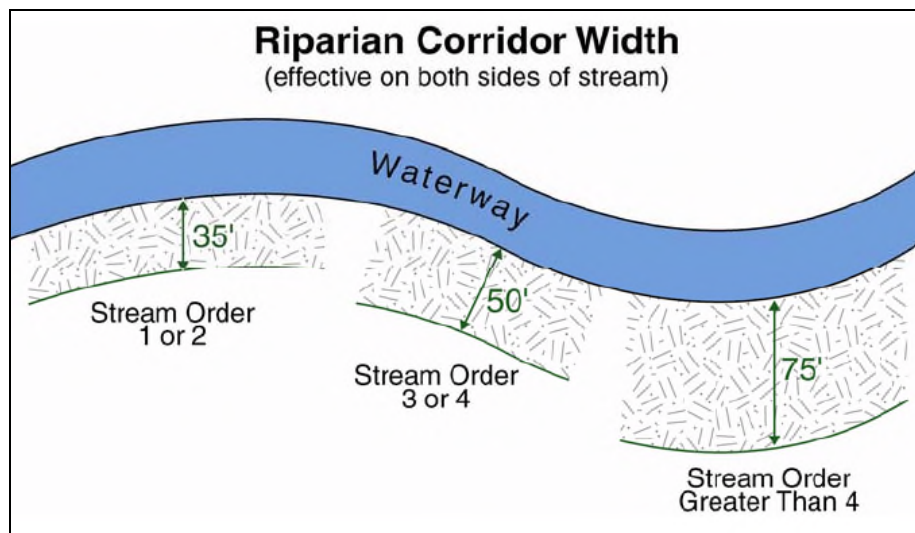


FIGURE 5-24.2
RIPARIAN CORRIDOR WIDTH
(Source: Model Conservation Zoning District and
Natural Resource Protection Standards, Lancaster County;
Lancaster County Planning Commission, June 2010)

B. Riparian Corridor Uses and Performance Standards.

- Existing vegetated areas within the riparian corridor shall be preserved to the extent feasible.

2. **Permitted Uses.** See Table 5-24.2 in this subsection below for the types of uses permitted in riparian corridors. Uses are divided into those permitted by right listed as “P” (zoning decision by Township Zoning Officer); permitted by special exception listed as “SE” (zoning decision by the Township Zoning Hearing Board), and permitted by conditional use listed as “CU” (zoning decision by the Township Board of Supervisors). Uses not listed in the table below or identified by “NP” shall specifically not be permitted in riparian corridors. Additionally, many of the uses not permitted within the riparian corridor also have additional required minimum setbacks measured perpendicular to and horizontally from the established ordinary high water mark of a watercourse, on each side of the stream.

TABLE 5-24.2
PERMITTED USES AND USES NOT PERMITTED IN RIPARIAN CORRIDORS

USE	PERMITTED WITHIN RIPARIAN CORRIDOR	ADDITIONAL REQUIRED MINIMUM SETBACKS ¹
a. Planting and maintenance of additional native trees, shrubs and other plant material and the removal of invasive species or removal of dead, diseased or damaged vegetation as determined necessary in order to create a suitable riparian canopy and understory	P	N/A
b. Common open space, conservation areas, passive recreational and park areas, trails, greenways and similar passive or low intensity uses	P	N/A
c. Hunting, fishing, swimming, boating, etc.	P	N/A
d. Filling, Grading or Excavating for trail construction, waterway access, waterway restoration and enhancement, livestock crossings, and infrastructure and utilities	P	N/A
e. Municipal Use	P	N/A
f. Filling, Grading or Excavating (other than for permitted trail construction, waterway access, waterway restoration and enhancement, livestock crossings, and infrastructure and utilities)	NP	N/A
g. Disposal or Storage of Junk or Trash or other Similar Materials (other than a Junk Yard)	NP	N/A
h. Grazing, Housing or other Maintenance of Livestock	NP	None
i. Sewage Disposal Systems	NP	100 ft.
j. Application of Biosolids	NP	100 ft.
k. Petroleum Storage Facility and Storage or Disposal of any toxic, hazardous, or noxious substances	NP	150 ft.
l. Solid Waste Operation or Junk Yard	NP	300 ft.

NOTES:

P Permitted by Right (zoning decision by Township Zoning Officer)

NP Not Permitted

N/A Not Applicable

1 Width measured perpendicular to and horizontally from the established ordinary high water mark of a watercourse, on each side of the stream.

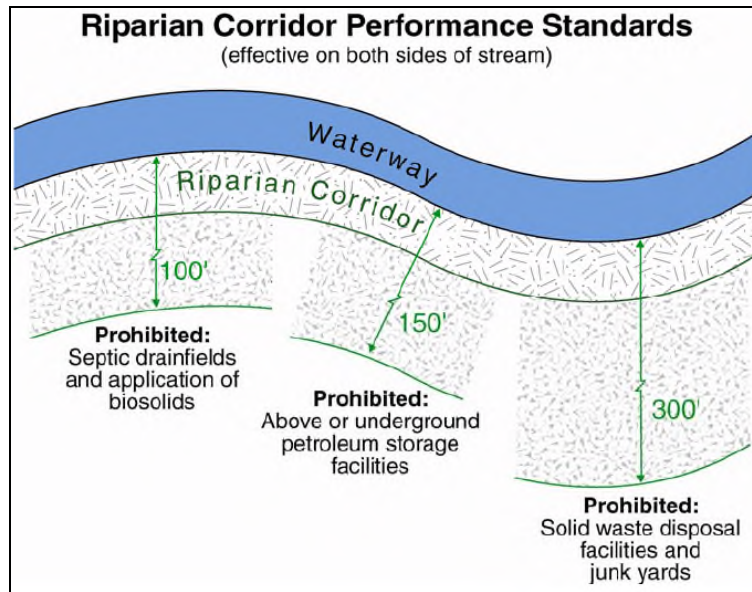


FIGURE 5-24.2
RIPARIAN CORRIDOR PERFORMANCE STANDARDS
(Source: Model Conservation Zoning District and
Natural Resource Protection Standards, Lancaster County;
Lancaster County Planning Commission, June 2010)

Section 525. Satellite Dish Antennas.

Satellite dish antennas shall be permitted in all zones subject to the following regulations:

- A. In all zones, accessory satellite dish antennas with a diameter of less than forty (40) inches are permitted subject to all accessory use standards of the applicable zone.
- B. In the Business Zones, accessory satellite dish antennas with a diameter of forty (40) inches or more are permitted subject to the accessory use standards of the applicable zone.
- C. In the Business Zones, principal satellite dish antennas are permitted subject to all principal use standards of the applicable zone.
- D. All ground-mounted satellite dish antennas with a diameter of forty (40) inches or more that are used to transmit video format data shall be completely enclosed by an eight (8) foot high non-climbable fence that includes signage warning of dangerous radiation levels. Any gates within the fence shall be locked when unattended.

Section 526. Screening and Landscaping.

Screening and landscaping shall be provided in all zones subject to the following regulations:

- A. Screening and landscaping shall comply with the applicable design and construction standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 2. Zoning permit process that do not involve subdivision land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
- B. Unless otherwise provided in this Zoning Ordinance, for purposes of this Section as it relates to the applicable design and construction standards and requirements of the SLDO, the requirements and standards set forth in this Section below and in the SLDO shall also include all non-residential, non-agricultural/forestry uses.
- C. Yard Ground Cover.
 1. Any part of a lot which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season, well-maintained ground cover (e.g., grass, ivy, vetch, pachysandra, etc.).
 2. Gravel can be substituted if done in a manner to complement other vegetative materials.
- D. Landscaping Requirements.
 1. Required landscaping may include a combination of the following elements:
 - a. Deciduous trees;
 - b. Groundcovers;
 - c. Evergreen trees;
 - d. Shrubs;
 - e. Vines;
 - f. Flowers;
 - g. Rocks;
 - h. Gravel;

- i. Earth berms;
 - j. Walls;
 - k. Fences;
 - l. Screens;
 - m. Sculptures;
 - n. Fountains;
 - o. Sidewalk furniture; or
 - p. Other approved materials.
 - 2. Artificial grass, plants, trees, and shrubs shall not be used to satisfy any requirement for landscaping or screening.
- E. Landscape Screening Strips.
- 1. Landscape screening strips are required on lots proposed for development involving:
 - a. Non-residential, non-agricultural/forestry uses adjoining lots in the (R) Zone or Residential Zones or with residential uses; or
 - b. Higher density/intensity residential dwelling types adjoining lots with lower density/intensity residential dwelling types.
 - 2. Landscape screening strips shall be planted and maintained with vegetative cover and living material, as well as any required screen material and kept free of:
 - a. Buildings and structures, excluding fences, walls, and berms;
 - b. Refuse collection stations;
 - c. Parking lots/areas;
 - d. Loading areas;
 - e. Any type of storage of goods, materials, equipment, or vehicles;
 - f. Any type of display and sales; and
 - g. Any business activity.

3. Signs shall be permitted in a landscape screening strip adjoining a street right-of-way line.
4. Storm water management facilities and structures may be maintained within a landscape screening strip, but the existence of such facilities or structures shall not be a basis for a failure to meet the landscape screening requirements.
5. Landscape screening strips may be crossed by access drives, driveways, sidewalks, or easements with a maximum width of thirty-five (35) feet, provided the centerline of the access drive, driveway, sidewalk, or easement crosses the adjoining lot line and landscape screening strip at not less than seventy-five (75) degrees; however, no turning or maneuvering of vehicles shall be permitted in the landscape screening strip area.
6. Landscape screening strips may be located within any required yard setback or yard.
7. Landscape screening strips shall be arranged with screening materials so as to block the ground level views between grade and a minimum height of six (6) feet. Landscape screening strips shall be comprised of screening materials listed in this subsection below. As screening can take many forms and incorporate different materials and treatments (e.g. vegetation, earthen berms, fences, walls and combinations), see Table 5-26.1 in this subsection below for several typical landscape screening strip arrangements:

TABLE 5-26.1
LANDSCAPE SCREENING STRIP REQUIREMENTS

OPTION	REQUIRED VEGETATIVE MATERIALS	MINIMUM AGE AT TIME OF PLANTING	MINIMUM CALIPER AT TIME OF PLANTING	MINIMUM HEIGHT AT TIME OF PLANTING	MINIMUM SPACING ON CENTER AT TIME OF PLANTING	PLANTING CONFIGURATION
a. 1	Evergreen trees	3 years	N/A	6 ft.	15 ft.	2 rows of evergreen trees staggered alternately
b. 2	Deciduous trees	N/A	2 in. at 6 in. above	6 ft.	40 ft.	2 rows of deciduous trees, with evergreen shrubs beneath and between deciduous trees
	Evergreen shrubs	N/A	N/A	4 ft.	5 ft.	
c. 3	Evergreen trees	3 years	N/A	6 ft.	15 ft.	2 rows of evergreen trees staggered alternately, combine with 2 rows of deciduous trees, with evergreen shrubs beneath and between deciduous trees
	Deciduous trees	N/A	2 in. at 6 in. above	6 ft.	40 ft.	
	Evergreen shrubs	N/A	N/A	4 ft.	5 ft.	

8. Fence, walls, earth berms, or other approved similar materials may also be used to supplement the required vegetative material of the required landscape screening strip.

- a. Fences and Walls as Screening. Landscape screening strips may include fences and walls which shall be located in accordance with the following:

- (1). Fences and walls shall not be used as the sole means of providing any required screening. Vegetative materials are required in combination with any permitted fence or wall.
- (2). Fences and walls that are placed in a landscape screening strip shall be located between the principal use and related accessory use, and any required vegetative screen plantings.
- (3). In addition to any requirements set forth in this Section, all fences and walls shall comply with the requirements set forth in Article 5 of this Zoning Ordinance relating to *Fences and Walls (§ 509.)*.

- b. Earthen Berms as Screening. Landscaping screening strips may include earthen berms in accordance with the following requirement:

- (1). Earthen berms shall be constructed with slopes not to exceed thirty-three (33) percent with side slopes designed and planted in such a manner so as to prevent erosion and storm water runoff, and with a rounded top surfaces that are a minimum of two (2) feet in width at the highest points of the earthen berms, extending the length of the earthen berms.
- (2). The top of earthen berms shall be planted with vegetative materials, and also may include fences or walls.

9. Existing Vegetation. Landscape screening strips may include existing vegetative material and plantings including trees, shrubs and ground cover retained and maintained so as to contribute to complying with the minimum screening requirements.

F. Selection of Plant Materials.

1. Trees and shrubs shall be:
 - a. Typical of their species and variety;
 - b. Have normal growth habits, well-developed branches, densely foliated, vigorous, fibrous root systems; and
 - c. Grown under climatic conditions similar to those in the locality of the project

or properly acclimated to conditions of the locality of the project.

2. Native and Invasive Plantings.

- a. Native plant materials should be incorporated in all designs.
- b. Non-native plants may be included in place of a native plant if it is not considered invasive and the plant does not introduce pests or diseases. A non-native plant may be incorporated into designs when the applicant demonstrates non-native plants are better suited for the soil, environment, or spatial constraints, and integration into the surrounding ecosystem.
- c. See Table 5-26.2 in this subsection below for the list of invasive plants (trees, shrubs, grasses, flowers, and vines) which shall not be used in any required planting or screening:

**TABLE 5-26.2
INVASIVE PLANTS**

COMMON NAME	BOTANICAL NAME
(1). TREES	
(a). Tree-of-heaven	Ailanthus altissima
(b). Norway maple	Acer platanoides ¹
(c). Sycamore maple	Acer pseudoplatanus
(d). Empress tree	Paulownia tomentosa
(e). Callery pear	Pyrus calleryana ¹
(f). Siberian elm	Ulmus pumila
(2). SHRUBS	
(a). Japanese barberry	Berberis thunbergii ¹
(b). European barberry	Berberis vulgaris
(c). Russian Olive	Elaeagnus angustifolia
(d). Autumn olive	Elaeagnus umbellata
(e). Winged Euonymus	Euonymus alatus ¹
(f). Border privet	Ligustrum obtusifolium
(g). Common Privet	Ligustrum vulgare
(h). Tartarian honeysuckle	Lonicera tartarica
(i). Standish honeysuckle	Lonicera standishii
(j). Morrow's honeysuckle	Lonicera rnorrowii
(k). Amur honeysuckle	Lonicera maackii
(l). Bell's honeysuckle	Lonicera morrowii x tatarica
(m). Common buckthorn	Rhamnus catharticus
(n). Glossy buckthorn	Rhamnus frangula
(o). Wineberry	Rubus phoenicolasius

COMMON NAME	BOTANICAL NAME
(p). Multiflora rose	Rosa multiflora
(q). Japanese spiraea	Spiraea japonica ¹
(r). Guelder rose	Viburnum opulus var. opulus ¹
(3). GRASSES	
(a). Cheatgrass	Bromus tectorum
(b). Japanese stilt grass	Microstegium vimineum
(c). Maiden grass	Miscanthus sinensis ¹
(d). Common reed	Phragmites australis
(e). Reed canary grass	Phalaris arundinacea
(f). Johnson grass	Sorghum halepense
(g). Shattercane	Sorghum bicolor ssp. drummondii
(4). FLOWERS	
(a). Garlic mustard	Alliaria petiolata
(b). Goutweed	Aegopodium podagraria
(c). Bull thistle	Cirsium vulgare
(d). Canada thistle	Cirsium arvense
(e). Musk thistle	Carduus nutans
(f). Jimsonweed	Datura stramonium
(g). Goatsrue	Galega officinalis
(h). Giant hogweed	Heracleum mantegazzianum
(i). Dame's rocket	Hesperis matronalis
(j). Purple Loosestrife	Lythrum salicaria, L. virgatum
(k). Eurasian water-milfoil	Myriophyllum spicatum
(l). Star-of-Bethlehem	Ornithogalum nutans, umbellatum
(m). Japanese knotweed	Polygonum (Fallopia) cuspidatum/ Polygonum sachalinense
(n). Wild parsnip	Pastinaca sativa
(o). Beefsteak plant	Perilla frutescens
(p). Lesser celandine	Ranunculus ficaria
(q). Water chestnut	Trapa natans
(5). VINES	
(a). Fiveleaf akebia	Akebia quinata
(b). Porcelain-berry	Ampelopsis brevipedunculata
(c). Oriental bittersweet	Celastrus orbiculatus
(d). Japanese honeysuckle	Lonicera japonica
(e). Kudzu	Pueraria lobata
(f). Mile-a-minute vine	Polygonum perfoliatum

NOTES:

¹ Species with cultivars that are known to be non-invasive may be acceptable within a planting plan.

- G. Required plantings shall be maintained permanently in a healthy condition. Any plantings that die or are severely damaged shall be replaced by the current property owner as soon as practical considering growing seasons, within a maximum of one hundred fifty (150) days.
- H. Landscaping Setbacks.
 - 1. All landscape materials, excluding yard ground covers, shall be set back five (5) feet from any adjoining street right-of-way line.
 - 2. No shrub shall be planted within twenty (20) feet, nor shall any tree be planted within thirty (30) feet, of any lot line of an adjoining lot used principally for agricultural purposes within the (A) Zone.

Section 527. Sewer and Water Systems Standards.

In those instances where sewer and/or water systems are required for use of a lot elsewhere in this Zoning Ordinance and the SLDO (as applicable), in all zones said sewer and water systems shall comply with the following requirements:

- A. Public Sewer Service and Public Water Service Extensions. It is the express intent of this Zoning Ordinance and the Township of Rapho that utilities providing public sewer service and/or public water service shall not be extended into areas beyond the UGA or VGA as designated in the most recent version of the Comprehensive Plan or other applicable plans adopted by the Township of Rapho, except where:
 - 1. Such extension is necessary to address failure of existing septic systems;
 - 2. Such extension is necessary to provide service to a planned sewer service area; or
 - 3. In accordance with an approved Act 537 Plan.
- B. Individual On-Lot Sewage Disposal Systems. As of January 25, 1994, all future uses that rely upon individual on-lot sewage disposal systems shall be required to comply with the Rapho Township On-Lot Disposal System Management Ordinance and shall comply with the applicable design and construction standards and requirements of the SLDO.
 - 1. Lot Area Requirements. Regardless of any maximum lot area requirements listed elsewhere in this Zoning Ordinance, the lot size may be increased to insure an acceptable level of nitrate-nitrogen in the adjoining groundwaters. Such determinations will be made by the PA DEP, through its sewer module review process. In those cases where applicable maximum lot area requirements are exceeded to protect groundwater quality, the applicant shall furnish evidence that the amount of land needed to protect local groundwater is the minimum necessary for such protection.

2. Disposal Plume Easement. As an alternative to an increased lot size, as described in the subsection immediately above (§ 527.B.1.), the applicant may extend a sewage effluent dispersal easement onto adjoining undeveloped property, and continue to comply with the lot size requirements. Such an easement must be in a form acceptable to the Township Solicitor and the size and extent of the sewage plume easement shall be approved by the PA DEP, through its sewer module review process.

Section 528. Signs.

Signs shall be permitted in all zones subject to the following regulations:

A. General Regulations for All Signs.

1. Signs must be constructed of durable material and maintained in good condition.
2. No sign shall be maintained within Rapho Township in such a state of disrepair as to have the appearance of complete neglect, which is rotting or falling down, which is illegible, or has loose parts separated from original fastenings.
3. No sign shall be maintained in a state so as to be structurally unsafe or endanger the safety of the building or premise, or endanger the public safety.
4. Advertising painted upon or displayed upon a barn or other building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply.
5. Each sign (excluding support devices) shall be removed when the circumstances leading to its erection no longer apply.
6. Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights in accordance with the standards set forth in Article 5 of this Zoning Ordinance relating to *Lighting in Operations and Performance Standards* (§ 521.F.).
7. No sign shall be of the intermittent flashing or rotating type, unless located within an (IND) Zone.
8. No sign shall be located so as to interfere with visibility for motorists at street, access drive, or driveway intersections.
9. No sign located within three hundred (300) feet of any traffic light shall be illuminated with red, green or yellow lights or neon tubing.
10. All electrically illuminated signs shall be constructed to the standards of the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho.

11. No sign shall obstruct the clear-sight triangle requirements set forth in Article 5 of this Zoning Ordinance relating *Clear Sight Triangle* (§ 504.).
12. Determination of Sign Area. The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, including any border framing or decorative attachments, but not including any supporting framework or bracing incidental to the display itself. (See Figure 5-28-1)
 - a. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

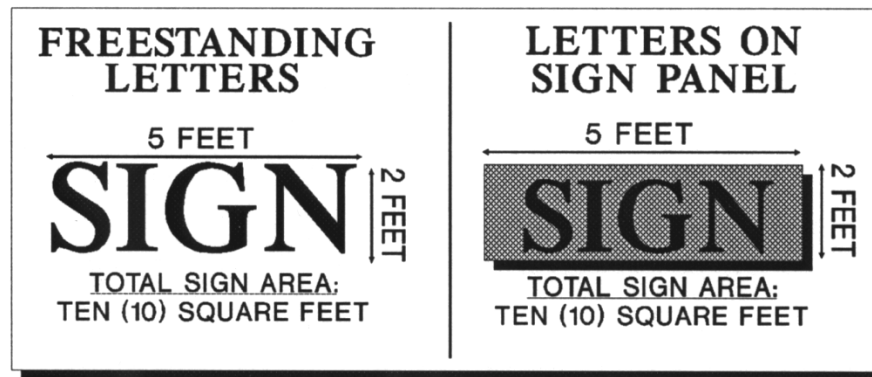


FIGURE 5-28.1
SIGN AREA

- b. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign; provided, however, for a double-face sign, if the interior angle formed by the two faces of the double-face sign is less than forty-five (45) degrees and the two (2) faces are at no point more than three (3) feet from one another, the area of only the larger face shall be included.
13. Determination of Sign Height. The height of a sign shall be the vertical distance from grade plane to the average height of the highest point of the sign. The grade plane shall be the lower of the grade plane existing at the time of construction or the grade plane existing prior to construction and prior to any earth disturbance at the site. This prior grade plane may be established by any reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site, or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade plane of the sign by any means.
14. No loud, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, specified sexual activities.

15. No sign shall be erected or located as to prevent free ingress or egress from any window, door or fire escape.
 17. No sign shall be placed in such a position that it will obscure light or air from a building or which would create a traffic danger.
 18. No sign shall be permitted which is permanently attached to public utility poles, nor trees which are within the street right-of-way.
 19. No sign located within the (FPO) Zone shall exceed six (6) square feet of area per side.
 20. In the event that a symbol, trademark or other such figure is used as a sign post or standard which could be construed to indicate or identify a particular use or business, that symbol, trademark or figure is to be computed as part of the total allowable sign area.
 21. Except in the cases of billboards as regulated by Article 6 of this Zoning Ordinance relating to *Billboards in Non-Residential Uses - Miscellaneous Use Regulations (§ 607.A.)* and off-premises signs as regulated in Table 5-28.1. in the subsection below relating to *Off-Premise Signs (§ 528.B.1.q.)*, only those signs referring directly to materials or products made, sold or displayed on the premises, to services offered on the premises, and/or to activities conducted on the premises, shall be permitted.
 22. No streamers, pennants or other similar materials shall be permitted to be located on the outside of any building.
- B. See Tables 5-28.1 through 5-28.3 in this subsection below for the specific standards imposed upon permanent and temporary signs, respectively:

1. Permanent Sign Requirements.

**TABLE 5-28.1
PERMANENT SIGN REQUIREMENTS**

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREE STANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
a. Signs owned and associated with uses operated by the Township of Rapho. Official traffic signs.	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	All		No
b. Signs identifying Institutional/Civic uses (e.g., schools, places of religious worship, utilities, hospitals, libraries, parks, fire stations, post offices, and other similar uses).	1 per lot frontage not to exceed 2 per principal uses	40 sq. ft.	20 ft./12 ft.	Height of wall to which sign is attached.	Height of wall to which sign is attached.	10 ft., but no closer than 10 ft. from any lot line.	All		Yes
c. Residential nameplates identifying name of home, its occupant, or both, not including name listing on mailbox.	1 per dwelling unit	2 sq. ft.	10 ft./height of sign	10 ft.	10 ft.	6 in.	All		No
d. Property control signs (e.g., "No Trespassing," "Private	1 per 25 lineal ft. of lot line.	2 sq. ft. per sign	5 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	6 in.	All	Spacing at no less than 25 foot intervals.	No

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREE STANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
Property," "No Hunting or Fishing," "Posted," "Private Drive," or similar type signs).									
e. Preservation placards identifying the site's cultural significance.	1 per lot	4 sq. ft.	10 ft./height of sign	10 ft.	10 ft.	6 in.	All	These signs shall be limited to those presented by some recognized governmental, cultural or civic agency.	No
f. Residential development/ neighborhood signs. Such signs shall only list the name of the neighborhood/ development and shall not list any names of contractors, realtors or both.	1 per street entrance, but no more than 2 total	1 square foot per dwelling, not to exceed 32 sq. ft. per sign	20 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	10 ft., but no closer than 10 ft. from any lot line.	Agricultural and Rural Zones and Residential Zones	The applicant shall submit a written description of the maintenance responsibilities in a form satisfactory to the Township Solicitor.	Yes
g. Individual business signs identifying the name and type of business, any trademark of the business conducted on the premises, or any combination thereof. This does not include businesses contained within Shopping Centers.	1 freestanding sign plus 1 wall sign on the building, per principal use. If the lot's frontage exceeds 1,000 ft., 1 additional sign is permitted.	1 square foot per each lineal foot of lot frontage, not to exceed 120 sq. ft. per sign.	20 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	20 ft., but no closer than 10 ft. from any lot line.	All	No flat wall sign, nor wall projecting sign shall be larger than 15% of the wall area to which the sign is attached.	Yes

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREE STANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
h. Individual Business Sign for convenience stores, vehicle filling stations or establishments with drive thru facilities	1 per building facade facing an adjoining street, plus 1 per gasoline pump island canopy facade, plus 1 freestanding sign.	275 sq. ft. for all permitted signs with no 1 sign exceeding 120 sq. ft.	20 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	20 ft., but no closer than 10 ft. from any lot line.	Mixed Use Zones and Business Zones.	No flat wall sign, nor wall projecting sign shall be larger than 15% of the wall area to which it is attached.	Yes
i. On-site directional, entrance, exit, rest room, and other informational sign.	4 per lot frontage	2 sq. ft. per sign	10 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	2 ft.	All		No
j. Interchange Business Sign identifying the name and type of business, any trademark of the business conducted on the premises, or any combination thereof, where such business directly adjoins an interchange of PA Turnpike/I-76 and Route 283/SR 0283.	1 per use or lot whichever is fewer	210 sq. ft.	80 ft./30 ft. from the adjoining right-of-way of PA Turnpike/I-76 or Route 283 /SR 0283, and 80 ft. from other lot lines	Not Permitted	Not Permitted	Not Permitted	All	Sign may only be interior lighted. Prior to issuance of a permit the applicant must demonstrate that applicable approvals have been obtained from PennDOT.	Yes
k. Home Occupation Sign	1 per lot	4 sq. ft.	5 ft./height of sign	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Signs shall not be illuminated.	Yes

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREE STANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
l. Rural Occupation Sign	1 per lot	12 sq. ft.	5 ft./height of sign	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Signs shall not be illuminated.	Yes
m. Agricultural Support Occupation Sign	1 per lot	24 sq. ft.	5 ft./height of sign	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Signs shall not be illuminated.	Yes
n. Boarding House Sign	1 per lot	6 sq. ft.	5 ft./height of sign	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Signs shall not be illuminated.	Yes
o. Agricultural Related Business sign	1 per lot	32 sq. ft.	5 ft./height of sign	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Signs shall not be illuminated.	Yes
p. Campground Business Signs	1 freestanding sign or 1 wall sign per use or lot whichever is fewer	32 sq. ft.	20 ft./ 10 ft. from adjoining street right-of-way line; 25 ft. from any other lot line; and 100 ft. of adjoining lots in the (R) Zone or Residential Zones;	Not Permitted	Height of wall to which sign is attached.	2 ft.	Applicable zone where the use is permitted.	Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the campground.	Yes

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREE STANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
q. Off-Premises Signs indicating the direction of travel to a public use, park, place of religious worship or school which is not located on the premises of such use.	2 per use	16 sq. ft. per sign	10 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached.	10 ft., but no closer than 10 ft. from any lot line.	All	Off-premises signs may only be located upon private property with the written permission of the landowner, a copy of which must be submitted to the Township Zoning Officer upon application for a zoning permit. No more than two (2) off-premises signs shall be located within two hundred (200) ft. of any street intersection.	Yes
r. Billboards	See Article 6 of this Zoning Ordinance relating to <i>Billboards in Non-Residential Uses - Miscellaneous Use Regulations (§ 607.A.)</i> .								Yes

NOTES:
N/A Not Applicable

2. Permanent Sign Requirements – Shopping Center Signs.

**TABLE 5-28.2
PERMANENT SIGN REQUIREMENTS -
SHOPPING CENTER SIGNS**

SIGN TYPE	MAXIMUM NUMBER PERMITTED	MAXIMUM PERMITTED SIGN AREA	MAXIMUM PERMITTED HEIGHT	MAXIMUM PERMITTED LETTER HEIGHT	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
a. Freestanding Shopping Center Sign	1 per lot frontage with entrance or exit	1 square foot for each 4 lineal ft. of lot frontage of the shopping center, with a maximum of 100 sq. ft.	20 ft.	42 in.	This sign shall devote no less than 50 percent of the total sign area (per side) to the advertisement of the shopping center's name.	Yes
b. Anchor Tenant Sign for one use containing more than 150 lineal ft. of storefront.	1 per side facing a street, with a maximum of 2 signs	If sign is less than 300 ft. from facing street, then sign can be up to a maximum of 100 sq. ft. If sign is more than 300 ft. from facing street, then sign can be up to a maximum of 150 sq. ft.	Height of wall to which sign is attached.	42 in.	These signs shall only be provided as flat wall, wall projecting or roof signs.	Yes
c. Storefront Sign for one use containing up to 150 lineal ft. of storefront.	1 per principal use	2 sq. ft. per lineal foot of storefront up to a maximum of 75 sq. ft.	Height of wall to which sign is attached.	20 in.	This sign shall only be provided as a flat wall or a wall projecting sign.	Yes
d. Storefront Under-Canopy Sign for all principal uses.	1 per use with less than 150 lineal ft. of storefront. 2 per use with more than 150 lineal ft. of storefront.	4 sq. ft. per sign	To base of canopy, or where no canopy is provided, 10 ft.	12 in.	No under-canopy sign shall have a vertical dimension of more than 18 in. from its lowest to highest point. The base of an under-canopy sign shall be no less than 8 ½ ft., above the finished grade below such sign.	Yes
e. Outparcel Sign for principal freestanding uses sharing common ingress and egress to shopping center.	2 per principal use, but only 1 per wall	75 sq. ft. per sign, not exceeding 20 percent of wall area to which sign is attached.	Height of wall to which sign is attached.	28 in.	These signs shall only be provided as flat wall, wall projecting or roof signs.	Yes

3. Temporary Sign Requirements.

**TABLE 5-27.3
TEMPORARY SIGN REQUIREMENTS**

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREESTANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
a. Temporary Sign of contractors, architects, engineers, planners, surveyors, mechanics, landscapers, and artisans, displayed only while actual on-site work is in progress.	1 per firm whose work is in progress	12 sq. ft.	5 ft./height of sign	Not Permitted	Not Permitted	Not Permitted	All	Should a sign be left on-site beyond allowable time period, the Township may impound it and recover a fee from owner equal to cost of impoundment and storage.	No

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREESTANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
b. Real estate Sale, Sold, or Rent Sign when placed upon the lot (unit) to be rented or sold, containing less than 3 acres. Auctioneer Signs when placed upon the lot at which an auction is to take place.	1 per lot frontage, maximum of 2 signs	6 sq. ft. per sign	5 ft. height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	All such signs shall be removed within 5 days of final sales transaction or upon rental occupancy.	No
c. Real Estate Sale, Sold, or Rent Signs when placed upon the lot (unit) to be rented or sold, containing 3 or more acres. Auctioneer signs when placed upon the lot at which an auction is to take place.	1 per lot frontage, maximum of 3 signs	32 sq. ft. per sign	10 ft./ height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Same as above.	No

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREESTANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
d. Proposed Development Sign for residential or office complexes.	1 per lot frontage, maximum of 2 signs	1 square foot per unit of occupancy, not to exceed 32 sq. ft.	10 ft./height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All, but only after final plan is approved.	Such signs shall be removed upon completion of construction of final unit.	Yes
e. Proposed Development Sign for commercial uses, industrial uses, other non-residential, uses, or any combination thereof.	1 per lot frontage, maximum of 2 signs	1 square foot per 1,000 sq. ft. of gross floor area, not to exceed 64 sq. ft.	10 ft./height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	Mixed Use Zones and Business Zones but only after final plan approval.	All such signs shall be removed upon completion of building construction.	Yes
f. Special Event Sign for public and/or nonprofit uses (e.g., fundraisers, reunions, holidays, festivals, shows, sales, etc.).	1 per use per event	32 sq. ft.	10 ft./height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Such signs may only be used during four consecutive periods per calendar year, not exceeding 60 days total.	No

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREESTANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
g. Special Event Sign for businesses (e.g., grand openings, change of use or ownership, closeout sale, clearance sale, holiday sale, etc.).	1 per business per event	32 sq. ft.	10 ft./height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	Mixed Use Zones and Business Zones	Such signs may only be used during two consecutive periods per calendar year, not exceeding 30 days total.	Yes
h. Agricultural Product Marketing/Sales Stand Sign for the sale of agricultural products upon a principal agricultural operation or agri-business.	2 per Agricultural Product Marketing/Sales stand	10 sq. ft.	10 ft./height of sign	Height of wall to which sign is attached.	Height of wall to which sign is attached, not exceeding 15 ft.	15 ft.	All	Agricultural Product Marketing/Sales stand signs shall only be displayed during seasons when products are for sale.	No
i. Temporary Off-Premise Sign indicating the direction of travel to a temporary event or use not located on the premises of such use.	1 per intersection, maximum of 3 signs	4 sq. ft. per sign	5 ft./height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Temporary off-premise signs shall be removed promptly upon the completion of the event.	No

SIGN TYPE	MAXIMUM PERMITTED NUMBER	MAXIMUM PERMITTED SIGN AREA	MAXIMUM HEIGHT/MINIMUM REQUIRED SETBACK FROM THE NEAREST LOT LINE FOR FREESTANDING SIGNS	MAXIMUM HEIGHT OF FLAT WALL SIGNS	MAXIMUM HEIGHT OF WALL FOR PROJECTING WALL SIGNS	MAXIMUM PROJECTION FROM WALL FOR PROJECTING WALL SIGNS	PERMITTED ZONES	OTHER REQUIREMENTS	ZONING PERMIT REQUIRED
j. Garage/Yard Sale Sign upon properties located upon the property where the sale occurs	1 per lot located upon the premises where the sale occurs	4 sq. ft. per sign	5 ft./ height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Garage/yard sale signs shall be removed promptly upon the completion of the sale.	No
k. Opinion and Election Sign	Unlimited	12 sq. ft.	5 ft./ height of sign	Height of wall to which sign is attached.	Not Permitted	Not Permitted	All	Persons posting opinion and election signs shall maintain a written list of locations of such signs, unless posting signs on their own property. Opinion and election signs shall not be placed on a property without the prior consent of the owner.	No

NOTES:
N/A Not Applicable

Section 529. Swimming Pools.

Swimming pools shall be permitted as accessory uses in all zones subject to the following regulations:

- A. Swimming pools shall comply with the requirements of the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho.
- B. Swimming pools and all related improvements, appurtenances, and accessory structures shall be set back a minimum of ten (10) feet from any lot line.
- C. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. Swimming pools containing water shall have their recirculation, filtration, and other necessary pumps continuously operating; otherwise the water surface shall be completely covered.
- D. No water from a pool shall be discharged onto any public street or alley.
- E. These requirements shall not apply to “kiddie” or “wading” pools, pools designed with pool walls, and other bodies of water not capable of holding water at a depth of greater than twenty-four (24) inches of water and do not require a pump or electrical connection.

Section 530. Telecommunications Antennas.

Telecommunications antennas shall be permitted in all zones subject to the following regulations:

- A. For collocated, modified, or replaced telecommunications antennas in accordance with the Pennsylvania Wireless Broadband Collocation Act (Act 191) and the following regulations, no zoning permit shall be required:
 - 1. The proposed collocation, modification or replacement does not substantially change the physical dimensions of the wireless support structure to which the wireless telecommunications are to be attached.
 - 2. The proposed collocation, modification or replacement does not further increase the height of a wireless support structure which has already been extended by more than ten (10) percent of its original approved height or by the height of one (1) additional antenna array.
 - 3. The proposed collocation, modification or replacement does not increase the dimensions of the existing approved equipment compound.
 - 4. The proposed collocation, modification or replacement complies with the applicable conditions of approval attached to the initial wireless telecommunications facilities, equipment compound and wireless support structure.
 - 5. The proposed collocation, modification or replacement may not exceed the applicable wind loading and structure loading requirement for the wireless support structure.
- B. Otherwise, new telecommunications antennas shall be considered telecommunications towers and

shall be regulated in accordance with the regulations in Article 6 of this Zoning Ordinance relating to *Telecommunications Towers in Non-Residential Uses – Miscellaneous Use Regulations (§ 607.E.)*.

- C. Additional requirements involving collocation and placement in the street right-of-way are described in Article 6 of this Zoning Ordinance relating to Communication Antennas, Structures, and Equipment Located in the Street Rights-of-Way (§607.G). This requirement shall not apply with respect to any entity that, as of December 12, 2017, already has the right to occupy the public street right-of-way pursuant to a franchise or other agreement with the Township, such as a cable television franchise.

Section 531. Temporary Occupancy of Recreational Vehicles.

The temporary occupancy of recreational vehicles shall be permitted in all zones subject to the following regulations:

- A. No persons shall be permitted to permanently reside within any recreational vehicle.
- B. Within a permitted campground shall comply with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Campgrounds in Non-Residential Uses – Commercial Use Regulations (§ 604.E.)*.
- C. Otherwise, the temporary occupancy of a recreational vehicle on any lot, are permitted subject to the following criteria:
 - 1. The temporary occupancy of a recreational vehicle is permitted for:
 - a. The owners of any lot with no permanent residential dwelling thereon, not to exceed a total of ninety (90) days between April 1st and October 31st of any one (1) calendar year; or
 - b. Non-paying guests of the occupants of any legally established permanent residential dwelling on a lot, not to exceed a total of fourteen (14) days in any calendar year.
 - 2. No more than one (1) recreational vehicle used for temporary occupancy may be occupied per lot.
 - 3. Proof of an approved method for both sewage disposal and potable water supply for recreational vehicle used for temporary occupancy shall be submitted.
 - 4. No rent or services may be charged or collected by the property owner associated with the temporary occupancy.
 - 5. All recreational vehicles used for temporary occupancy shall comply with the setback requirements set forth in Article 5 of this Zoning Ordinance relating to *Parking and Storage of Recreational Vehicles in Parking and Storage of Certain Vehicles in Off-Street Parking (§ 520.J.1.a.)*.

Section 532. Temporary Structures and Uses.

The following structures and uses are permitted in all zones on a temporary basis are permitted subject to the following regulations:

- A. Temporary Construction Sheds and Trailers. Temporary construction sheds and trailers shall be permitted on a temporary basis subject to the following regulations:
 1. The design and installation of temporary construction sheds and trailers shall comply with the requirements of the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho.
 2. Temporary construction sheds and trailers shall be permitted only during the period that the construction work is in progress.
 3. Temporary construction trailers or sheds shall be located on the lot on which the construction is progressing and shall comply with the accessory use and structure required yard setbacks for the applicable zone.
 4. Temporary construction sheds and trailers shall be used only as temporary field offices and for storage of incidental equipment and supplies and shall not be used for any dwelling use.
 5. Temporary construction sheds and trailers may be permitted to be used as a temporary sales center for residential lots. The maximum gross floor area of such a temporary sales center shall be five hundred (500) square feet.
- B. Temporary Portable Storage Units. Temporary portable storage units including those commercially known as "PODS" or containers of a box trailer with or without wheels shall be permitted on a temporary basis subject to the following regulations:
 1. Temporary portable storage units shall be permitted for a maximum period of sixty (60) consecutive days in any one (1) calendar year.
 2. Temporary portable storage units shall comply with the accessory use and structure minimum required yard setbacks for the applicable zone, except that such containers may be located within front yards, provided they are at least ten (10) feet from any adjoining street right-of-way line and are located on an improved surface in accordance with Article 5 relating to *Improved Surfaces* (§ 513.).
 3. No temporary portable storage units shall be used for permanent storage or a dwelling use.
- C. Temporary Personal Waste Disposal Container Bags. Temporary personal waste disposal container bags including those commercially known as "Bagsters" shall be permitted on a temporary basis subject to the following regulations:

1. Temporary personal waste disposal container bags shall be permitted for a maximum period of sixty (60) consecutive days in any one (1) calendar year.
 2. Temporary personal waste disposal container bags shall comply with the accessory use and structure minimum required side and rear yard setbacks for the applicable zone, except that such containers may be located within front yards, provided they are at least ten (10) feet from any adjoining street right-of-way line.
 3. No personal waste disposal container bags shall be used for permanent storage.
- D. Temporary Special Event Sales. Temporary special event sales shall be permitted on a temporary basis subject to the following regulation:
1. Two (2) temporary special event sales shall be permitted per calendar year. Such temporary special event sales shall be limited to no more than a total of thirty (30) days per calendar year.
 2. Temporary special event sales shall not be located within the parking lot during the months of November, December, January, February, and March, because of the potential need for snow removal.
 3. Temporary special event sales may be located in any front yard area, provided they are at least:
 - a. Forty-five (45) feet from any adjoining street right-of-way line; and
 - b. Ten (10) feet from any side or rear lot lines.
 4. Temporary special event sales shall be permitted to be located:
 - a. On sidewalks (excluding sidewalks within the public right-of-way), under canopies, or other in an area immediately adjacent to the principal building's front building wall or storefront, provided that such location provides clear pedestrian access (sidewalk or other area) at least eight (8) feet wide adjoining the principal building's front building wall or storefront; or
 - b. Within the parking lot, provided that such location does not occur within any area for required vehicular circulation, parking, and loading, or emergency vehicle access (e.g., fire lanes). Within parking lots, such temporary special event sales display areas shall be specifically delineated from the adjoining parking lot by the use of identifiable barriers (e.g., tents, canopies, temporary fences, or ropes).
 5. The total area devoted to temporary special event sales displays shall not exceed twenty (20) percent of the net retail floor area or net floor area, as applicable, of the principal building on the lot.

6. The applicant shall submit an hours of operation and management plan in accordance with *Application for Zoning Permits for Non-Residential Uses* in *Zoning Permits* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
7. This use shall comply with all of the applicable Township of Rapho, county, state and federal statutes, laws, ordinances, regulations, and requirements.

Section 533. Traffic Impact Study and Street Classifications.

In those instances where Traffic Impact Studies are required and street classifications are referenced elsewhere in this Zoning Ordinance and/or the SLDO (as applicable), in all zones said Traffic Impact Studies and street classification references shall comply with the following requirements:

- A. Where a Traffic Impact Study is required in this Zoning Ordinance, it shall comply with the applicable standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 1. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 2. Zoning permit process that does not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances* in *Zoning Hearing Board's Functions* (§ 805.C.).
- B. Where the proposed use will generate one hundred (100) or more new trips to the adjacent streets' peak hour volumes according to the most recent version of the Institute of Transportation Engineers (ITE) standards:
 1. The applicant shall submit a Traffic Impact Study in accordance with this Section; and
 2. Unless otherwise specified elsewhere in this Zoning Ordinance, where the proposed use includes a non-residential, non-agricultural use located within an Agricultural and Rural Zone, Residential Zone, or (CC) Zone, then proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street.
- C. For purposes of this Zoning Ordinance, street and roads within Rapho Township shall be classified as follows:
 1. Arterial or Collector Streets. See Table 5-32.1 for streets and roads classified as arterial or collector streets:

**TABLE 5-32.1
ARTERIAL OR COLLECTOR STREETS**

STREET NAME	STREET NUMBER
a. ARTERIAL STREETS	
(1). PA Turnpike	I-76
(2). Lebanon Road	SR 0072
(3). East Main Street	SR 0230
(4). Route 283	SR 0283
(5). Mt. Joy Road	SR 0772
(6). Old Harrisburg Pike (Salunga Road)	SR 4020
b. COLLECTOR STREETS	
(1). Strickler Road, from PA Route 772 to the cul-de-sac east of Esbenshade Road	T-364
(2). Colebrook Road (North and South)	T-374
(3). Iron Bridge Road	T-681
(4). Auction Road	T-875
(5). Longenecker Road	SR 4003
(6). Pinkerton Road	SR 4003
(7). Kinderhook Road	SR 4003
(8). Elizabethtown Road	SR 4008
(9). Hossler Road	SR 4010
(10). Old Line Road	SR 4026
(11). Pinch Road	SR 4029
(12). Milton Grove Road	SR 4033
(13). Meadow View Road	SR 4033

2. Local Streets. All street and roads not otherwise identified as arterial streets or collector streets, shall be classified as local streets.

Section 534. Vehicle Queuing Standards.

Vehicle queuing spaces and lanes are subject to the following criteria:

- A. Vehicle queuing facilities associated with any use having a drive-thru and/or drive up facilities or other uses provided in Table 5-34.2 in the subsection below (§ 534.E.) shall be provided to prevent vehicle backups on adjoining streets.
- B. Vehicle queuing lanes shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (such as “open” vs. “closed”).

Adopted November 7, 2013

- C. Vehicle queuing spaces and lanes shall not:
1. Impede on and off site traffic movements;
 2. Cross or pass through off-street parking areas; and
 3. Create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.
- D. Vehicle queuing lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.
- E. The minimum required dimensions of one (1) vehicle queuing space shall be not less than required in Table 5-34.1 in this subsection below:

TABLE 5-34.1
VEHICLE QUEUING SPACE DIMENSIONS

MINIMUM WIDTH	MINIMUM DEPTH
12 ft.	20 ft.

- F. Vehicle queuing lanes and related facilities shall comply with the accessory use and structure required yard setbacks for the applicable zone.
- G. The following vehicle queuing space requirements for specific uses shall be provided as listed in Table 5-34.2 in this subsection below:

TABLE 5-34.2
VEHICLE QUEUING LANE REQUIREMENTS

USE	REQUIRED QUEUING SPACES	MEASURED FROM
1. Bank and Other Financial Institution with Drive Thru/Drive Up Window and/or ATM; or Other Establishments with Drive Thru/Drive Up Window and/or ATM	1 – 2 lanes: 4 per lane or kiosk; or 3 or more lanes: 3 per lane or kiosk	Window or ATM
2. Restaurant with Drive Thru/Drive Up Window	6 per menu board or window, with at least 4 of the required spaces between the menu board and pick up window	Menu Board or Window
3. Other Establishments with Drive Thru/Drive Up Window	1 – 2 lanes: 4 per lane or kiosk; or 3 or more lanes: 3 per lane or kiosk	Front of Drive Thru/Drive Up Lane or Window
4. Vehicle Filling Station or Establishments with Fueling/Gas Pumps	2 per fuel/gas pump	End of Pump Island

USE	REQUIRED QUEUING SPACES	MEASURED FROM
5. Vehicle Washing or Vehicle Conditioning	Self Service: 3 per washing bay at entrance; and 1 vehicle per washing bay at exit Full Service or Automatic: 5 per washing bay at entrance; and 2 per washing bay at exit	Outside of Washing Bay
6. Vehicle Service/Repair and Other Establishments with Oil Change/Quick Lube	3 per service bay	Outside of Service Bay
7. Hospital and Other Similar Inpatient Health Care Establishments	4 per patient delivery entrance	Patient Delivery Entrance
8. Other Uses	Other uses not specified in this table: Number of spaces (and related measurements from) normally required for similar uses listed elsewhere within this table	

Section 535. Yard Setback and Setback Exceptions/Modifications.

Yard setback and setback exceptions/modifications shall be permitted in all zones subject to the following regulations:

- A. Front Yard Setback of Principal Buildings on Built-Up Streets. Where at least two (2) adjacent principal buildings within one hundred (100) feet of a lot proposed for development are set back a lesser distance than the required minimum front yard setback, the average of the lesser setback distances of the existing buildings becomes the required minimum front yard setback for the lot proposed for development. However, except for the (CC) Zone, in no case shall the minimum front yard setback be less than thirty (30) feet from any adjoining street right-of-way line.
- B. Accessory or Appurtenant Structures. The required yard setback regulations of the applicable zone do not apply to:
 1. The following structures attached to, and projecting from the wall or roof of a building:
 - a. Cornices, Eaves, Sills, Windows, Window Wells and Awnings, Heating or Cooling Systems, Satellite Dish Antennas, Chimneys, Gutters, Accessory Alternative Energy Systems and Other Similar Architectural or Appurtenance Treatment.
 - b. Decks, porches, or patios where covered or not.
 - c. At- or above-grade, heating or cooling systems or backup generators for single or two family residential uses, as long as they comply with the accessory building yard setback for the applicable zone.
 - d. Open fire escapes.
 2. Bus shelters.

3. Minor public utility structures.
4. Fences, hedges and retaining walls.
5. Sandboxes.
6. Decorative fountains.
7. Swing sets.
8. Birdhouses and birdfeeders.
9. Mailboxes.
10. Sidewalks.
11. Ramps, railings, and other accessibility related improvements required by the Americans with Disabilities Act (ADA) in accordance with the most recent version of the ADA Standards for Accessible Design of the United States Department of Justice and the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho.

ARTICLE 6

SPECIFIC USE REGULATIONS

Section 601. Applicability.

- A. In addition to the general provisions that are established in Article 3 of this Zoning Ordinance for principal, accessory, or temporary uses, buildings, and structures within a particular zone; the additional general provisions for uses, buildings, and structures established in the Articles 4 and 5 of this Zoning Ordinance, Article 6 sets forth the specific regulations that shall be applied to principal, accessory, and temporary uses, as applicable.
- B. For uses that are permitted within a specific zone as special exceptions or conditional uses, see also the applicable procedures and standards in Articles 8 and 9 of this Zoning Ordinance.

Section 602. Residential Use Regulations.

- A. Conversion, Multiple Family. Multiple Family Conversions shall be permitted subject to the following regulations:
 - 1. Multiple family conversions shall comply with the area, density, and bulk requirements for multiple family dwellings of the applicable zone.
 - 2. All buildings used as part of multiple family conversions shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
 - 3. The use shall be connected to both public water and public sewer service.
- B. Conversion, Two Family. Two Family Conversions shall be permitted subject to the following regulations:
 - 1. Within the (A) Zone, the principal building shall have existed and contained at least three thousand (3,000) square feet of gross floor area, on January 25, 1994.
 - 2. Only one (1) additional dwelling unit shall be established upon a lot. Including the existing dwelling unit, there shall be no more than a total of two (2) dwelling units per lot.
 - 3. Unless there are specific area and bulk requirements for two family detached dwellings in the applicable zone, two family conversions shall otherwise comply with the area and bulk requirements for single family detached dwellings of the applicable zone.

4. All buildings used as part of two family conversions shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
5. Utility Connections.
 - a. Additional dwelling units shall physically be connected to the existing dwelling unit's sewage system and water supply system.
 - b. No separate utility system or connection serving additional dwelling units shall be constructed or used, unless required by the PA DEP.
 - c. If individual on-lot sewage or water system are to be used to, the applicant shall submit evidence that the total number of occupants of all the dwelling units on the site will not exceed the maximum capacities for which the systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing individual on-lot sewage system shall be subject to the review and approval of the Township Sewage Enforcement Officer.
- C. Flag Lot Residence. Flag lot residences shall be permitted subject to the following regulations:
 1. Flag lot residences shall comply with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Flag Lots in Non-Residential Uses – Miscellaneous Use Regulations (§ 607.B.)*.
- D. Manufactured/Mobile Home Park. Manufactured/Mobile Home Parks shall be permitted subject to the following regulations:
 1. Manufactured/mobile home parks shall comply with the applicable design and construction standards and requirements of the SLDO.
 2. See Table 6-2.1 in this subsection below for the area and bulks requirements for individual manufactured/mobile homes. Each individual manufactured/mobile home within a manufactured/mobile home park shall comply with the following area and bulk requirements as if said manufactured/mobile home was located on an individual lot. Otherwise, each individual manufactured/mobile home shall comply with all other area, bulk, and design requirements of the applicable zone:

TABLE 6-2.1
MANUFACTURED/MOBILE HOME
AREA AND BULK REQUIREMENTS

AREA/DESIGN FEATURES	MANUFACTURED/MOBILE HOME PER DWELLING UNIT
a. MINIMUM LOT AREA	4,250 sq. ft.
b. MINIMUM LOT FRONTAGE ¹	40 ft.
c. MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK ¹	40 ft.
d. MINIMUM FRONT YARD SETBACK	30 ft.
e. MINIMUM SIDE YARD SETBACK (EACH SIDE)	10 ft.
f. MINIMUM REAR YARD SETBACK	15 ft.

NOTES:

1 On an internal private street, or other approved internal road within the manufactured/mobile home park.

3. Each manufactured/mobile home lot shall contain no more than one (1) manufactured/mobile home, nor shall it contain more than one (1) family.
4. Protective skirting shall be placed around the area between the stand surface and the floor level of each manufactured/mobile home so as to prevent that area from forming a harborage for rodents, creating a fire hazard, or exposing unsightly conditions.
5. Individual manufactured/mobile home owners may install accessory or storage sheds, exterior patio areas, and other similar outdoor structures as long as they are not attached to the manufactured/mobile home structure. Any such facilities so installed shall not intrude into any required front, side, or rear yard setback, and, in every case, shall substantially conform in style, quality, and color to the associated manufactured/mobile homes.
6. In no case shall the distance between individual manufactured/mobile home buildings and other buildings which are not accessory to the individual manufactured/mobile be less than twenty (20) feet.
7. In no case shall access to any manufactured/mobile home or manufactured/mobile home lots be provided directly onto, have frontage on, or otherwise adjoining an external public street right-of-way.
8. The maximum lot coverage for a manufactured/mobile home park shall be thirty-five (35) percent.
9. The external boundary of the manufactured/mobile home park adjoining any lot line shall comply with minimum yard requirements for "Other Principal Uses" of the applicable zone.

10. A landscape screening strip shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping* (§ 526.).

E. Multiple Family Dwelling. Multiple Family Dwellings shall be permitted subject to the following regulations:

1. Except as provided in the subsections below (§ 602.E.2. through § 602.E.4.), all multiple family dwellings shall comply with the area and bulk requirements of the applicable zone.
2. The maximum lot coverage for multiple family dwellings shall be sixty (60) percent.
3. In those instances where more than one (1) principal building is located on the same lot, the following separation distances shall be provided between each building:
 - a. Front-to-front, rear-to-rear, or front-to-rear, parallel buildings shall have a minimum sixty (60) feet separation distance between faces of the buildings. If the front or rear faces of the buildings are obliquely aligned, the above separation distances may be reduced by as much as ten (10) feet at one (1) end if increased by an equal or greater separation distance at the other end.
 - b. A minimum separation distance of thirty (30) feet is required between end walls of buildings. If the buildings are at right angles to each other, the separation distance between the corners of the end walls of the buildings may be reduced to a minimum of twenty (20) feet.
 - c. A minimum separation distance of forty (40) feet is required between end walls and front or rear faces of buildings.
 - d. All buildings shall be set back a minimum of fifteen (15) feet from any interior access drives or parking facilities contained on commonly held lands.
4. The use shall be connected to both public water and public sewer service.

F. Single Family Attached Dwelling. Single Family Attached Dwellings shall be permitted subject to the following regulations:

1. The maximum number of dwelling units within one (1) building shall be eight (8).
2. No more than two (2) contiguous dwelling units shall have the same, identical:
 - a. Front yard setbacks and front building wall lines that are generally parallel, otherwise there shall a minimum variation distance of two (2) feet; and
 - b. Roof lines that generally parallel the ground along the same horizontal plane.

3. In addition, each dwelling unit shall be distinguished from contiguous dwelling units in some appropriate manner such as by varying dwelling unit width, use of different exterior materials, or varying arrangements of entrances or windows.
4. In those instances where more than one (1) principal building is located on the same lot, the following separation distances shall be provided between each building:
 - a. Front-to-front, rear-to-rear, or front-to-rear, parallel buildings shall have a minimum sixty (60) feet separation distance between faces of the buildings. If the front or rear faces of the buildings are obliquely aligned, the above separation distances may be reduced by as much as ten (10) feet at one (1) end if increased by an equal or greater separation distance at the other end.
 - b. A minimum separation distance of thirty (30) feet is required between end walls of buildings. If the buildings are at right angles to each other, the separation distance between the corners of the end walls of the buildings may be reduced to a minimum of twenty (20) feet.
 - c. A minimum separation distance of forty (40) feet is required between end walls and front or rear faces of buildings.
 - d. All buildings shall be set back a minimum of fifteen (15) feet from any interior access drives or parking facilities contained on commonly held lands.
5. The use shall be connected to both public water and public sewer service.

Section 603. Non-Residential Uses – Agricultural/Forestry Use Regulations.

- A. Agri-Business. Agri-Businesses shall be permitted subject to the following regulations:

1. Setbacks.
 - a. New slaughter areas, areas for the storage or processing of garbage, agricultural byproducts or composted materials, structures for the cultivation of mushrooms, and buildings for the housing, feeding, watering, and otherwise the keeping of animals shall be set back at least:
 - (1). One hundred (100) feet from any lot line; and
 - (2). Three hundred (300) feet from any lot line of an adjoining lot in the (R) Zone or Residential Zones.
 - a. The Township Zoning Hearing Board may, as a special exception, however, reduce the setback requirement of the

subsection above (S. 603.A.1.a.(1).) where it is shown that, because of prevailing winds, unusual obstructions, topography, or other conditions, a lesser distance would protect adjoining lands from odor, dust or other hazards. In no case, however, shall the Township Zoning Hearing Board reduce the setback requirement to less than one hundred (100) feet. The burden shall be upon the applicant to prove that a lesser distance would not be detrimental to the health, safety and general welfare of the community.

2. Any exhaust or ventilation fans employed shall be oriented and directed such that no direct exhaust velocity is perceptible at any lot line.
3. Storage and application of pesticides, fertilizers and/or chemicals shall be in accordance with federal and state laws.
4. All grazing and pasture areas shall be securely fenced to prevent the escape of animals.
5. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be managed in a manner that complies with the Clean Streams Law and the practices prescribed by the most recent version of the Pennsylvania Manure Management Manual.

B. Agricultural Operation. Agricultural Operations shall be permitted subject to the following regulations:

1. Setbacks.
 - a. New slaughter areas, areas for the storage or processing of garbage, agricultural byproducts or composted materials, structures for the cultivation of mushrooms, and buildings for the housing, feeding, watering, and otherwise the keeping of animals shall be set back at least:
 - (1). One hundred (100) feet from any lot line; and
 - (2). Three hundred (300) feet from any lot line of an adjoining lot in the (R) Zone or Residential Zones.
 - a. The Township Zoning Hearing Board may, as a special exception, however, reduce the setback requirement of the subsection above (S. 603.A.1.a.(1).) where it is shown that, because of prevailing winds, unusual obstructions, topography, or other conditions, a lesser distance would protect adjoining lands from odor, dust or other hazards. In no case, however, shall the Township Zoning Hearing Board

reduce the setback requirement to less than one hundred (100) feet. The burden shall be upon the applicant to prove that a lesser distance would not be detrimental to the health, safety and general welfare of the community.

2. Any exhaust or ventilation fans employed shall be oriented and directed such that no direct exhaust velocity is perceptible at any lot line.
 3. Storage and application of pesticides, fertilizers and/or chemicals shall be in accordance with federal and state laws.
 4. All grazing and pasture areas shall be securely fenced to prevent the escape of animals.
 5. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be managed in a manner that complies with the Clean Streams Law and the practices prescribed by the most recent version of the Pennsylvania Manure Management Manual.
- C. Agricultural Related Business. Agricultural Related Businesses shall be permitted subject to the following regulations:
1. Agricultural related businesses may involve a limited range of commercial uses such as:
 - a. Agricultural equipment and other similar heavy duty motor vehicle repair/service;
 - b. Agricultural equipment and other similar heavy duty motor vehicle rentals/sales;
 - c. Blacksmith shops/farriers;
 - d. Butcher shops;
 - e. Grain mills;
 - f. Processing of locally produced agricultural products;
 - g. Feed and farm supply stores and distributors;
 - h. Agriculture waste storage;
 - i. Warehousing, distribution, and wholesaling of agricultural products, supplies or equipment;

- j. Sales of agricultural related equipment, includes outside display;
 - k. Wholesale produce and tobacco auctions;
 - l. Machine shop; and
 - m. Other similar activities, that may be determined on a case by case basis if the use meets the purpose and intent of the regulations, as long as it is directed at providing goods, materials, and services needed for agricultural operations and agribusinesses, rather than the distribution of goods produced on the agricultural operation and agri-business.
 - 2. All parking, loading, and outside storage areas associated with the agricultural related occupation shall be provided with a landscape screening strip in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*:
 - a. Outside storage areas shall be located to the rear (behind) the building containing the agricultural related business.
 - 3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- D. Boarding/Riding Stable. Boarding/Riding Stables shall be permitted subject to the following regulations:
- 1. Any building or corral used for the boarding of animals shall be set back at least:
 - a. One hundred (100) feet from any lot line; and
 - b. Three hundred (300) feet from any lot line of an adjoining lot in the (R) Zone or Residential Zones.
 - 2. All areas and structures used for training and riding shall be set back a minimum of fifty (50) feet from any lot line.
 - 3. All riding, boarding, and pasture areas shall be securely fenced to prevent the escape of animals.
 - 4. The applicant shall submit a working plan that demonstrates how any areas used for riding and pasture shall be maintained in acceptable vegetative cover.
 - 5. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be

managed in a manner that complies with the Clean Streams Law and the practices prescribed by the most recent version of the Pennsylvania Manure Management Manual.

6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

E. Kennel, Boarding. Boarding Kennels shall be permitted subject to the following regulations:

1. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard.
2. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be setback a minimum of three hundred (300) feet from any lot line.
3. All areas utilized for outdoor exercise of animals and outdoor stalls and/or runways to which animals have access shall be completely enclosed by a six (6) foot high fence to prevent the escape of animals.
4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

F. Kennel. Kennels shall be permitted subject to the following regulations:

1. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard.
2. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways, including all parts of any structure, shall be setback a minimum of three hundred (300) feet from any lot line.
3. All areas utilized for outdoor exercise of animals and outdoor stalls and/or runways to which animals have access shall be completely enclosed by a six (6) foot high fence to prevent the escape of animals.
4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled,

operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

5. The applicant shall demonstrate that the applicant is or is in the process of becoming lawfully licensed by the Department of Agriculture to operate the type of kennel for which the application is made. Compliance with this requirement and with the requirements of the Department of Agriculture or any other state or federal governmental agency shall be an ongoing requirement for the authority to maintain the kennel. Among any other reasonable conditions imposed for the grant of a special exception, it shall be an ongoing condition of the special exception that the owner or other operator of the kennel be licensed and in good standing under the requirements of the Department of Agriculture or other federal, state or local agency having jurisdiction and that the owner or other occupant shall, at least annually, provide proof to the Township Zoning Officer of the operation being currently licensed and in good standing with the Department of Agriculture or other state agency having jurisdiction over the operation.

Section 604. Non-Residential Uses – Commercial Use Regulations.

- A. Adult Oriented Business and/or Use. Adult Oriented Businesses and/or Uses shall be permitted subject to the following regulations:

1. An adult oriented business and/or use shall not be permitted to be located within one thousand (1,000) feet of any lot with:
 - a. With another adult oriented business and/or use;
 - b. Any land in the (R) Zone or Residential Zones; or
 - c. One (1) or more of the following specified land uses:
 - (1). Amusement park, theme park, water park;
 - (2). Campground (for minors' activity);
 - (3). Daycare establishment;
 - (4). Place of religious worship;
 - (5). Community center;
 - (6). Museum;
 - (7). Park/Playground;
 - (8). School, K-12;

(9). Recreation facility (for minors' activity); or

(10). Other lands where minors congregate.

2. No materials, merchandise, or film offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure.
3. Any building or structure used and occupied as an adult oriented business and/or use shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no materials, merchandise, or film shall be visible from any lot line.
4. Each entrance to the premises shall be posted with a notice specifying that persons under the age of eighteen (18) years are not permitted to enter therein and warning all other persons that they may be offended upon entry.
5. No one (1) type of adult oriented business and/or use may change to another type of adult oriented business and/or use, except upon approval of an additional conditional use.
6. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.
7. No unlawful sexual activity or conduct shall be permitted.
8. No more than one adult oriented business and/or use may be located within one (1) building or shopping center.
9. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

B. Airport/Heliport. Airports/Heliports shall be permitted subject to the following regulations:

1. No part of a take-off/landing strip/pad shall be located nearer than three hundred (300) feet from a lot line.
2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

C. Animal Hospital. Animal hospitals shall be permitted subject to the following regulations:

1. Within the (CC) Zone or (HC) Zone, there shall be no outdoor keeping of animals permitted.
2. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard.
3. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be setback a minimum of one hundred (100) feet from any lot line.
4. All areas utilized for outdoor exercise of animals and outdoor stalls and/or runways to which animals have access shall be completely enclosed by a six (6) foot high fence to prevent the escape of animals.
5. All other areas utilized for grazing or pasture areas shall be securely fenced to prevent the escape of animals.
6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

D. Boarding House. Boarding Houses shall be permitted subject to the following regulations:

1. The total number of tenant/guest rooms permitted for rent shall be three (3) and the boarding house shall not accommodate more than six (6) tenants/guests total.
2. All tenant/guest rooms shall be limited to two (2) tenants/guests each.
3. All buildings permitted to be used as boarding houses shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
4. The owner of the facility or resident manager shall reside in the boarding house. Proof of residency shall be provided.
5. All tenant/guest rooms available for boarding shall be located within the principal building.
6. Access to all boarding rooms shall be through the interior of the building. No exit doors from individual boarding rooms shall lead directly to the exterior of the building.

7. Residents on-site shall have access to shared common areas for cooking and eating. A common kitchen facility equipped for cooking meals located on site shall be available to the residents, or daily meals shall be provided on site for the residents of the boarding house.
 8. Meals for compensation shall be provided only to registered tenants/guests of the boarding house. No cooking facilities shall be provided or permitted in the individual tenant/guest rooms.
 9. Each floor shall contain at least one fully-equipped bathroom for every five (5) tenants/guests that is accessible from a common hallway.
 10. All tenants/guests shall execute a lease before occupancy.
 11. Tenants/guest rooms shall be leased to the same tenant/guest for at least seven (7) consecutive days.
 12. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- E. Campground. Campgrounds shall be permitted subject to the following regulations:
1. Where the use includes one hundred (100) or more campsites, the proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. All campsites shall be located at least fifty (50) feet from any side or rear lot line and at least one hundred (100) feet from any external street right-of-way line.
 3. Each campsite shall be at least three thousand (3,000) square feet in size.
 4. Each camping space shall be numbered.
 5. All outdoor play areas shall be set back one hundred (100) feet from any lot line.
 6. Refuse collection stations shall be set back a minimum of one hundred (100) feet from any lot line.
 7. Any accessory retail or service commercial uses shall be set back a minimum of one hundred (100) feet from any lot line. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall only have vehicular access from the campground's internal road network rather than an external street right-of-way.

8. During operation, every campground shall have an office in which shall be located the person responsible for operation of the campground.
 9. No persons or occupants shall be permitted to permanently reside on any campsite, except the campground park owner and/or resident manager.
 10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- F. Convenience Store. Convenience Stores shall be permitted subject to the following regulations:
1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S.533.)*.
 2. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, daycare facility, playground, library, hospital or nursing, rest or retirement home.
 3. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or the Residential Zones.
 4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- G. Flea Market. Flea Markets shall be permitted subject to the following regulations:
1. Outside display shall be permitted in accordance with Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (S.608.V.)*.
 2. All outside display shall begin no earlier than one (1) hour before official sunrise, and must be completed no later than one (1) hour after official sunset.
 3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately

scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

H. Funeral Home. Funeral Homes shall be permitted subject to the following regulations:

1. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

I. Golf Course. Golf Courses shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. This site shall contain a minimum of two thousand eight hundred (2,800) yards of play in nine (9) holes.
3. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway.
4. Golf Cart Paths. Golf cart paths shall be provided with an improved surface in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (S. 515.)*. Additionally the golf course design shall:
 - a. Minimize golf cart path crossings of streets and access drives. Easily identifiable golf cart paths shall be provided for crossings of streets or access drives; and
 - b. Discourage random crossing and require use of the golf cart path crossings of streets and access drives. Golf cart path crossings shall conform to the following. Golf cart path crossings shall be:
 - (1). Perpendicular to the traffic movements; and
 - (2). Signed warning motorists and pedestrians and golfers. The surface of the golf cart path shall be brightly painted with angle stripes.
 - c. Golf cart paths crossing street rights-of-way shall be considered "access drives" and shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (S. 515.)*.
5. All golf course buildings and structures shall be set back a minimum of:
 - a. Seventy-five (75) feet from any adjoining street right-of-way line; and

- b. One hundred (100) any feet from any adjoining lot in the (R) Zone or Residential Zones.
- 6. Golf courses may include the following accessory uses, provided such uses are reasonably sized, and located so as to provide incidental service to the golf course employees and users:
 - a. Clubhouse, which may consist of:
 - (1). Restaurant, snack bar, lounge and banquet facilities.
 - (2). Locker and rest rooms.
 - (3). Pro shop.
 - (4). Administrative offices.
 - (5). Golf cart and maintenance equipment storage and service facilities.
 - (6). Guest lodging for those using the golf course, provided:
 - (a). No lodging units have separate exterior means of ingress/egress.
 - (b). All lodging units shall be contained within the main clubhouse.
 - (c). Such guest lodging shall have a total occupancy of no more than twenty (20) occupants.
 - (7). Indoor recreation facilities.
 - (8). Baby-sitting rooms and connected, completely enclosed play areas.
 - b. Accessory recreation amenities located outside of a building, including:
 - (1). Driving range, provided that no lighting is utilized;
 - (2). Practice putting greens;
 - (3). Swimming pools;
 - (4). Parks/Playgrounds; and
 - (5). Conservation areas.
 - c. Golf cart and course maintenance equipment storage and service facilities.

7. Outside storage of maintenance equipment and/or golf carts shall be permitted, as long as it is set back at least one hundred (100) feet from any lot line.
 8. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- J. Mini-Storage. Mini-Storage facilities shall be permitted subject to the following regulations:
1. Parking may be provided along interior traffic aisles or lanes adjacent to the buildings. These aisles shall be at least twenty-six (26) feet wide when storage units open onto one side of the aisle only and at least thirty (30) feet wide when storage units open onto both sides of the aisle.
 2. Nothing shall be stored in interior traffic aisles or lanes, required off-street parking areas, loading areas, or access ways.
 3. All vehicles stored outside of an enclosed building must be surrounded by a fence or wall at least six (6) feet in height.
 4. Mini-storage units shall be used solely for the storage of property. The following uses are expressly prohibited upon the site:
 - a. Auctions, commercial wholesale or retail sales, or garage/yard sales.
 - b. Operations or conducting any business activity within the mini-storage unit.
 - c. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - d. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 - e. The establishment of a warehousing, distribution, and wholesaling business.
 - f. The storage of trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins, or similar items that are dangerous, noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 - g. The applicant shall adequately demonstrate that all mini-storage rental or use contracts shall specifically prohibit the uses listed in the subsections above (S. 604.J.4.a. through S. 604.J.4.f.)
 5. An on-site manager shall be required to be on the site during the hours of

operation.

6. Any dwelling unit for a resident manager shall comply with all of those requirements listed within the (R-2) Zone, and shall be entitled to all residential accessory uses provided in this Zoning Ordinance.
7. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

K. Nightclub. Nightclubs shall be permitted subject to the following regulations:

1. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

L. Recreation, Commercial. Commercial Recreation Facilities shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining streets during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining streets. If, at any time after the opening of the outdoor recreation facility, the Township of Rapho determines that traffic back-ups are occurring on adjoining streets, and such back-ups are directly related to the means of access to the lot, the Township of Rapho can require the applicant to revise means of access to relieve the undue congestion.
3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

M. Restaurant. Restaurants shall be permitted subject to the following regulations:

1. In the (CC) Zone, the use shall be connected to both public water and public sewer service.
 2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- N. Retail Business. Retail Businesses shall be permitted subject to the following regulations:
1. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S. 521.A)*.
 2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- O. Shooting Range. Shooting Ranges shall be permitted subject to the following regulations:
1. Shooting ranges:
 - a. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties.
 - b. May not substantially damage the health, safety or welfare of the Rapho Township or its residents and property owners.
 - c. Shall limit the storage of ammunition to only that utilized on the property within twenty-four (24) hours. The storage of live ammunition shall only occur in an approved safe.
 - d. Shall limit the number of shooters to the number of firing points or stations identified on the development plan.
 - e. Shall limit the consumption of alcoholic beverages to days when no shooting activities are permitted, or when the shooting activities are completed for that day. Furthermore, alcoholic beverages may only be consumed in designated areas away from the firing points or stations.

- f. Shall limit firing between 10 a.m. Monday through Saturday, and 12 noon on Sunday, until two (2) hours preceding official sunset.
 2. Shooting ranges shall be planned, designed, constructed, and maintained in accordance with the most recent version of NRA's The Range Source Book.
 3. The applicant shall submit a plan demonstrating methods to reclaim the lead deposited by shooting activities, based upon the recommendations of the most recent version of EPA's Best Management Practice for Lead at Outdoor Shooting Ranges.
 4. All applications for shooting ranges shall include the information required for a plot/site plan approval pursuant to Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.2.)*. In addition, the applicant shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet and the design effectiveness of berms, overhead baffles, or other safety barriers to contain projectiles to the Safety Fan.
 5. Fencing. A fence measuring at least eight (8) feet in height must enclose the area of actual shooting range operations. Range caution signs with eight (8) inches tall, red letters on a white background shall be posted at a maximum of one hundred (100) foot intervals around the range perimeter. Signs shall read "SHOOTING RANGE AREA. KEEP OUT!".
 6. All shooting range facilities, including buildings, parking, firing range, and Safety Fan shall be set back at least one hundred (100) feet from any lot line.
 7. No part of a shooting range property shall be located within one-quarter (¼) mile of any land in the (R) Zone or Residential Zones.
 8. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S. 521.A.)*.
 9. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- P. Shopping Center. Shopping Centers shall be permitted subject to the following regulations:

1. In addition to the area and bulk requirements for the applicable zone, see Table 6-4.1 in this subsection below are area, bulk, and design requirements for shopping centers:

TABLE 6-4.1
SHOPPING CENTER AREA, BULK, AND DESIGN REQUIREMENTS

USE/SIZE	MINIMUM LOT WIDTH AT MINIMUM FRONT YARD SETBACK	REQUIRED MINIMUM YARD SETBACKS			MINIMUM SETBACK FROM LAND WITHIN THE (R) ZONE OR RESIDENTIAL ZONES
		FRONT	SIDE (EACH SIDE)	REAR	
a. Shopping Center Less than 50,000 sq. ft. of gross floor area	250 ft.	35 ft. for buildings & structures (except permitted signs); 20 ft. for off-street parking; No off-street loading, nor refuse collection stations are permitted within the front yard.	25 ft. for buildings & structures (except permitted signs); 15 ft. for off-street parking & loading spaces & refuse collection stations.	25 ft. for all buildings, structures, off-street parking & loading spaces & refuse collection stations.	50 ft. for buildings, structures, off-street parking & loading spaces & refuse collection stations.
b. Shopping Center Between 50,000 and 100,000 sq. ft. of gross floor area	300 ft.	50 ft. for buildings & structures (except permitted signs); 25 ft. for off-street parking; No off-street loading, nor refuse collection stations are permitted within the front yard.	30 ft. for buildings & structures (except permitted signs); 20 ft. for off-street parking & loading spaces & refuse collection stations.	30 ft. for all buildings, structures, off-street parking & loading spaces & refuse collection stations.	75 ft. for buildings, structures, off-street loading, refuse collection stations; 50 ft. for off-street parking.
c. Shopping Center Greater than 100,000 sq. ft. of gross floor area; however, in no case shall any one (1) unit of occupancy contain more than 100,000 sq. ft. of gross leasable floor area.	500 ft.	100 ft. for buildings & structures (except permitted signs); 40 ft. for off-street parking; No off-street loading, nor refuse collection stations are permitted within the front yard.	40 ft. for buildings & structures (except permitted signs); 25 ft. for off-street parking & loading spaces & refuse collection stations.	40 ft. for all buildings, structures, off-street parking & loading spaces & refuse collection stations.	100 ft. for buildings, structures, off-street loading & refuse collection stations; 50 ft. for off-street parking.

3. There shall be no minimum required yard setbacks between buildings constructed as part of the shopping center on the site, other than those building separation distances required by the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho.
4. Shopping center signs shall comply with the requirements of Article 5 of this Zoning Ordinance relating to *Signs* (S. 528.).
5. The initial approval of the shopping center shall require conditional use review. For freestanding pad sites, the applicant may choose to identify proposed building envelopes and a list of potential uses to be applied to each pad site respectively as an alternative to the specific identification of each use; however, in reviewing such pad sites the Township will consider the worst case scenario of building site envelope and potential uses when evaluating the conditional use application. Any subsequent substitution of use within the shopping center shall be permitted by right so long as the proposed use is permitted and does not require amendment of the site plan approved by the original conditional use. Future uses to be substituted that require separate conditional use approval, shall follow such review and approval processes. Future uses that require amendment of the site plan shall require conditional use approval.
6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

Q. Tavern/Bar. Taverns/bars shall be permitted subject to the following regulations:

1. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards* (S.521.A.).
2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

R. Trailer Sales, Service and Storage Facility. Trailer Sales, Service and Storage Facilities shall be permitted subject to the following regulations:

1. The subject property shall have existed and contained at least five (5) acres and be zoned HC as of June 23, 2015.
 2. The subject property shall have existed and have had direct lot access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533)* as of June 23, 2015.
 3. No part of the subject property shall be located within three hundred (300) feet of any adjoining lot in the (R) Zone or Residential Zones.
 4. Exterior areas used solely for the outside storage, parking, maneuvering or “jockeying” (i.e. moving from one (1) location on the site to another location on the site) of trailers shall comply with Article 5 of this Zoning Ordinance relating to *Outside Storage (S. 523.)* and with the off-street parking design requirements of Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)* Notwithstanding the foregoing, exterior areas used solely for the outside storage, parking, maneuvering or “jockeying” of trailers may be located on alternative hard surfaces such as modified stone, packed stone, gravel or other designed surface in lieu of an improved surface as defined by Section 513 of this Zoning Ordinance.
 5. Trailer storage or parking lots shall be designed in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (S. 515.)*.
 6. The site shall be provided with sufficiently-long stacking lanes and on-site storage, parking, maneuvering or “jockeying” areas so that trailers and other vehicles waiting to access/exit the site, will not back up onto public streets rights-of-way.
 7. The demolition or junking of trailers is prohibited.
 8. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plans in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- S. Vehicle Filling Station. Vehicle Filling Stations shall be permitted subject to the following regulations:
1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, daycare facility, playground, library, hospital or nursing, rest or retirement home.

3. No more than three (3) vehicles may be stored per repair/service bay.
 4. The outside storage of motor vehicles (whether capable of movement or not) for more than thirty (30) days is prohibited.
 5. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or the Residential Zones.
 6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- T. Vehicle Reconditioning, Light/Medium Duty. Light/Medium Duty Vehicle Reconditioning facilities shall be permitted subject to the following regulations:
1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. All reconditioning activities shall be conducted within a completely enclosed building.
 3. Stacking facilities for drive-thru facilities shall be provided, in accordance with Article 5 of this Zoning Ordinance relating to *Vehicle Queuing Standards (S. 534.)*.
 4. No outside storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the reconditioning operation, shall be permitted.
 5. All exterior vehicle and machinery storage areas shall be screened from any adjoining lot in the (R) Zone or Residential Zones or adjoining street right-of-way.
 6. The outside storage of motor vehicles (whether capable of movement or not) for more than thirty (30) days is prohibited.
 7. All ventilation equipment associated with reconditioning activities shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or the Residential Zones.
 8. All vehicles shall be repaired and removed from the premises within thirty (30) days of their arrival on the site.
 9. The demolition or junking of vehicles is prohibited.
 10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation*

and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

U. Vehicle Sales/Rental, Light/Medium Duty. Light/Medium Duty Vehicle Sales/Rental facilities shall be permitted subject to the following regulations:

1. For uses involving light/medium duty vehicle service/repair, see Article 6 of this Zoning Ordinance relating to *Vehicle Service/Repair, Light/Medium Duty in Specific Use Regulations for Non-Residential Uses – Commercial Uses (S. 604.V.)*.

V. Vehicle Service/Repair, Light/Medium Duty. Light/Medium Duty Vehicle Service/Repair facilities shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. All reconditioning activities shall be conducted within a completely enclosed building.
3. Stacking facilities for drive-thru facilities shall be provided, in accordance with Article 5 of this Zoning Ordinance relating to *Vehicle Queuing Standards (S. 534.)*.
4. No outside storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the reconditioning operation, shall be permitted.
5. All exterior vehicle and machinery storage areas shall be screened from any adjoining lot in the (R) Zone or Residential Zones or adjoining street right-of-way.
6. The outside storage of motor vehicles (whether capable of movement or not) for more than thirty (30) days is prohibited.
7. All ventilation equipment associated with reconditioning activities shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or the Residential Zones.
8. All vehicles shall be repaired and removed from the premises within thirty (30) days of their arrival on the site.
9. The demolition or junking of vehicles is prohibited.
10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

W. Vehicle Storage Lot, Light/Medium Duty. Light/Medium Duty Vehicle Storage Lots shall be permitted subject to the following regulations:

1. Where the use includes the storage of one hundred fifty (150) or more vehicles, the proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).
2. Exterior areas used solely for the outside storage of vehicles and equipment shall comply with Article 5 of this Zoning Ordinance relating to *Outside Storage* (S. 523.) and with the off-street parking design requirements of Article 5 of this Zoning Ordinance relating to *Off-Street Parking* (S. 520.).
3. Vehicle storage lots shall be designed in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways* (S. 515.).
4. Vehicles may be stored in a horizontal stacked configuration; however, no vehicles shall be located more than one hundred (100) feet from an on-site interior access aisle. Such interior access aisles shall be a minimum of eighteen (18) feet wide, unless greater width is required under Article 5 of this Zoning Ordinance relating to *Off-Street Parking* (S. 520.).
5. All lighting shall be designed and constructed so as not to cast glare on adjoining streets and/or properties in compliance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking* (S. 520.).
6. The demolition or junking of vehicles is prohibited.
7. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

X. Vehicle Washing. Vehicle Washing facilities shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).
2. Public sewer and public water facilities shall be utilized and recycling water systems are required.
3. On-site stacking shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Vehicular Queuing Standards* (S. 534.).

4. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.
5. Gray water recycling is mandatory.
6. Water from the vehicle wash operation shall not flow onto sidewalks or streets.
7. All structures housing vehicle washing apparatuses shall be set back:
 - a. One hundred (100) feet from any street right-of-way line; and
 - b. Fifty (50) feet from any rear lot line.
8. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

Section 605. Non-Residential Uses - Industrial and Other Similar Intensive Use Regulations.

- A. Industrial, General. General Industrial uses shall be permitted subject to the following regulations:
 1. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- B. Junk Yard. Junk Yards shall be permitted subject to the following regulations:
 1. Junk shall be stored in accordance with the requirements of Article 5 relating to *Outside Storage (S. 523.)*, except fences shall be at least eight (8) feet high.
 2. Areas for the outside storage of junk shall be set back at least:
 - a. Fifty (50) feet from any lot line; and
 - b. Two hundred (200) feet from any adjoining lot in the (R) Zone or Residential Zones.

3. All completely enclosed buildings used to store junk shall be set back at least fifty (50) feet from all lot lines.
4. No material may be stored or stacked so that it is visible from adjoining lots and streets.
5. No junk may be piled to a height greater than eight (8) feet.
6. Junk yards shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies, or other vectors.
7. No material shall be burned or incinerated at any time.
8. No junk yard shall be located on land with a slope in excess of five (5) percent.
9. All vehicles and equipment shall be completely drained of fuel, lubricants, battery fluid, transmission fluid, brake fluids, coolants, and air conditioning fluids.
10. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S. 521.A.)*.
11. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

C. Mineral Extraction. Mineral Extraction Operations shall be permitted subject to the following regulations:

1. General. Mineral extraction operations:
 - a. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties.
 - b. May not adversely affect any public or private water supply source.
 - c. May not adversely affect the logical, efficient, and economical extensions of public services, facilities and utilities throughout Rapho Township.
 - d. May not create any significant damage to the health, safety, or welfare of the Township of Rapho, and its residents and property owners.

- e. May not result in the land area subject to mineral extraction operations being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the mineral extraction operation.
2. Plot/Site Plan Requirements. As a part of each application the applicant shall furnish an accurately surveyed plot/site plan on a scale no less than 1:2400, showing the location of the tract or tracts of land to be affected by the operation. The surveyed plot/site plan shall be certified by a qualified professional land surveyor, engineer, or landscape architect licensed and registered to practice in the Commonwealth of Pennsylvania with assistance from experts in related fields and shall include the following:
 - a. The boundaries of the proposed land affected, together with the drainage area above and below the area.
 - b. The location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area.
 - c. The location of all buildings within one thousand (1,000) feet of the outer perimeter of the area affected, and the names and addresses of the owners and present occupants.
 - d. The purpose for which each building is used.
 - e. The name of the owner of the affected area and the names of adjacent landowners, the municipality, and the county.
3. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).
4. The minimum lot area shall be fifty (50) acres.
5. Fencing. A fence measuring at least eight (8) feet in height must enclose the area of actual mineral extraction operations.
6. Setback. See Table 6-5.1 for the minimum setbacks imposed upon specific features of the mineral extraction operation and other extractive-related uses from adjacent uses:

**TABLE 6-5.1
MINERAL EXTRACTION OPERATION SETBACKS**

QUARRY-RELATED FEATURE	EXISTING RESIDENTIAL BUILDING, NON-RESIDENTIAL BUILDING, OR PARK/ PLAYGROUND	RESIDENTIAL ZONES	ADJOINING STREET, CEMETERY, STREAM BANK, OR ADJOINING LOT LINE
a. Stock piles or spoil piles	300 ft.	1,000 ft.	100 ft.
b. Mineral processing equipment (e.g., crushers, sorters, conveyors, dryers, etc.)	300 ft.	1,000 ft.	100 ft.
c. Mineral Extraction Pit	300 ft.	1,000 ft.	100 ft.
d. On-site access roads & off- street parking, loading & vehicle storage & weighing facilities	300 ft.	500 ft.	100 ft.
e. Other operational equipment, structures and/or improvements	300 ft.	500 ft.	100 ft.

7. Reclamation. The applicant shall demonstrate compliance with Section 7.(c) of the Pennsylvania Act No. 1984-219, as may be amended. The applicant shall provide a detailed description of the proposed use of the site, once reclamation has been completed, including a description of any zoning and/or subdivision approvals or remedies that would be necessary to accommodate the proposed use. Finally, the applicant shall provide written notification to the Township within thirty (30) days, whenever a change in the reclamation plan is proposed to the PA DEP.
8. Screening. Within the required setbacks as provided in Table 6-5.1 above, the exterior portion of the lot shall be comprised of an earthen berm at least ten (10) feet in height and shall be completely covered and maintained in an approved vegetative ground cover. In addition, an Option 3 landscape screen strip shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*, between the earthen berms and the exterior lot lines.
9. Operations Progress Report. Within ninety (90) days after commencement of surface mining operations and each year thereafter, the operator shall file an operations and progress report with the Township Zoning Officer setting forth all of the following:
 - a. The name or number of the operation.
 - b. The location of the operation with reference to the nearest public road;
 - c. A description of the tract or tracts, including a site plan showing the location of all improvements, stockpile, mineral extraction pits, etc.
 - d. The name and address of the landowner or his duly authorized representative.
 - e. An annual report of the type and quantity of mineral produced.

- f. The current status of the reclamation work performed in pursuance of the approved reclamation plan.
 - g. A maintenance report for the site that verifies that all required fencing, berming and screening has been specifically inspected for needed repairs and/or maintenance and that such needed repairs and/or maintenance has been performed.
 10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- D. Solid Waste Operations. Solid Waste Operations shall be permitted subject to the following regulations:
 1. Any processing of waste (including but not limited to incineration, composting, shredding, compaction, material separation, refuse derived fuel, pyrolysis, etc.) shall be conducted within a completely enclosed building.
 2. Fencing. A fence measuring at least eight (8) feet in height must enclose the areas used for the unloading, transfer, storage, or deposition of refuse.
 3. No refuse shall be deposited or stored, and no building or structure shall be located within:
 - a. Two hundred feet (200) of any lot line; or
 - b. Five hundred (500) feet of any adjoining lot in the (R) Zone or Residential Zones.
 4. Screening. Within the required setbacks as provided in the subsection above (S. 605.D.3.), the exterior portion of the lot shall be comprised of an earthen berm at least ten (10) feet in height and shall be completely covered and maintained in an approved vegetative ground cover. In addition, an Option 3 landscape screen strip shall be provided in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*, between the earthen berms and the exterior lot lines.
 5. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.
 6. The unloading, processing, transfer, and deposition of waste shall be continuously

supervised by a qualified facility operator.

7. Any waste that is to be recycled shall be stored in leak-proof and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely enclosed building.
 8. All storage of waste shall be within an enclosed building in a manner that is leak-proof and vector-proof. During normal operation, no more solid waste shall be stored on the lot that is needed to keep the facility in constant operation; but, in no event for more than seventy-two (72) hours.
 9. The applicant shall submit a contingency plan for the disposal of solid waste during a facility shutdown.
 10. A water feasibility study developed in accordance with applicable standards and requirements of the SLDO shall be submitted.
 11. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- E. Truck/Motor Freight Terminal. Truck/Motor Freight Terminals shall be permitted subject to the following regulations:
1. The subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or Residential Zones.
 3. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S.521.A.)*.
 4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

F. Truck Stop/Travel Plaza. Truck Stops/Travel Plazas shall be permitted subject to the following regulations:

1. The subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).
2. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or Residential Zones.
3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

G. Vehicle Auction. Vehicle Auctions shall be permitted subject to the following regulations:

1. The subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications* (S. 533.).
2. The proposed use shall comply with all applicable area, bulk, and design standards of the (IND) Zone, except that the maximum permitted lot coverage shall be limited to a maximum of seventy (70) percent and all outside areas for the sale, display and/or storage of vehicles and equipment shall be screened from adjoining streets and lots in accordance with the regulations set forth in Article 5 of this Zoning Ordinance relating to *Screening and Landscaping* (S. 526.).
3. The percentage of lot area covered by buildings shall occupy no less than five (5) percent of the lot's total lot coverage.
4. The applicant shall be required to submit an expert-prepared on-site circulation plan prepared by a qualified professional traffic engineer licensed and registered to practice in the Commonwealth of Pennsylvania. Such circulation plan must fully describe the location and manner in which vehicles and equipment for auction arrive, are registered, are stored, are displayed, are readied for sale, are stacked for sale, are sold, are road tested, are stored post-sale and then depart the site. It is incumbent upon the applicant to demonstrate that the proposed circulation pattern can be operated safely and will not interfere with the on-site circulation and parking of customers and employees or the flow of traffic on adjoining streets. Such plan shall clearly delineate exterior areas of the site that are to be used solely for the outside storage of vehicles and equipment as opposed to outside display areas and required off-street parking spaces.

5. Exterior areas used solely for the storage of vehicles and equipment shall be connected to other areas of the site and the adjoining street via one (1) or more access drives in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (S. 515.)*.
6. Exterior areas used solely for the outside storage of vehicles and equipment shall comply with Article 5 of this Zoning Ordinance relating to *Outside Storage* and with the off-street parking design requirements of Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*, except that such areas:
 - a. May be arranged with blocks of horizontally-stacked vehicles or equipment that do not provide for the independent movement of each vehicle or piece of equipment. No vehicle or piece of equipment shall be located more than one hundred (100) feet from an on-site interior access aisle. Such interior access aisles shall be a minimum of eighteen (18) feet wide, unless greater width is required under Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*;
 - b. Need not be paved, but must have an all-weather and dust-free surface in accordance with Article 5 of this Zoning Ordinance relating to *Improved Surfaces (S. 513.)*;
 - c. Shall be completely enclosed by a six (6) foot high fence complying with the minimum yard setback requirements for the applicable zone, but must be screened from adjoining streets and lots in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*;
 - d. Shall be lighted in accordance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*; and
 - e. Need not comply with the interior landscaping requirements.
7. Exterior areas used for the outside display of vehicles and equipment shall comply with the requirements of Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (S. 608.V.)* and off-street parking design requirements of Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*.
8. Areas to be used by employees or customers after dusk shall be lighted in accordance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*.
9. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S.521.A.)*.

10. The applicant shall prepare, submit and explain, and continuously implement a working plan of the collection and proper disposal of litter and debris. Exterior trash receptacles shall be provided amid any exterior sales and/or display area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris.
11. The proposed use must be connected to public utilities and all on-site rest rooms, comfort facilities and toilets must rely upon public sewer for disposal of human waste. No “porta-potties” are permitted.
12. The subject property may contain facilities for the service, repair and reconditioning of vehicles and equipment provided:
 - a. All service, repair and reconditioning uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining streets and such stacking lanes will be fully integrated within the site’s on-site circulation plan as required in the subsection above (S. 605.G.4.);
 - b. All service, repair and/or reconditioning activities shall be conducted within a completely enclosed building and shall be limited to vehicles and equipment that are to be auctioned on the site; and,
 - c. No outside storage of parts, equipment, lubricants, fuel or other materials, new, used or discarded, as part of the service, repair and/or reconditioning operation, shall be permitted.
13. The demolition and/or junking of vehicles and/or equipment is prohibited. No vehicle or piece of equipment shall remain on the site for more than three hundred and sixty-five (365) days.
14. The subject property shall contain a road test track which shall be conveniently linked to the sales area. The test track shall be strictly operated so that customers must use the track for test drives rather than the site’s circulation system and adjoining streets. The applicant must demonstrate the means by which patrons will be directed and required to conduct road tests on the site’s test track. The test track shall be setback at least twenty (20) feet from adjoining lot lines and fifty (50) feet from adjoining streets. If such test track is to be used after dusk, it shall be lighted in accordance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking* (S. 520.).
15. The applicant shall furnish evidence that the disposal of all materials and wastes will be accomplished in a manner that complies with all applicable state and federal regulations.
16. No part of the subject property shall be located within three hundred (300) feet of any adjoining lot in the (R) Zone or Residential Zones.

17. A traffic study shall be prepared in accordance with Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)* and shall devote particular emphasis on movements of vehicles that may be moving between the subject property and other nearby uses that assist in making vehicles and/or equipment ready for sale.
 18. Modifications of Design Standards. The Township Board of Supervisors may permit the modification of the design standards in this subsection relating to *Vehicle Auction (S. 605.G.)* to encourage the use of environmentally-friendly paving surfaces. Any modification of the design standards shall be subject to the following standards:
 - a. The applicant shall employ a stable pervious paving surface on no less than half of the exterior display, sales and storage areas for vehicles and equipment;
 - b. Approved modifications of design standards must provide for a functional and attractive site that would not result in adverse impact to adjoining lots; and
 - c. Such modifications will not result in an increase in development potential of the site.
 19. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- H. Vehicle Reconditioning, Heavy Duty. Heavy Duty Vehicle Reconditioning facilities shall be permitted subject to the following regulations:
1. The subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. All reconditioning activities shall be conducted within a completely enclosed building.
 3. Stacking facilities for drive-thru facilities shall be provided, in accordance with Article 5 of this Zoning Ordinance relating to *Vehicle Queuing Standards (S. 534.)*.
 4. No outside storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the reconditioning operation, shall be permitted.
 5. All exterior vehicle and machinery storage areas shall be screened from any adjoining lot in the (R) Zone or Residential Zones or adjoining street right-of-way.

6. The outside storage of motor vehicles (whether capable of movement or not) for more than thirty (30) days is prohibited.
 7. All ventilation equipment associated with reconditioning activities shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or Residential Zones.
 8. All vehicles shall be repaired and removed from the premises within thirty (30) days of their arrival on the site.
 9. The demolition or junking of vehicles is prohibited.
 10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- I. Vehicle Sales/Rental, Heavy. Heavy Duty Vehicle Sales/Rental facilities shall be permitted subject to the following regulations:
1. For uses involving light/medium duty vehicle service/repair, see Article 6 of this Zoning Ordinance relating to *Vehicle Service/Repair, Heavy Duty in Specific Use Regulations for Non-Residential Uses – Industrial and Other Similar Intensive Uses (S.605.J.)*.
- J. Vehicle Service/Repair, Heavy Duty. Heavy Duty Vehicle Service/Repair facilities shall be permitted subject to the following regulations:
1. The subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. All reconditioning activities shall be conducted within a completely enclosed building.
 3. Stacking facilities for drive-thru facilities shall be provided, in accordance with Article 5 of this Zoning Ordinance relating to *Vehicle Queuing Standards (S. 534.)*.
 4. No outside storage of parts, equipment, lubricants, fuel or other materials used or discarded, as part of the reconditioning operation, shall be permitted.
 5. All exterior vehicle and machinery storage areas shall be screened from any adjoining lot in the (R) Zone or Residential Zones or adjoining street right-of-way.
 6. The outside storage of motor vehicles (whether capable of movement or not) for more than thirty (30) days is prohibited.

7. All ventilation equipment associated with reconditioning activities shall be set back one hundred (100) feet and oriented away from any adjoining lot in the (R) Zone or Residential Zones.
 8. All vehicles shall be repaired and removed from the premises within thirty (30) days of their arrival on the site.
 9. The demolition or junking of vehicles is prohibited.
 10. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- K. Vehicle Storage Lot, Heavy Duty. Heavy Duty Vehicle Storage Lots shall be permitted subject to the following regulations:
1. Where the use includes the storage of more than one hundred fifty (150) vehicles, the subject property shall front upon and have direct access to a collector or arterial road, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. Exterior areas used solely for the outside storage of vehicles and equipment shall comply with Article 5 of this Zoning Ordinance relating to *Outside Storage (S. 523.)* and with the off-street parking design requirements of Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*.
 3. Vehicle storage lots shall be designed in accordance with Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways (S. 515.)*.
 4. Vehicles may be stored in a horizontal stacked configuration; however, no vehicles shall be located more than one hundred (100) feet from an on-site interior access aisle. Such interior access aisles shall be a minimum of eighteen (18) feet wide, unless greater width is required under Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*.
 5. All lighting shall be designed and constructed so as not to cast glare on adjoining streets and/or properties in compliance with Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*.
 6. The demolition or junking of vehicles is prohibited.
 7. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately

scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

L. Warehousing, Distribution and Wholesaling. Warehousing, Distribution and Wholesaling shall be permitted subject to the following regulations:

1. A traffic study shall be prepared in accordance with Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

Section 606. Non-Residential Uses – Institutional/Civic Use Regulations.

A. Cemetery. Cemeteries shall be permitted subject to the following regulations:

1. In areas not served by public water, the applicant must submit written evidence to ensure that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.
2. No burial plots or facilities shall be permitted in any floodplain area as set forth in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (S. 402.)*.
3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

B. Clubhouse or Lodge, Private. Private Clubhouses or Lodges shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. All outdoor recreation/activity areas shall be set back at least fifty (50) feet from any lot line.
3. Any accessory eating, or retail use, shall not be directly accessible without passing through the main clubhouse building.

4. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
 5. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to prevent objectionable impact on adjoining lots and comply with the standards relating to noise contained in Article 5 of this Zoning Ordinance relating to *Noise Pollution and Vibration in Operations and Performance Standards (S.521.A.)*.
 6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- C. Community Outreach Center. Community Outreach Centers shall be permitted subject to the following regulations:
1. In the (IND) Zone, community outreach center shall be permitted subject to the following regulations:

- a. Lot Design. Area and bulk requirements shall be provided in accordance with the regulations set forth in the applicable zone, except as provided in the subsections below (S. 606.C.1.a.(1). through S. 606.C.1.a.(3).):
 - (1). Minimum Lot Area. The minimum lot area shall be five (5) acres.
 - (2). Minimum Yard Setback. The minimum yard setback shall be in accordance with the applicable zone, except that the setback for buildings and parking adjacent to Route 283 shall be reduced to ten (10) feet.
 - (3). Accessory Recreation Uses. Accessory recreation facilities can be developed in any side or rear yard to within thirty (30) feet of any perimeter lot line.
- b. Utilities. The development shall be served by public water service and public sewer service.
- c. Pedestrian Facilities.
 - (1). Sidewalk Location.
 - a. Sidewalks shall be provided along one (1) side of any proposed access drive and along the frontage of the development, unless an alternate plan, which may include a pedestrian path and/or a pedestrian/bicycle path combination, is demonstrated to work better to provide for such pedestrian traffic likely to make use of the facilities planned for the site.
 - b. Pedestrian walkways that cross driving lanes must be distinguished from driving surfaces by the use of special pavers, bricks, colored and/or textured concrete, painted asphalt, or textured asphalt to enhance pedestrian safety.
 - c. Sidewalks, to the greatest extent possible, shall connect to existing or planned networks located at the perimeter of the development, or to an existing or planned network on the opposite side of the road fronting the tract.
 - d. Sidewalks are not required to serve all individual parking spaces.
 - e. Sidewalks are not required along the outline of a parking lot, unless such configuration is necessary to provide direct pedestrian access.

- (2). Sidewalk Width. Sidewalks shall not be less than eight (8) feet wide when adjacent to the main building entrance and any drop-off area not located adjacent to the main building entrance, and not less than five (5) feet wide elsewhere.
 - (3). Sidewalk Construction Material. Sidewalks shall be constructed of masonry pavement, pre-cast ornamental concrete pavers, poured-in-place concrete, patterned poured concrete, special pavers, bricks, or bituminous.
 - (4). Sidewalk Crossings.
 - (a). Pedestrian crosswalks shall conform to PennDOT specifications, but in no case shall pedestrian crosswalks be less than six (6) feet in width.
 - (b). Drop-off and pickup zones shall be well delineated for pedestrians and separated from the flow of vehicle traffic.
 - d. Off-Street Parking. Off-street parking shall be provided in accordance with the regulations set forth in Article 5 of this Zoning Ordinance relating to *Off-Street Parking (S. 520.)*, except that the required number of spaces shall be determined in accordance with the subsection immediately below (S. 606.C.1.d.(1).).
 - (1). Required Number of Spaces
 - (a). Seven (7) parking spaces shall be provided per one thousand (1,000) square feet of gross floor area. The required number of parking spaces shall consist of a minimum of five (5) paved parking spaces per one thousand (1,000) square feet of gross floor area and two (2) or fewer of overflow parking spaces per one thousand (1,000) square feet of gross floor area the sum of which shall result in a total of seven (7) parking spaces per one thousand (1,000) square feet of gross floor area. At least twenty-five (25) percent of the provided overflow parking spaces shall be reinforced parking spaces in a manner acceptable to the Township of Rapho.
 - (b). In connection with the conditional use application, the applicant shall identify those parking spaces that are to be overflow parking spaces, and the number, location and manner of reinforcement of the reinforced overflow parking spaces.
 - e. Lighting

- (1). Lighting Plan. The conditional use application shall include a conceptual description of exterior lighting, including any outdoor athletic facilities or fields. A lighting plan that includes photometrics, fixture type, support, and footer details shall be provided at the Subdivision and/or Land Development Plan stage.
 - (2). Type of Light Fixture
 - (a). Pedestrian-scaled ornamental lighting fixtures shall be provided along streets and access drives. The design, size, and placement of outdoor lighting fixtures on buildings and in parking lots shall be in keeping with the architectural style of the buildings. Maximum permitted height shall be thirty-five (35) feet.
 - (b). Lighting fixtures that service off-street parking facilities containing less than one hundred (100) parking spaces shall be at a lower height. A detailed lighting design plan showing location, number of fixtures, lighting fixture island details, and height of fixtures shall be submitted during the Subdivision and/or Land Development Plan stage for each off-street parking facility.
- f. Signs. Signs shall be provided in accordance with the regulations set forth in Article 5 of this Zoning Ordinance relating to *Signs* (S. 528.), except as provided in the subsections below (S. 606.C.1.f.(1). through S. 606.C.1.f.(5).):
 - (1). Calculation of Sign Area. The sign area shall be measured by the smallest regular geometric shape not exceeding eight (8) sides encompassing all words and/or symbols composing the sign. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign. If a double-faced sign is back to back with no point more than three (3) feet from another, the area of only the larger face shall be used to calculate the sign area.
 - (2). Maximum Sign Area for Building-Mounted Signs. The total permitted building-mounted sign area for the Community Outreach Center shall not exceed one and one-half (1 ½) square feet for each linear foot of building wall that has windows or a public entrance, to a maximum sign area of one hundred eighty (180) square feet. The total allowable sign area may be a combination of building-mounted sign types.

(3). Freestanding Monument Sign

- (a). One (1) freestanding monument sign is permitted at the entrance to the Community Outreach Center.
- (b). The sign area of a freestanding monument sign is not included in the calculation for maximum building-mounted sign area.
- (c). The maximum sign area for a freestanding monument sign shall be fifty (50) square feet. However, when a freestanding monument sign is double-faced with both faces having the same message, and no point is more than three (3) feet from another, the area of only the larger face shall be used to calculate the sign area.
- (d). The height of a freestanding monument sign shall not exceed fifteen (15) feet above the mean level of the ground abutting the base of the freestanding monument sign.
- (e). Freestanding monument signs may be attached to retaining walls; however, the monument sign portion of the retaining wall shall not exceed the above-stated height.
- (f). Freestanding monument signs shall be surrounded by a landscaped area that extends a minimum of four (4) feet in all directions.
- (g). All or a portion of the freestanding monument sign may include or consist of an electronic message center component, which is a variable message sign utilizing LCD, LED, plasma, CRT, pixelized lights or other animated and/or video-like displays for computer generated messages or some other electronic means of changing copy, subject to the following criteria:
 - i. Electronic messages shall not change at a rate greater than one (1) time per each fifteen (15) second period;
 - ii. Signs shall employ sufficient size lettering and/or symbols for immediate recognition by motorists;

- iii. Signs shall display simple and static messages for immediate recognition by motorists. Messages shall be complete in each display cycle and shall not require viewers to see multiple display cycles to derive its meaning;
 - iv. Signs shall use instantaneous transitions from one message display cycle to the next with no blank-outs, scrolling, fading, streaming, zooming, flashing, or any other animated effect for immediate recognition by motorists; and
 - v. All owners must notify AMBER Alert and register its location for use as needed at (www.amber.state.pa.us/amber/guestaccount/registration_form.asp). During times of AMBER Alert the dynamic message display must display such information as provided by the PA State Police for no less than fifty (50) percent of the operating time during each one (1) hour cycle.
- (4). Directional Sign. Directional signs provide directions to pedestrian and vehicular traffic. Signs directing to entrances, exits and other non-business elements of a project are exempt from the sign regulations when the sign area is less than four (4) square feet.
- (5). Temporary Signs.
- (a). See Table 6-6.1 in this subsection below for temporary sign regulations:

TABLE 6-6.1
TEMPORARY SIGN STANDARDS

TEMPORARY SIGN TYPE	SIGN FEATURE					
	MAXIMUM NUMBER OF PERMITTED SIGNS	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	MINIMUM SETBACK FROM ADJOINING LOT LINE	SIGN PERMIT REQUIRED	ADDITIONAL REQUIREMENTS
iv. Special Event Sign	1 per street frontage	32 sq. ft.	10 ft. ¹	10 ft. ²	Yes	Sign shall not be erected sooner than 30 days prior to the event and shall be removed within 7 days after completion of the event.

NOTES:

- 1 Unless the temporary sign is fixed to the Community Outreach Center building, in which case the maximum sign height is controlled by the maximum building height of the applicable zone.
- 2 Unless the temporary sign is located adjacent to Route 283, in which case the minimum setback is one (1) foot from the Route 283 right-of-way.

g. Conditional Use Standards. Except as provided in the subsection immediately below (S. 606.C.1.g.(1).), the conditional use application for a Community Outreach Center is subject to Article 9 of this Zoning Ordinance relating to *Conditional Uses* (S. 906.).

(1). Vested Rights

- (a). See Sections 508(4) and 917 of the MPC, which provide an applicant with protection during certain time periods against changes to Township ordinances that would adversely affect an approved development.
- (b). For a Community Outreach Center that is granted conditional use approval, the vested rights provisions of Section 508(4)(ii) of the MPC shall be extended to fifteen (15) years from the date of the preliminary plan approval, provided the time limitations set forth in Article 9 of this Zoning Ordinance relating to *Time Limitation on Conditional Use Decisions* in *Conditional Uses* (S. 906.H.) are complied with. The Township Board of Supervisors may extend this fifteen (15) year period for additional five (5) year periods upon the request of the developer.
- (c). The six (6) month time period limit for the protections of and under Section 917 of the MPC, shall and is hereby extended to a maximum of twenty-four (24) months from the date of the conditional use approval. The twenty-four (24) period shall be extended for the length of any appeal of or challenge to the terms of the conditional use approval.

h. Application for Conditional Use. At the time of application for conditional use approval, and in addition to the information required as part of the conditional use application set forth in Article 9 of this Zoning Ordinance relating to *Conditional Uses* (S. 906.), the applicant shall submit the following:

- (1). Site Plan. The site plan shall be drawn at a legible scale and include the following:

- (a). Site data, including:
 - i. Proposed total gross floor area of Community Outreach Center,
 - ii. Proposed acreage and percentage of green space,
 - iii. Total number of proposed off-street parking spaces, permanent and overflow,
- (b). Proposed off-street parking space configurations, permanent and overflow.
- (c). Any prospective future land use, provided that:
 - i. The Applicant can provide adequate parking for the future land use; and
 - ii. If the Applicant does not currently own the property on which the future land use is depicted but plans to purchase or lease the property in the future, the Applicant has obtained the written consent of the current land owner to the depiction of a future use on the land owner's property.

Provided that the Applicant complies with the aforementioned conditions, if the Applicant purchases or leases the property from the land owner in the future, then the Applicant shall be permitted to proceed with a Subdivision, Land Development and/or Earth Disturbance Plan, as may be necessitated by the particular circumstances, without reopening the conditional use approval.

- (2). Reports. The following conceptual reports shall be submitted:
 - (a). A description of how storm water management design complies with the provisions of the Township of Rapho storm water requirements.
 - (b). A conceptual description of exterior lighting. This description does not need to include photometrics, fixture type, support, and footer.

(3). Traffic Evaluation Study.

- (a). A Traffic Impact Study (TIS) for assessing the traffic impacts associated with a proposed development, developed in accordance with in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)* in shall be submitted. Scope of the TIS is to be approved by the Township of Rapho prior to data collection.
- (b). An addendum, the scope of which is acceptable to the Township of Rapho to an existing traffic impact study shall be submitted for a property that is the subject of a prior traffic impact study which includes an agreement for financial contributions. The addendum to a traffic impact study shall acknowledge any development issues that differ from the prior study. If applicable, additional contributions/recommended improvements shall credit and/or take into consideration in its analysis earlier traffic impact contributions/off-site improvements.
- (c). For all proposed developments that are not subject to an existing traffic impact study, see Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.

D. Daycare, Commercial. Commercial Daycares shall be permitted subject to the following regulations:

- 1. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
- 2. Outdoor play areas shall:
 - a. Not be located in the front yard;
 - b. Be located at least twenty-five (25) feet from any adjoining lot in the (R) Zone or Residential Zones, or otherwise comply with the accessory use and structure required yard setbacks for the applicable zone;
 - c. Be provided with a fence of at least four (4) feet in height; and
- 3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately

scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

E. Government Use Other than Municipal Use. Government Uses Other than Municipal Uses shall be permitted subject to the following regulations:

1. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

F. Hospital. Hospitals shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
2. Emergency entrances shall be:
 - a. Located on a building wall which faces away from any adjoining lot in the (R) Zone or Residential Zones; and
 - b. Set back at least three hundred (300) feet from any adjoining lot in the (R) Zone or Residential Zones.
3. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
4. Adequate provision shall be made for the collection, disposal and recycling of garbage, trash and medical and hazardous waste
5. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

G. Medical Residential Campus. Medical Residential Campuses shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.

2. Medical residential campuses shall primarily serve the needs of retirement-aged persons. At least one (1) resident of each dwelling unit shall be at least fifty (50) years old, or possess some disability that can be treated within a setting like the medical residential campus.
3. Medical residential campuses shall achieve a balanced residential/medical environmental which cannot be achieved through the use of conventional zoning techniques.
4. Residences shall be functionally, physically, and architecturally integrated with medical service and recreational activity centers.
5. Commercial, medical, and recreational uses shall be grouped together and located near the populations being served.
6. Buildings and structures containing:
 - a. Non-residential use(s), off-street parking lots and loading areas shall be set back at least:
 - (1). Seventy-five (75) feet from adjoining lot in the (R) Zone or Residential Zones; and
 - (2). Fifty (50) feet from any lot line of the medical residential campus property; and
 - b. Residential use(s) shall be set back at least fifty (50) feet from any lot line of the medical residential campus property.
7. The maximum permitted overall density is ten (10) dwelling units per acre. For purposes of this subsection (S. 606.G.7.), each one and one half (1 ½) care beds associated with a medical use shall constitute one (1) dwelling unit. No more than fifty (50) percent of the total number of permitted dwelling units shall consist of care beds.
8. The maximum lot coverage shall be sixty (60) percent.
9. Only those uses which provide a harmonious, balanced mix of medical, residential, limited commercial and recreational uses, primarily serving the medical residential campus residents, and public, quasi-public and medical services for the off-campus retirement-aged community will be permitted. Uses may include, but need not be limited to the following:
 - a. Dwellings; nursing, rest, and retirement homes; and congregate living facilities for the elderly or physically handicapped.
 - b. Medical facilities including offices, laboratories, clinics, professional or paramedical training centers, and ambulatory care facilities.

- c. Commercial uses which are strictly related and subordinate to the residential/medical character of the medical residential campus, and limited to use only by the medical residential campus residents, employees, or their guests.
 - d. Recreational and social uses, such as athletic facilities, community centers, and assembly halls, limited to use only by the medical residential campus residents, employees, or their guests.
 10. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
 11. Adequate provision shall be made for the collection, disposal and recycling of garbage, trash and medical and hazardous waste.
 12. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan* in *Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- H. Nursing, Rest, and Retirement Facility. Nursing, Rest, and Retirement Facilities shall be permitted subject to the following regulations:
 1. In the (R-2) Zone, no more than seven (7) occupants per acre shall be permitted, excluding the staff of the facility.
 2. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
 3. Adequate provision shall be made for the collection, disposal and recycling of garbage, trash and medical and hazardous waste.
 4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan* in *Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- I. Place of Religious Worship. Places of Religious Worship shall be permitted subject to the following regulations:
 1. In the (A) Zone, places of worship shall be permitted by right subject to the following regulations:

- a. The land area devoted to the use shall not be greater than two (2) acres of lot area.
 - b. The total building area for the use shall contain no more than two thousand (2,000) square feet of gross floor area.
 2. Otherwise:
 - a. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 - b. Places of religious worship shall be permitted accessory uses limited to those principal and accessory uses permitted in the applicable zone, and said uses shall be located upon the same lot or any adjoining a lot containing a place of religious worship. Said uses shall comply with the requirements of the applicable use in the applicable zone, as well as all other requirements set forth elsewhere in this Zoning Ordinance.
 - c. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
 - d. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- J. School, K-12. K-12 Schools shall be permitted subject to the following regulations:
 1. In the (A) Zone, K-12 schools shall be permitted by right subject to the following regulations:
 - a. The land area devoted to the use shall not be greater than two (2) acres of lot area.
 - b. The total building area for the use shall contain no more than two thousand (2,000) square feet of gross floor area.
 2. Otherwise:
 - a. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.

- b. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
- c. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

Section 607. Non-Residential Uses –Miscellaneous Use Regulations.

A. Billboard. Billboards shall be permitted subject to the following regulations:

- 1. Billboards shall comply with the regulations set forth in Article 5 of this Zoning Ordinance relating to *General Regulation for all Signs in Signs (S. 528.A.)*.
- 2. All billboards shall be set back at least:
 - a. One thousand (1,000) feet of another billboard, unless located upon the same structure and placed:
 - (1). “Back-to-back type” where the two (2) billboard signs are at any point less than or equal to five (5) feet from each another; or
 - (2). “V-type” where the maximum interior angle formed by the two (2) billboards is less than or equal to thirty (30) degrees;
 - b. Fifty (50) feet from any side or rear lot line;
 - c. Thirty-five (35) feet from any adjoining street right-of-way line; and
 - d. One hundred (100) feet from any adjoining lot in the (R) Zone or Residential Zones.
- 3. No billboard shall exceed an overall size (sign area) of three hundred (300) square feet, nor exceed twenty-five (25) feet in height.
- 4. All properties upon which a billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter or vector habitation.
- 5. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and

nearby residential uses from detrimental noise, disturbance, or interruption.

B. Flag Lot. Flag Lots shall be permitted subject to the following regulations:

1. Flag lots shall comply with the applicable layout and design standards and requirements of the SLDO. Deviations from the standards and requirements listed in the SLDO that are proposed during the:
 - a. Subdivision/land development process shall be permitted to be requested and may be permitted as a modification according to the SLDO.
 - b. Zoning permit process that do not involve subdivision/land development review shall be permitted to be requested and may be permitted as a variance according to the provisions for a variance set forth in Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (S. 805.C.)*.
2. Requirements for the "Flag". The lot area, lot width, yard setbacks, and yard requirements of the applicable zone shall be measured exclusively upon the "flag". (See Figure 6-7.1)
3. The flag lot shall contain adequate driveway dimensions exclusively upon the "flag", designed to include an improved vehicle turnaround area to permit vehicles to maneuver in order that said vehicles can enter the street right-of-way in a forward direction.
4. Requirements for the "Flagpole".
 - a. The "flagpole" shall not exceed six hundred (600) feet in length, unless additional length is needed to avoid:

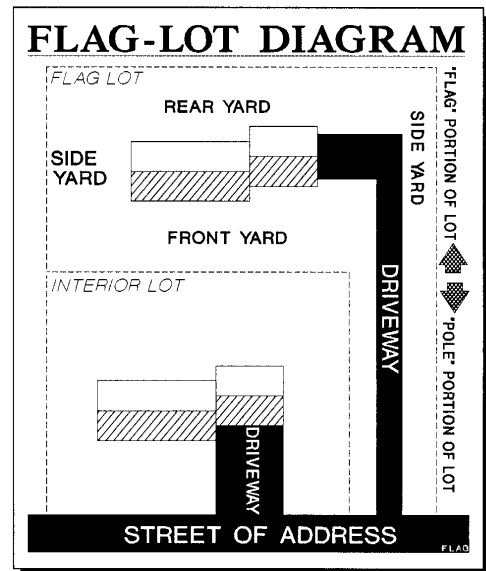


**FIGURE 6.7.1
FLAG LOT DIAGRAM**

- (1). The disturbance of productive agricultural land or some other significant natural or cultural feature; or
 - (2). Disruption of efficient agricultural operations.
- b. No part of the "flagpole" shall be used for any portion of an on-lot sewage disposal system, nor any other improvement except a driveway and other permitted improvements, such as landscaping, fencing, utility connections to off-site facilities, mailboxes, and signs.

- c. The driveway or access drive, as applicable, contained on the “flagpole” shall be located a minimum of six (6) feet from any lot line, and twenty (20) feet from any existing structure on an adjoining lot.
 - d. No “flagpole” shall be located within two hundred (200) feet of another “flagpole” on the same side of the street, unless said flag lots use a shared driveway or access drive, as applicable, serving both flag lots as set forth in Article 5 of this Zoning Ordinance relating to *Lot Access, Access Drives, and Driveways* (S. 515.).
- C. Manure Digester Energy Production Facility. Manure Digester Energy Production Facilities shall be permitted subject to the following regulations:
 1. Manure digester energy production facilities shall be subject to the regulations set forth in Article 5 of this Zoning Ordinance relating to *Operations and Performance Standards* (S. 521.).
 2. Manure digester energy production facilities shall comply with all the requirements of the applicable zone, except that all buildings, structures and facilities used as part of the manure digesting operations shall be set back at least:
 - a. Three hundred (300) feet from any adjoining lot in the (R) Zone or Residential Zones; and
 - b. Two hundred (200) feet of from any other lot line.
- D. Solar Energy Production Facility. Solar Energy Production Facilities shall be subject to the following regulations:
 1. The design and installation of solar energy production facilities shall conform to the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements.
 2. The layout, design, and installation of solar energy production facilities shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories, the American Society for Testing and Materials (ASTM), or other similar certifying organizations. The manufacturer specifications shall be submitted as part of the application.
 3. For the purposes of this Zoning Ordinance, all ‘at grade’ or ‘above grade’ features and facilities relating to ground mounted and/or freestanding solar energy production facilities including solar photovoltaic cells, panels, or arrays, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing, and foundations shall be considered impervious surface and subject to the maximum lot coverage requirements of the applicable zone, unless the applicant can demonstrate by credible evidence that storm water will infiltrate into the ground beneath the solar energy production facilities at a rate equal to that of the infiltration rate prior to placement of the system.

4. To the extent feasible, all solar energy production facilities in the (A) Zone shall be attached to a building; or if ground mounted and/or freestanding, the applicant shall demonstrate by credible evidence that:
 - a. The area proposed for the solar energy production facilities does not consist of more than fifty (50) percent Class I, II and/or III soils, as identified in the Soil Survey, or is generally unsuitable for agricultural purposes; and
 - b. Said facilities cannot feasibly be attached to a building due to structural and/or operational limitations of the building.
5. All solar energy production facilities shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street rights-of-way.
6. To the extent feasible, all on-site utility and transmission lines shall be placed underground.
7. All solar energy production facilities shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way.
8. Solar energy production facilities mounted on the roof of any building shall be subject to the maximum height regulations specified within the applicable zone.
9. The total surface area of all ground-mounted and freestanding solar collectors including solar photovoltaic cells, panels, arrays, and solar hot air or water collector devices shall be included as part of the lot coverage requirements.
10. All mechanical equipment of solar energy production facilities including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping* (S. 526.).
11. Clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fence.
12. Solar energy production facilities shall be subject to the regulations set forth in Article 5 of this Zoning Ordinance relating to *Operations and Performance Standards* (S. 521.).
13. All applications for solar energy production facilities shall include the information required for a plot/site plan approval pursuant to Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.2.). In addition, the applicant shall submit:

- a. A completed glare study ensuring that reflective glare is not directed towards nor upon any adjacent properties or adjacent street rights-of-way. The glare study shall include:
 - (1). Angle of the solar energy production facility panels at the location;
 - (2). A diagram showing the maximum and minimum angles of reflective glare from the solar energy production facility panels at the location and the relationship of that glare to adjacent properties, structures and rights-of-way; and,
 - (3). Mitigation plan that limits or eliminates reflective glare on adjacent properties, structures, and rights-of-way.
 - b. Certification from a professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania that the proposed installation of the solar energy production facility will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with any solar energy production facility, and applicable requirements of the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho;
 - c. Confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves of such connection; and
 - d. A plan for the removal of the solar energy production facilities when it becomes functionally obsolete or is no longer in use. The solar energy production facility owner is required to notify the Township of Rapho immediately upon cessation or abandonment of the operation. The owner shall be responsible for the removal of the facility within one hundred eighty (180) days from the date the applicant ceases use of the facility or the facility becomes obsolete. At the time of issuance of the permit for the construction of the solar energy production facilities, the owner shall provide financial security in form and amount acceptable to the Township of Rapho to secure the expense of dismantling and removing said structures.
 14. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- E. Telecommunications Tower. Telecommunications Tower shall be subject to the following regulations:

1. Telecommunications tower sites include at least one (1) telecommunications tower, but shall also include telecommunications antennas and telecommunications equipment buildings. Any permitted telecommunication building shall not have a building area of greater than two hundred fifty (250) square feet.
2. No telecommunications tower site shall be located within five hundred (500) feet of:
 - a. Any adjoining land in the (R) Zone or Residential Zones;
 - b. Any adjoining lot containing an existing residential use;
 - c. The nearest adjoining lot line of any approved lot which has been subdivided during the last five (5) years for residential use, which has not yet been developed or constructed; and
 - d. The nearest adjoining lot line of any lot proposed for residential uses which has been submitted for preliminary or final subdivision approval in accordance with the applicable plan review procedures and processes of the SLDO;
3. If the telecommunications tower site is located within the (A) Zone, the applicant shall demonstrate that the proposed location of the telecommunications tower on agricultural land:
 - a. Complies with the criteria set forth in Article 3 of this Zoning Ordinance relating to *Locational Criteria in Agricultural (A) Zone in Additional Layout, Design, and Other Standards (S. 301.D.1.b.)* in Agricultural and Rural Zones.
 - b. Is necessary for the efficient operation of the system;
 - c. That alternative locations outside of the (A) Zone are not available; and
 - d. That the area of the site is the minimum necessary to accommodate the proposed use.
4. Other standards of approval for telecommunications tower sites shall include the following:
 - a. Setbacks Requirements. Telecommunications towers shall be:
 - (1). Set back from lot lines a distance at least equal to the height of the antenna, including all guyed wires; and
 - (2). Self-collapsing or have a clear fall area setback at least equal to the height of the structure and any attached antennas from lot lines.

- b. **Height Requirements.**
 - (1). The maximum height of any single telecommunications tower located on a single site for one (1) antenna shall be at the lowest height to function at the proposed location, based upon specific engineering data pertaining to the function of the telecommunications tower, to be supplied to the applicant.
 - (2). A telecommunications tower may exceed the maximum allowable height to allow for the collocation of other telecommunications antennas, provided that the applicant shows evidence that the telecommunications tower will be a shared location site.
- d. Telecommunications Equipment Buildings. Accessory buildings must conform to the accessory use and structure minimum required yard setbacks for the applicable zone.
- d. To the extent feasible, all on-site utility and transmission lines shall be placed underground.
- e. All telecommunications towers, and guy wire anchors which shall be clearly marked so as to be visible at all times, shall be:
 - (1). Completely enclosed by a minimum eight (8) foot high fence with a self-locking gate; or
 - (2). The climbing apparatus shall be fully contained and locked within the tower structure.
- f. Screening. The telecommunications tower and base compound shall be provided with screening in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*.
- g. Lighting and Signs. Lighting and signs are subject to the following:
 - (1). No signs shall be mounted on a telecommunications tower except as may be required by the FCC, FAA, or other governmental agency which has jurisdiction.
 - (2). All telecommunications towers shall have lights as may be required by the FCC, FAA, or other governmental agencies which have jurisdiction. If lighting is not required by other agencies, then lighting acceptable to the Township of Rapho shall be required.
- h. Telecommunications towers shall be painted or employ colors that best allows it to blend into the surroundings unless otherwise required by the FAA regulations. The use of grays, blues, and greens may be appropriate.

5. All applications for telecommunications tower sites shall include the information required for a plot/site plan approval pursuant Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.2.)*. In addition, the applicant shall submit:
 - a. A plot/site plan showing:
 - (1). Lot lines and physical dimensions of all areas of the subject property that are within a distance equal to two (2) times the total height of the telecommunications tower.
 - (2). Location, dimensions, and types of existing principal and accessory structures on the property.
 - (3). Location of the proposed telecommunications tower, foundations, guy anchors, and associated equipment.
 - (4). Adjoining public street right-of-way lines.
 - (5). Any overhead utility lines.
 - b. A written report containing the following:
 - (1). Information describing the telecommunications tower height and design.
 - (2). A cross section of the structure.
 - (3). Engineering specifications detailing construction of telecommunications tower, base, and guy wire anchorage.
 - (4). Information describing the proposed painting and lighting schemes.
 - (5). Information describing the telecommunications tower's capacity, including the number and type of telecommunications antennas that it can accommodate.
 - (6). Certification that there is not suitable space on existing sites or structures where the intended facility can be accommodated and function as required without reasonable modification.
 - (7). Technological evidence that the facility must go where proposed in order to satisfy its function in the grid system and provide the quality of service required by law.
 - (8). Written authorization from the property owner of the proposed site.

- (9). Inventory of existing telecommunications towers and potential telecommunications antenna support structures within a two (2) mile radius of the proposed site, discussing the unavailability of sites and reasons therefore.
 - (10). Evidence of the applicant's good faith efforts to locate the telecommunications antenna on an existing structure.
 - (11). Applicant shall demonstrate that they are licensed by the FCC to operate a telecommunications tower site.
 - c. Certification from a professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania that the telecommunications tower has been designed and will be constructed in accordance with the current industry standards and applicable requirements of the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho. A copy of the foundation analysis shall also be provided.
 - d. A plan for the removal of the telecommunications tower when it becomes functionally obsolete or is no longer in use. The telecommunications tower owner is required to notify the Township of Rapho immediately upon cessation or abandonment of the operation. The owner shall be responsible for the removal of the facility within one hundred eighty (180) days from the date the applicant ceases use of the facility or the facility becomes obsolete. At the time of issuance of the permit for the construction of the telecommunications tower, the owner shall provide financial security in form and amount acceptable to the Township of Rapho to secure the expense of dismantling and removing said structures.
 6. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- F. Wind Energy Production Facility. Wind Energy Production Facilities shall be subject to the following regulations:
1. The design and installation of wind energy production facilities shall conform to the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements.
 2. The design and installation of all wind energy production facilities shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society for Testing and Materials (ASTM), or other

similar certifying organizations, or as approved under an emerging technology program such as the California Energy Commission, International Electrotechnical Commission, or any other wind certification program recognized by the American Wind Energy Association (AWEA) or the U.S. Department of Energy. The manufacturer specifications shall be submitted as part of the application.

3. Wind energy production facilities shall not generate noise that is perceptible at the lot line. This regulation may be exceeded during short-term events such as utility outages and/or severe wind storms.
4. To the extent feasible, all on-site utility and transmission lines shall be placed underground.
5. All wind energy production facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Manual regulation by wind energy system personnel shall not be considered a sufficient braking system for overspeed protection.
6. Wind energy production facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration (FAA).
7. Wind turbines and towers shall not display advertising, except for reasonable identification of the wind energy product facility's manufacturer. Such sign shall have an area of less than four (4) square feet.
8. Wind turbines and towers shall be a non-obtrusive color such as white, off-white or gray.
9. All wind energy production facilities shall, to the extent feasible, be sited to prevent shadow flicker on any occupied building on adjacent property.
10. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fence.
11. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
12. No portion of any wind energy production facility shall extend over parking areas, access drives, driveways or sidewalks.
13. All wind energy production facilities shall be independent of any other structure and shall be located a minimum distance of one and one tenth (1.1) times the turbine height from any inhabited structure, lot line, or overhead utility line.
14. The minimum height of the lowest position of the wind turbine shall be thirty (30) feet above the ground.

15. All mechanical equipment of solar energy production facilities including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping* (S. 526.).
16. Wind turbines' climbing apparatus shall be limited to no lower than twelve (12) feet from the ground or the wind turbines' climbing apparatus shall be fully contained and locked within the tower structure.
17. All applications for wind energy production facilities shall include the information required for a plot/site plan approval pursuant to Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits* (S. 902.C.2.). In addition, the applicant shall submit:
 - a. A plot/site plan showing:
 - (1). Lot lines and physical dimensions of all areas of the subject property that are within a distance equal to two (2) times the total height of the wind energy production facility.
 - (2). Location, dimensions, and types of existing principal and accessory structures on the property.
 - (3). Location of the proposed wind energy production facility tower, foundations, guy anchors, and associated equipment.
 - (4). Adjoining public street right-of-way lines.
 - (5). Any overhead utility lines.
 - b. Wind energy production facility specifications, including manufacturer and model, rotor diameter, tower height, and tower type—freestanding or guyed.
 - c. Certification from a professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania that the tower has been designed and will be constructed in accordance with the current industry standards and applicable requirements of the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements. A copy of the foundation analysis shall also be provided;
 - d. Confirmation that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves of such connection; and

- e. A plan for the removal of the wind energy production facility when it becomes functionally obsolete or is no longer in use. The wind energy production facility owner is required to notify the Township of Rapho immediately upon cessation or abandonment of the operation. The owner shall be responsible for the removal of the facility within one hundred eighty (180) days from the date the applicant ceases use of the facility or the facility becomes obsolete. At the time of issuance of the permit for the construction of the wind energy production facility, the owner shall provide financial security in form and amount acceptable to the Township of Rapho to secure the expense of dismantling and removing said structures.
18. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

G. Communication Antennas, Structures, and Equipment Located in the Street Rights-of-Way.

1. Communication antennas and equipment co-located on existing publicly owned or public utility owned structures within the rights-of-way of public streets and private streets shall be permitted by right in all zones.
2. New structures containing telecommunication antennas and equipment shall be permitted by conditional use within the rights-of-way of public or private streets within the Agricultural (A) Zone, Mixed Use Commercial (MUC) Zone, Commercial Recreation (CR) Zone, Highway Commercial (HC) Zone, and Industrial (IND) Zone with the following requirements:
 - a. Structures are prohibited in areas served by underground utilities. No telecommunications antennas, support structures or equipment shall be installed within a public street right-of-way or a private street right-of-way where utility facilities serving lots abutting such street are located underground. Telecommunications antennas, support structures, and equipment shall be installed only within rights-of-way of streets with existing overhead utility poles and overhead wires.
 - b. An application for a new telecommunications support structure in a street right-of-way shall not be approved unless the Township finds that the proposed telecommunications equipment cannot be accommodated on an existing support structure, such as a utility pole or traffic light pole. Any application for approval of a telecommunications facility and support structure shall include a comprehensive inventory of all existing structures and other suitable structures within a one-mile radius from the point of the proposed structure, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing or other suitable support structure cannot be

utilized.

- c. Time, place and manner. The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all telecommunications facilities and support structures in the public street right-of-way based on public safety, traffic management, physical burden on the public street right-of-way, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.
- d. Equipment location of telecommunications support structures and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the public street right-of-way as determined by the Township. In addition:
 - (1). In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of an existing curb.
 - (2). Ground-mounted equipment that cannot be installed underground shall be fully screened using landscaping or other decorative features to the satisfaction of the Township.
 - (3). Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.
 - (4). Any graffiti on the structure or on any accessory equipment shall be removed at the sole expense of the owner within 30 business days of notice of the existence of the graffiti.
 - (5). Any underground vaults related to telecommunications facilities shall be reviewed and approved by the Township.

3. Design regulations.

- a. The telecommunications antennas and telecommunications support structure shall employ the most current stealth technology available to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the stealth technology chosen by the applicant shall be subject to the approval of the Township.
- b. Any substantial change to an existing telecommunications facility shall require prior approval of the Township.
- c. Any proposed telecommunications support structure shall be designed structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas or future users, including

antennas for public safety needs by emergency responders.

- d. The height of any telecommunications support structure shall not exceed forty (40) feet. Any height extension to an existing telecommunications support structure shall require an additional special exception. Guy wires are not permitted. All telecommunications support structure shall be self-supporting.
4. The applicant shall allow and encourage other service providers to co-locate antennas on telecommunications support structures where technically and economically feasible. The owner of a telecommunications support structure shall not install any additional antennas without obtaining the prior written approval of the Township.
5. Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a telecommunications support structure and/or equipment in the public street right-of-way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any telecommunications support structure and/or equipment when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:
 - a. The construction, repair, maintenance or installation of any Township or other public improvement in the right-of-way.
 - b. The operations of the Township or other governmental entity in the right-of-way.
 - c. Vacation of a street or road or the release of a utility easement.
 - d. An emergency as determined by the Township.
6. Compensation for public street right-of-way use. Every telecommunications support structure and/or telecommunications equipment in the public street right-of-way is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the public street right-of-way. Such compensation for public street right-of-way use shall be directly related to the Township's actual public street right-of-way management costs, including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other public street right-of-way management activities by the Township. The owner of each telecommunications support structure and/or telecommunications equipment shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred with the activities described above. The annual public street right-of-way management fee for telecommunications support structures and/or telecommunications equipment shall be determined by the Township, authorized by resolution of the Board of Supervisors, and shall be based on the Township's actual public street right-of-way management

costs as applied to such telecommunications support structure and/or telecommunications equipment.

7. The owner and/or lessee of any telecommunication antennas, support structures, and equipment located within a public street right-of-way shall be required to provide a certificate of insurance to the Township providing evidence of liability insurance of not less than \$1,000,000 and naming the Township as an additional insured on the policy or policies of the owner and/or lessee.
8. The foregoing requirements shall not apply with respect to any entity that, as of December 12, 2017, already has the right to occupy the public street right-of-way pursuant to a franchise or other agreement with the Township, such as a cable television franchise.

Section 608. Accessory Use Regulations.

A. Accessory Apartment. Accessory apartments shall be permitted subject to the following regulations:

1. Only one (1) accessory apartment shall be established upon a lot. Including the principal dwelling, there shall be no more than a total of two (2) dwelling units per lot.
2. The owner of the lot must reside on the premises.
3. Accessory apartments shall not be subdivided from the principal uses, and accessory apartments shall not be sold separately from the principal use.
4. Additions and alterations to principal dwellings for accommodating accessory apartments shall be made to the side or rear of the principal dwellings, into the side or rear yards as applicable; and no addition or alteration to principal dwellings for accommodating accessory apartments shall be made to front of the principal dwellings, into the front yard.
5. Accessory apartments shall have entrances separate from the entrances to the principal dwellings. Accessory apartments' entrances shall not be located on the front building wall (facing the street) of the principal dwelling.
6. Accessory apartments shall be connected to the principal dwellings via interior doorways as means of access for purposes of supervision and emergency response.
7. Accessory apartments shall have a habitable floor area of not more than:
 - a. Forty (40) percent of the principal dwelling's habitable floor area; or
 - b. Seven hundred (700) square feet;

whichever is less.

8. Vehicular access to accessory dwelling units shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the principal use.
9. Accessory apartments shall be designed, sited, and constructed to have an appearance architecturally compatible with the principal dwelling, and which can readily be (re)converted into part of the principal dwelling when the accessory apartment is discontinued.
10. Utility Connections.
 - a. Additional dwelling units shall physically be connected to the existing dwelling unit's sewage system, water supply system, and all other utilities.
 - b. No separate utility system or connection serving additional dwelling units shall be constructed or used, unless required by the PA DEP.
 - c. If individual on-lot sewage or water system are to be used, the applicant shall submit evidence that the total number of occupants of all the dwelling units on the site will not exceed the maximum capacities for which the systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing individual on-lot sewage system shall be subject to the review and approval of the Township Sewage Enforcement Officer.

B. Accessory Dwelling Unit. Accessory dwelling units shall be permitted subject to the following regulations:

1. Only one (1) accessory dwelling unit shall be established upon a lot. Including the principal dwelling, there shall be no more than a total of two (2) dwelling units per lot.
2. The owner of the lot must reside on the premises.
3. Accessory dwelling units shall not be subdivided from the principal use, and accessory dwelling units shall not be sold separately from the principal use.
4. Accessory dwelling units shall comply with the principal use and structure required yard setbacks for the applicable zone.
5. Accessory dwelling units shall be installed and located on the same lot as the principal use, but only within the side or rear yards, and shall comply with principal use and structure required yard setbacks for the applicable zone.
6. Accessory dwelling units shall have a habitable floor area of not more than:
 - a. Forty (40) percent of the principal dwelling's habitable floor area; or
 - b. Nine hundred (900) square feet,

whichever is less.

7. Accessory dwelling units shall be set back a minimum of ten (10) feet from the principal building.
 8. Vehicular access to accessory dwelling units shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the principal use.
 9. New accessory buildings constructed for accessory dwelling units shall be designed, sited, and constructed to have an appearance architecturally compatible with the principal dwelling, and which can readily be converted to another permitted accessory use, or removed, if the accessory dwelling unit is discontinued.
 10. Utility Connections.
 - a. Additional dwelling units shall physically be connected to the existing dwelling unit's sewage system, water supply system, and all other utilities.
 - b. No separate utility system or connection serving additional dwelling units shall be constructed or used, unless required by the PA DEP.
 - c. If individual on-lot sewage or water systems are to be used, the applicant shall submit evidence that the total number of occupants of all the dwelling units on the site will not exceed the maximum capacities for which the systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing individual on-lot sewage system shall be subject to the review and approval of the Township Sewage Enforcement Officer.
- C. Accessory Employee Dwelling. Accessory Employee Dwellings shall be permitted subject to the following regulations:
1. Accessory employee dwellings may be established via only one (1) of the following options per lot:
 - a. Accessory apartments complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Accessory Apartment* in *Accessory Use Regulations* (§ 608.A.).
 - b. Accessory dwelling units complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Accessory Dwelling Unit* in *Accessory Use Regulations* (§ 608.B.).
 - c. Temporary dwelling units complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Temporary Dwelling Unit* in *Temporary Use Regulations* (§ 609.B.).

2. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions* in *Special Exceptions* in *Zoning Hearing Board's Functions* (§ 805.B.1.c.), applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan* in *Application for All Zoning Permits* in *Zoning Permits* (§ 902.C.2.).
- D. Accessory Family Member Dwelling. Accessory Family Member Dwellings shall be permitted subject to the following regulations:
1. For purposes of this use, permitted family members shall be limited to those individuals related by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption, to the owner of the lot.
 2. No more than two (2) family members shall reside in each accessory family member dwelling.
 3. Accessory family member dwellings may be established via only one (1) of the following options per lot:
 - a. Accessory apartments complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Accessory Apartment* in *Accessory Use Regulations* (§ 608.A.).
 - b. Accessory dwelling units complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Accessory Dwelling Unit* in *Accessory Use Regulations* (§ 608.B.).
 - c. Temporary dwelling units complying with the regulations set forth in Article 6 of this Zoning Ordinance relating to *Temporary Dwelling Unit* in *Temporary Use Regulations* (§ 609.B.).
- E. Agricultural Product Marketing/Sales. Agricultural Product Marketing/Sales shall be permitted subject to the following regulations:
1. Agricultural product marketing/sales shall be owned or operated by the landowner, landowner's immediate family member, or the operator or employee, of the active agricultural operation or agri-business.
 2. At least fifty (50) percent of the agricultural products displayed or offered for sale at the agricultural product marketing/sales stand shall be produced by the landowner, landowner's immediate family member, or the operator or employee of the agricultural operation or agri-business.
 3. Agricultural product marketing/sales stands and related parking may be located in any front yard area, provided they are at least fifty (50) feet from any lot line.

4. To the maximum extent feasible, the agricultural product marketing/sales stand shall be conducted within an existing agriculture or other accessory building:
 - a. However, any new building constructed for use by the agricultural product marketing/sales stand shall be located no less than fifty (50) feet from any lot line.
 - b. New accessory building constructed for use by the agricultural product marketing/sales stand shall be designed, sited, and constructed so that it is compatible with other buildings on the lot, and which can readily be converted to another permitted accessory use, or removed, if the agricultural product marketing/sales stand is discontinued.
 5. The land area devoted to the agricultural product marketing/sales stand shall occupy nor more than two (2) acres of lot area. However, any driveway or access drive, as applicable, serving the agricultural product marketing/sales stand the active agricultural operation or agri-business, shall not be calculated as land serving the agricultural product marketing/sales stand.
 6. No more than fifty (50) percent of the land area devoted to an agricultural product marketing/sales stand shall be covered by buildings, structures, parking or loading areas, storage/display areas, lot coverage, or any other impervious surfaces.
 7. Vehicular access to the agricultural product marketing/sales stand shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the active agricultural operation or agri-business. No additional lot access or street connections shall be permitted for the agricultural product marketing/sales stand.
 8. Only one (1) agricultural product marketing/sales stand per agricultural operation or agri-business shall be permitted.
 9. Outside display shall be permitted in accordance with Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (S. 608.V.)*, except that agricultural products need not be on an improved surface.
 10. All portable structures and signs used as part of the agricultural product marketing/sales stand shall be removed or shall be stored in an enclosed structure at the end of the harvesting season.
 11. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- F. Agricultural Support Occupation: Agricultural Support Occupations shall be permitted

subject to the following regulations:

1. Agricultural support operations shall be owned or operated by the landowner, landowner's immediate family member, or the operator or employee, of the active agricultural operation or agri-business; or a resident of the lot upon which the active agricultural operation or agri-business occurs.
2. Agricultural support occupations may involve a limited range of business uses, such as:
 - a. Excavating Contractor;
 - b. Landscaping Service;
 - c. Sawmill;
 - d. Machine shop;
 - e. Carpentry/woodworking;
 - f. Compost sales; and
 - g. Other similar activities, that may be determined on a case by case basis if the use meets the purpose and intent of the regulations,as long as they remain secondary and clearly incidental to, and compatible with, the active agricultural operation or agri-business.
3. No more than four (4) non-residents shall be employed by the agricultural support occupation.
4. The owner of the agricultural support occupation shall reside on the premises, and at least one (1) resident shall be engaged in the agricultural support occupation. Proof of residency shall be provided.
5. Except as otherwise provided in this subsection relating to *Agricultural Support Occupation (S. 608.F.)* all activities associated with agricultural support occupation shall take place within completely enclosed buildings. To the maximum extent feasible, the agricultural support occupation shall be conducted within an existing agriculture or other accessory building:
 - a. However, any new building constructed for use by the agricultural support occupation shall be located no less than fifty (50) feet from any lot line.

- b. New accessory building constructed for use by the agricultural support occupation shall be designed, sited, and constructed so that it is compatible with other buildings on the lot, and which can readily be converted to another permitted accessory use, or removed, if the agricultural support occupation is discontinued.
6. The sales of goods or merchandise may occur on the premises, limited to those goods or merchandise that are customarily incidental to the agricultural support occupation and directly related thereto.
7. Outside display shall be permitted in accordance with Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (S. 608.V.)*.
8. All loading and outside storage areas associated with the agricultural support occupation shall be provided with a landscape screening strip in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (S. 526.)*:
 - a. Loading areas shall be located to the side or rear (behind) of the accessory building containing the agricultural support occupation; and
 - b. Outside storage areas shall be located to the rear (behind) the accessory building containing the agricultural support occupation.
9. No part of an agricultural support occupation shall be located within fifty (50) feet of any lot line.
10. The land area devoted to the agricultural support occupation shall occupy nor more than two (2) acres of lot area. However, any driveway or access drive, as applicable, serving the active agricultural operation or agri-business, shall not be calculated as land serving the agricultural support occupation.
11. No more than fifty (50) percent of the land area devoted to an agricultural support occupation shall be covered by buildings, structures, parking or loading areas, storage/display areas, lot coverage, or any other impervious surfaces.
12. Vehicular access to the agricultural support occupation shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the active agricultural operation or agri-business. No additional lot access or street connections shall be permitted for the agricultural support occupation.
13. If more than one (1) agricultural support occupation is accessory to the active agricultural operation or agri-business, the total aggregate impact of the agricultural support occupations shall be considered in determining compliance with this Zoning Ordinance. In any case, no more than four (4) non-resident employees shall be permitted to work on site at one (1) time.
14. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation*

and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (S. 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

15. In lieu of the plot/site plan required to be submitted as set forth in Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Filing Requirements for Conditional Use in Conditional Uses (S. 906.A.3.)*, applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for conditional use approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for All Zoning Permits in Zoning Permits (S. 902.C.2.)*.
- G. Agri-Tainment/Agri-Tourism: Agri-Tainment/Agri-Tourism uses shall be permitted subject to the following regulations:
1. A traffic study shall be prepared in accordance with Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (S. 533.)*.
 2. Agri-tainment/agri-tourism use(s) shall be owned or operated by the landowner, landowner's immediate family member, or the operator or employee of the active agricultural operation or agri-business; or a resident of the of the lot upon which the active agricultural operation or agri-business occurs.
 3. Agri-tainment/agri-tourism use(s) may involve a limited range of business uses, such as:
 - a. Corn Maze;
 - b. Hay Ride;
 - c. Petting Farm;
 - d. On-farm tour with demonstrations of agricultural practices, techniques and methods;
 - e. Other similar agricultural related activities, that may be determined on a case by case basis if the use meets the purpose and intent of the regulations; and
 - f. Weddings;
 - g. Concerts;
 - h. Banquets;
 - i. Other similar non-agricultural entertainment oriented gatherings, events, fairs, festivals and related activities that may be determined on a case by

case basis if the use meets the purpose and intent of the regulations, as long as they are directly related to, remain secondary and clearly incidental to, and compatible with, the active agricultural operation or agri-business.

4. All buildings within which the agri-tainment/agri-tourism use(s) are conducted shall be designed and constructed in compliance with the most recent version of the IBC as referenced in the PA UCC adopted by the Township of Rapho.
5. To the maximum extent feasible, the agri-tainment/agri-tourism use(s) shall be conducted within an existing agriculture building or other accessory building. All portable structures and signs used as part of the agri-tainment/agri-tourism use(s) shall be removed or shall be stored in an enclosed structure at the end of the harvesting season.
 - a. However, any new building constructed for use by the agri-tainment/agri-tourism use(s) shall be located no less than fifty (50) feet from any lot line.
 - b. Any new building constructed for use by the agri-tainment/agri-tourism use(s) shall be of a design so that it is compatible with the surrounding buildings and can be readily converted to another permitted use, or removed, if the agri-tainment/agri-tourism use(s) is discontinued.
6. The sales of goods or merchandise may occur on the premises, limited to those goods or merchandise that are produced on the premises, or are customarily incidental to the agri-tainment/agri-tourism use(s) and directly related thereto.
7. Outside displays and outside sales shall be permitted in accordance with Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (§ 608.V.)* and Article 5 of this Zoning Ordinance relating to *Outside Storage (§ 523.)*.
8. All parking, loading, outside storage, areas associated with the agri-tainment/agri-tourism use(s) shall:
 - a. Comply with the loading, outside storage and outside display regulations set forth in Article 5 and Article 6 of this Zoning Ordinance; and
 - b. Be provided with a landscape screening strip in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (§ 526.)*.
9. No part of an agri-tainment/agri-tourism use shall be located within fifty (50) feet of any lot line.
10. To the maximum extent feasible, vehicular access to the agri-tainment/agri-tourism uses shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the active agriculture operation or agri-business.
11. The applicant shall submit an hours of operation and management plan in

accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

12. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions in Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.1.c.)*, applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for All Zoning Permits in Zoning Permits (§ 902.C.2.)*.

H. Automated Banking or Postal Facility. Automated Banking or Postal Facilities shall be permitted subject to the following regulations:

1. All drive-thru automated banking or postal facilities shall be permitted subject to the regulations for drive-thru uses set forth in Article 6 of this Zoning Ordinance relating to *Drive-Thru Facility for Permitted Uses in Accessory Use Regulations (§ 608.L.)*.
2. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

I. Bed and Breakfast. Bed and Breakfasts for permitted uses shall be permitted subject to the following regulations:

1. The lot proposed for development shall contain a single family detached dwelling, and all tenant/guest rooms shall be located within the principal building.
2. The total number of tenant/guest rooms permitted for rent shall be five (5) and the bed and breakfast shall not accommodate more than ten (10) tenants/guests total.
3. All tenant/guest rooms shall be limited to two (2) tenants/guests each.
4. All buildings permitted to be used as bed and breakfasts shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
5. The owner or resident manager of the bed and breakfast shall reside upon the premises. Proof of residency shall be provided.

6. Overnight guests shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30) day period.
 7. No cooking facilities shall be provided or permitted in individual guest bedrooms.
 8. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
 9. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions in Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.1.c.)*, applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for All Zoning Permits in Zoning Permits (§ 902.C.2.)*.
- J. Beekeeping. Beekeeping shall be permitted subject to the following regulations:
1. This use shall comply with the most recent version of the *Best Management Practices for Maintaining European Honey Bee Colonies in the Commonwealth of Pennsylvania*.
- K. Daycare, Family. Family Daycares shall be permitted subject to the following regulations:
1. All principal structures permitted to be family daycare facilities shall maintain an exterior appearance that resembles and is compatible with most of the existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
 2. The site shall be arranged to minimize the need for persons being “dropped off” and “picked up” to cross traffic lanes on or adjacent to the site.
 3. Outdoor play areas shall:
 - a. Not be located in the front yard;
 - b. Be set back at least twenty (20) feet from adjoining lot in the (R) Zone or Residential Zones, or otherwise comply with the accessory use and structure required yard setbacks for the applicable zone;
 - c. Be provided with a fence of at least four (4) feet in height; and
 - d. Be oriented, arranged, and provided with a landscape screening strip in accordance with Article 5 relating to *Screening and Landscaping (§ 526.)* to

prevent any objectionable noise impact on any adjoining lot in the (R) Zone or Residential Zones.

4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
5. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions in Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.1.c.)*, applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for All Zoning Permits in Zoning Permits (§ 902.C.2.)*.

L. Drive-Thru Facility for Permitted Uses. Drive-Thru Facilities for Permitted Uses shall be permitted subject to the following regulations:

1. The proposed use shall be located on a lot that fronts on and has direct lot access to an arterial street or collector street, as listed in Article 5 of this Zoning Ordinance relating to *Traffic Impact Study and Street Classifications (§ 533.)*.
2. Drive-thrus shall:
 - a. Be located on a building wall which faces away from any adjoining lot in the (R) Zone or Residential Zones; and
 - b. Comply with the accessory use and structure required yard setbacks for the applicable zone
3. Stacking facilities for drive-thru facilities shall be provided, in accordance with Article 5 of this Zoning Ordinance relating to *Vehicle Queuing Standards (§ 534.)*.
4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

M. Helicopter Pad, Private. Private Helicopter Pads shall be permitted subject to the following regulations:

1. In the (A) Zone, private helicopter pads shall be permitted as an accessory use to an agricultural operation or agri-business.

2. No part of a take-off/landing pad shall be located nearer than three hundred (300) feet from any lot line.
 3. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
- N. Home Occupation: Home Occupations shall be permitted subject to the following regulations:
1. In the Agricultural and Rural Zones or the Residential Zones, home occupations may involve a limited range of commercial uses such as:
 - a. Office, Business and Professional
 - b. Office, Medical;
 - c. Office, Veterinary;
 - d. Personal Services;
 - e. Tutoring and individualized instruction;
 - f. Other similar uses involving services to clients/patrons on an appointment basis, that may be determined on a case by case basis if the use meets the purpose and intent of the regulations, as long as it remains secondary and clearly incidental to and compatible with the residential dwelling.
 2. In all other zones, home occupations may involve the limited range of business uses set forth in the applicable zone, as long as it remains secondary and clearly incidental to and compatible with the residential dwelling. Except that no home occupation shall include an adult oriented business and/or related use.
 3. No more than a total of twenty (20) trips per day to the site, including parcel delivery services, may be generated.
 4. No more than one (1) occupation shall be permitted per lot.
 5. No more than two (2) non-residents shall be employed by the home occupation.
 6. The owner of the home occupation shall reside on the premises, and at least one (1) resident shall be engaged in the home occupation. Proof of residency shall be provided.

7. The home occupation may be located in the principal dwelling unit and/or an accessory building. Home occupations in accessory buildings shall not otherwise occupy ground floor, off-street garage floor area/space, thereby displacing required off-street parking spaces provided on the lot.
8. Any permitted home occupation use shall maintain an exterior appearance that resembles and is compatible with most of the existing dwelling on the lot and in the neighborhood. No modifications to the external appearance of the building used for the home occupation (except fire escapes) which would alter its residential character shall be permitted.
9. All business activities shall take place in a completely enclosed building. No outside storage, unenclosed storage, or outside display related to the home occupation shall be permitted.
10. Home occupations shall be limited to not more than twenty-five (25) percent of the habitable floor area of the principal dwelling unit, or five hundred (500) square feet of gross floor area, whichever is less, even if the home occupation is conducted within an accessory building.
11. No sales of any goods or merchandise shall occur on the premises other than those goods or merchandise which are produced on the premises or are customarily incidental to the accessory home occupation and directly related thereto, such as hair care products by a barber or beautician.
12. No goods shall be displayed or stored so as to be visible from any lot line.
13. The home occupation shall not require delivery or pickup by tractor-trailer trucks.
14. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
15. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions in Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.1.c.)*, applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan in Application for All Zoning Permits in Zoning Permits (§ 902.C.2.)*.
16. The applicant shall submit the following signed and notarized statement:

"I understand that this use has prescribed limitations that are imposed to protect the residential character of the area. I also recognize that continued

success of my business that requires expansion beyond such limitations at this location would constitute a zoning violation. Should expansion beyond these limitations occur, I will be required to find another, more suitable, location with the appropriate zoning.”

O. Manure Digester System. Manure digester systems shall be permitted subject to the following regulations:

1. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be managed in a manner that complies with the Clean Streams Law and the practices prescribed by the Manure Management Manual.

P. Manure Storage Facility. Manure storage facilities shall be permitted subject to the following regulations:

1. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be managed in a manner that complies with the Clean Streams Law and the practices prescribed by the Manure Management Manual.

Q. Mobile Concession/Street Vendor. Mobile Concession/Street Vendors shall be permitted subject to the following regulations:

1. Mobile concession/street vendor service shall not include drive-thru facilities.
2. Mobile concession/street vendor equipment shall be stored in an enclosed structure after normal operating hours.

R. No-Impact Home Occupation. No-impact home occupations shall be permitted subject to the following regulations:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including

interference with radio or television reception, which is detectable in the neighborhood.

6. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
 7. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.
 8. The business may not involve any illegal activity.
- S. Non-Commercial Keeping of Livestock. Non-commercial keeping of livestock shall be permitted subject to the following regulations:
1. Table 6-8.1 in this subsection below, lists requirements by size of animals permitted to be kept:

TABLE 6-8.1
NON-COMMERCIAL KEEPING OF LIVESTOCK REQUIREMENTS

ANIMAL GROUP	AVERAGE ADULT WEIGHT ¹	MAXIMUM ANIMAL DENSITY PER ACRE	MINIMUM LOT AREA	ADDITIONAL STANDARDS	MINIMUM SETBACKS FROM ALL LOT LINES ^{2,3}
a. 1	Less than 10 lbs.	12	43,560 sq. ft.	N/A	5 ft.
b. 2	Equal to or greater than 10 lbs. but less than 250 lbs.	4	87,120 sq. ft.	Minimum of 65,340 sq. ft. must be dedicated to keeping of said livestock, but the minimum lot area for the principal use in the applicable zone shall also be complied with	25 ft.
c. 3	Equal to or greater than 250 lbs.	1	87,120 sq. ft.	Minimum of 65,340 sq. ft. must be dedicated to keeping of said livestock, but the minimum lot area for the principal use in the applicable zone shall also be complied with	50 ft.

NOTES:

- 1 Refer to the most recent version of Agronomy Facts #54 Pennsylvania's Nutrient Management Act (Act 38): Who Is Affected?; The Pennsylvania State University, 2010.
- 2 The minimum setback requirements shall not apply to fences.
- 3 Structures, except fences, directly related to and used as part of the keeping of the livestock shall not be permitted within the front yard, unless a minimum one hundred (100) foot setback is provided.

2. The keeping of a combination of animal types (Groups 1, 2 and/or 3) shall require an animal density equal to the ratio of the number of animals, by type. Should one (1) structure be used to house a combination of animal types, the most restrictive setback shall apply.
 3. All riding, boarding, and pasture areas shall be securely fenced to prevent the escape of animals.
 4. The applicant shall submit a working plan that demonstrates how any areas used for riding and pasture shall be maintained in acceptable vegetative cover.
 5. The location of manure storage and processing facilities shall conform to the requirements of the Pennsylvania Nutrient Management Act. Notwithstanding anything contained in this Zoning Ordinance to the contrary, all manure shall be managed in a manner that complies with the Clean Streams Law and the practices prescribed by the most recent version of the Pennsylvania Manure Management Manual.
- T. Outdoor Furnace. Outdoor furnaces shall be permitted subject to the following regulations:
1. The design and installation of outdoor furnaces shall conform to the EPA Phase 2 emission standards, other applicable industry standards, and the manufacturer's specifications. The manufacturer's specifications shall be submitted as part of the application.
 2. All outdoor furnaces shall be set back at least one hundred fifty (150) feet from any lot line, or any inhabited dwelling not located on the lot on which the outdoor furnace is proposed, whichever is greater.
 3. All outdoor furnaces shall have a permanent attached stack. The minimum height of all stacks shall be twenty (20) feet above the ground and otherwise installed according to the manufacturer's specifications.
 4. Outdoor furnaces shall be equipped with a properly functioning spark arrestor.
- U. Outside Café/Dining. Outside Cafés/Dining facilities shall be permitted subject to the following regulations:
1. Outside café/dining furnishings shall be limited to tables, chairs, umbrellas, benches, trash/recycling receptacles, outdoor heaters, and reservation podiums.
 2. Outside café/dining furnishings shall be stored in an enclosed, secured structure after normal operating hours.
 3. The limits of the outside café/dining area shall be defined via the use of decorative fencing and landscaping, decorative planters, posts with ropes, or other removable enclosures, as well as reservation podiums.

4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

V. Outside Display: Outside display shall be permitted subject to the following regulations:

1. In no case shall the location of such outside display area occur within any area used for pedestrian or vehicular circulation, parking or loading, or emergency vehicle access (e.g., fire lanes).
2. Outside display areas shall be kept in an orderly fashion to permit access and circulation for customers and patrons as well as emergency response.
3. All portions of a lot used for outside display shall be provided with an improved surface as set forth in Article 5 of this Zoning Ordinance relating to *Improved Surfaces (§ 513.)*.
4. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

W. Roadside Stand. Roadside Stands shall be permitted subject to the following regulations:

1. All of the agricultural products displayed or offered for sale at the roadside stand shall be produced by the landowner, the landowner's immediate family member, or a resident of the of the lot.
2. Any structure used as part of the stand for display and sales agricultural products shall be no more than three hundred (300) square feet.
3. Roadside stands and related parking may be located in any front yard area, provided they are at least ten (10) feet from any lot line.
4. Only one (1) roadside stand per lot shall be permitted.
5. Outside display shall be permitted in accordance with Article 6 of this Zoning Ordinance relating to *Outside Display in Accessory Use Regulations (§ 608.V.)*, except that agricultural products need not be on an improved surface.
6. All portable structures and signs used as part of the roadside stand shall be removed or shall be stored in an enclosed structure at the end of the harvesting season.

X. Rural Occupation. Rural occupations shall be permitted subject to the following regulations:

1. Rural occupations may involve a wide range of business uses, as long as it remains secondary and clearly incidental to and compatible with the single family detached dwelling.
2. No more than a total of twenty (20) trips per day to the site, including parcel delivery services, may be generated.
3. No more than one (1) occupation shall be permitted per lot.
4. No more than four (4) non-residents shall be employed by the rural occupation.
5. The owner of the rural occupation shall reside on the premises, and at least one (1) resident shall be engaged in the rural occupation. Proof of residency shall be provided.
6. Except as otherwise provided in this subsection to *Rural Occupation (§ 608.X.)* all activities associated with the rural occupation shall take place within one (1) completely enclosed building. To the maximum extent feasible, the rural occupation shall be conducted within an existing agriculture or other accessory building:
 - a. However, any new building constructed for use by the rural occupation shall be located to the rear (behind) of the single family detached dwelling, and shall be no less than fifty (50) feet from any lot line.
 - b. New accessory buildings constructed for rural occupations shall be designed, sited, and constructed to have an appearance architecturally compatible with the principal dwelling, and which can readily be converted to another permitted accessory use, or removed, if the rural occupation is discontinued.
 - c. Any new building constructed shall not have a building footprint/coverage larger than the existing single family detached dwelling.
7. The sales of goods or merchandise may occur on the premises, limited to those goods or merchandise that are produced on the premises, or are customarily incidental to the rural occupation and directly related thereto.
8. All loading and outside storage areas associated with the rural occupation shall be provided with a landscape screening strip in accordance with Article 5 of this Zoning Ordinance relating to *Screening and Landscaping (§ 526.):*
 - a. Loading areas shall be located to the side or rear (behind) of the accessory building containing the agricultural support occupation; and
 - b. Outside storage areas shall be located to the rear (behind) the accessory building containing the agricultural support occupation.

9. No part of a rural occupation shall be located within fifty (50) feet of any lot line.
 10. The land area devoted to the rural occupation shall occupy no more than two (1) acre of lot area. However, any driveway serving the rural occupation and the single family detached dwelling, shall not be calculated as land serving the rural occupation.
 11. No more than fifty (50) percent of the land area devoted to a rural occupation shall be covered by buildings, structures, parking or loading areas, storage/display areas, lot coverage, or any other impervious surfaces.
 12. Vehicular access to the rural occupation shall be limited to the same driveway connection with the public street right-of-way that serves the single family detached dwelling. No additional roadway connection shall be permitted for the rural occupation.
 13. The applicant shall an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan* in *Application for Zoning Permits for Non-Residential Uses* in *Zoning Permits* (§ 902.C.3.) demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.
 14. In lieu of the plot/site plan required to be submitted as set forth in Article 8 of this Zoning Ordinance relating to Plot/Site Plan in *Filing Requirements for Special Exceptions* in *Special Exceptions* in *Zoning Hearing Board's Functions* (§ 805.B.1.c.), applicants shall be permitted to submit an abbreviated plot/site plan as part of the application for special exception approval. The abbreviated plot/site plan shall be in accordance with Article 9 of this Zoning Ordinance relating to *Plot/Site Plan* in *Application for All Zoning Permits* in *Zoning Permits* (§ 902.C.2.).
- Y. Shopping Cart Storage. Shopping Cart Storage shall be permitted subject to the following regulations:
1. Shopping carts may be collected and stored in an area immediately adjacent to the principal building's front building wall or storefront (upon sidewalks, or under a canopy), and/or within the parking lot.
 2. Shopping cart collection and storage may be located:
 - a. On sidewalks, under canopies, or in an area immediately adjacent to the principal building's front building wall or storefront, provided that such location provides clear pedestrian access (sidewalk or other area) at least eight (8) feet wide adjoining the principal building's front building wall or storefront; or
 - b. Within the parking lot, provided that such location does not occur within any area for required vehicular circulation, parking, and loading, or emergency vehicle access (e.g., fire lanes). Within parking lots, such shopping cart

collection and storage areas shall be specifically delineated from the adjoining parking lot by the use of identifiable barriers (e.g., roofed structures, fencing, etc.).

Section 609. Temporary Use Regulations.

A. Seasonal Sidewalk Display. Seasonal Sidewalk Displays shall be permitted subject to the following regulations:

1. Only seasonal merchandise may be displayed, and shall be limited to the calendar periods between April 1 and October 1, and November 25 and January 5, of each year.
2. The location of such seasonal sidewalk display areas shall be:
 - a. Limited to sidewalks (excluding sidewalks within the public right-of-way), under canopies, or other in an area immediately adjacent to the principal building's front building wall or storefront; and
 - b. Arranged to provide clear pedestrian access (sidewalk or other area) at least eight (8) feet wide adjoining the principal building's front building wall or storefront.
3. In no case shall the location of said seasonal sidewalk display areas occur within any area required for vehicular circulation, parking, and loading, nor emergency vehicle access (e.g., fire lanes).
4. In no case shall said seasonal sidewalk display area exceed seventy-five (75) percent of the length of the principal building's front building wall.
5. The applicant shall submit an hours of operation and management plan in accordance with Article 9 of this Zoning Ordinance relating to *Hours of Operation and Management Plan in Application for Zoning Permits for Non-Residential Uses in Zoning Permits (§ 902.C.3.)* demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption.

B. Temporary Dwelling Unit. Temporary Dwelling Units shall be permitted subject to the following regulations:

1. Only one (1) temporary dwelling unit shall be established upon a lot. Including the principal dwelling, there shall be no more than a total of two (2) dwelling units per lot.
2. The owner of the lot must reside on the premises.
3. Temporary dwelling units shall not be subdivided from the principal use, and temporary dwelling units shall not be sold separately from the principal use.

4. Temporary dwelling units shall be installed and located on the same lot as the principal use, but only within the side or rear yards, and shall comply with principal use and structure required yard setbacks for the applicable zone.
5. Temporary dwelling units shall be set back a minimum of ten (10) feet from the principal building.
6. Temporary dwelling units shall have a habitable floor area of not more than:
 - a. Forty (40) percent of the principal dwelling's habitable floor area; or
 - b. Nine hundred (900) square feet,whichever is less.
7. Vehicular access to temporary dwelling units shall be limited to the same driveway or access drive connection, as applicable with the public street right-of-way that serves the principal use.
8. Utility Connections.
 - a. Additional dwelling units shall physically be connected to the existing dwelling unit's sewage system, water supply system, and all other utilities.
 - b. No separate utility system or connection serving additional dwelling units shall be constructed or used, unless required by the PA DEP.
 - c. If individual on-lot sewage or water systems are to be used, the applicant shall submit evidence that the total number of occupants of all the dwelling units on the site will not exceed the maximum capacities for which the systems were designed, unless those systems are to be expanded, in which case the expansion approvals are to be submitted. Any connection to or addition to an existing individual on-lot sewage system shall be subject to the review and approval of the Township Sewage Enforcement Officer.
9. Temporary dwelling units shall be designed, sited, and constructed to easily be removed when the temporary dwelling unit is discontinued.
10. Temporary dwelling units shall be removed from the property within three (3) months after they are no longer occupied by occupants who qualify for the use. Applicants are required to post a bond with the Township of Rapho for a value equal to the cost of lawful removal of the temporary dwelling units from the property, prior to issuance of a zoning permit for the proposed use.
11. Upon the proper installation of temporary dwelling units, the Township Zoning Officer shall issue temporary zoning permits. Such permits shall be reviewed every twelve (12) months until such time as temporary dwelling units are required to be removed.

ARTICLE 7

NONCONFORMITIES

Section 701. Continuation.

Except as otherwise provided in Article 7 of this Zoning Ordinance, any use, building, or structure lawfully existing on January 25, 1994 or the date of any amendment thereto creating the nonconformity, may be continued, although it is not in conformity with the regulations specified by this Zoning Ordinance.

Section 702. Abandonment.

If a nonconforming use of land or building or structure ceases or is discontinued for a period of twenty-four (24) consecutive months, or more, a presumption of abandonment shall arise, and unless the presumption is rebutted, resumption of the use of such building, structure or land shall be in conformity with the provisions of this Zoning Ordinance.

Section 703. Extension of a Nonconforming Use of Land.

Any lawful nonconforming use of land exclusive of buildings and structures and the use contained therein, may be extended upon the lot upon which it exists at the time of the effective date of this Zoning Ordinance or any amendment thereto creating the nonconformity, but such extension shall conform to area and lot regulations and to the design standards of this Zoning Ordinance. The extension of a nonconforming use on a lot shall be limited to the lot which was in existence on the effective date of this Zoning Ordinance or any amendment thereto creating the nonconformity.

Section 704. Expansion or Alteration.

- A. Any nonconforming use may be expanded or altered through the obtainment of a special exception and subject to the following criteria, and those contained in Article 8 of this Zoning Ordinance relating to *Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.)*:
1. Expansion of the nonconformity shall be confined to the lot on which it was located on the effective date of this Zoning Ordinance or any amendment thereto creating the nonconformity.
 2. The total of all such expansions or alterations of use shall not exceed an additional fifty (50) percent of the actual area of those buildings or structures devoted to the nonconforming use as they existed on the date on which such buildings or structures first became nonconformities. The applicant shall furnish conclusive evidence as to the extent to the nonconformity when it was created.

3. Provision for vehicular access, off-street parking and off-street loading shall be consistent with standards required by this Zoning Ordinance.
 4. Provision for yards, yard setbacks, building height and building area shall be consistent with the standards required for permitted uses in the zone in which the nonconformity in question is located.
 5. Appearance should be harmonious with surrounding properties; this feature includes but is not limited to landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance of all improvements and open spaces.
 6. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.
 7. The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities.
 8. No expansion of a nonconforming structure or a nonconforming use located outside of a structure existing on the effective date of this Zoning Ordinance or any amendment thereto creating the nonconformity, shall be permitted within the (FPO) Zone as set forth in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*.
 9. Excluding expansion, any modification, alteration, repair, reconstruction or improvement of any kind to a nonconforming use or structure located in a floodplain shall be permitted when either elevated above the base flood elevation or floodproofed. In no case, shall any modification, alteration, repair, reconstruction or improvement cause unacceptable increases in flood height, velocities or frequencies as set forth in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*.
- B. Any dimensional nonconformity may be reduced as a permitted use, even if the reduction does not entirely eliminate the dimensional nonconformity. Except as noted in the subsection immediately below (§ 704.C.), no extension or enlargement of a dimensional nonconformity shall be permitted.
- C. Any structure that has one (1) or more nonconforming yard setback or setbacks may be extended along the same nonconforming yard setback or setback line, up to a maximum of fifty (50) percent or one hundred (100) feet, whichever is less, of the area of the building that follows the setback when it was originally made nonconforming. (See Figure 7-4.1) Nothing within this Section shall be interpreted to allow an increase in any dimensional nonconformity.

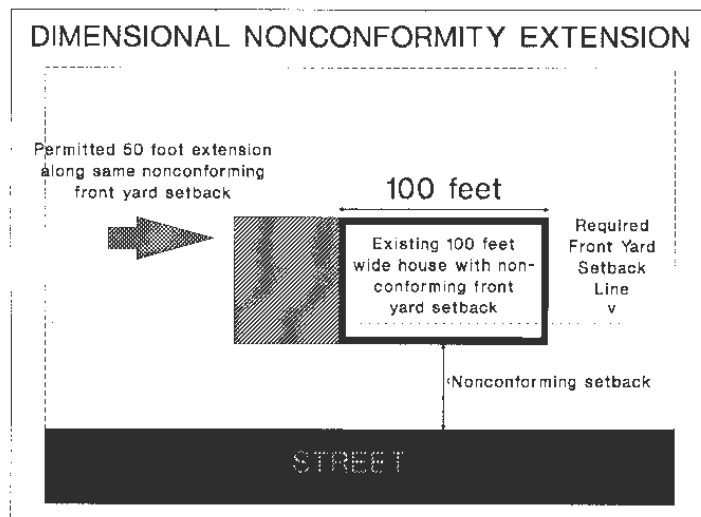


FIGURE 7-4.1
EXTENSION OF DIMENSIONAL CONFORMITY

Section 705. Substitution or Replacement.

Any nonconforming use may be replaced or substituted by another nonconforming use by special exception in accordance with Article 8 of this Zoning Ordinance relating to *Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.)*, if the Township Zoning Hearing Board determines that the proposed use is at least equally compatible with the surrounding area as the original nonconforming use. In addition, the proposed nonconforming use shall not increase any dimensional nonconformities. The Township Zoning Hearing Board may attach reasonable conditions to the special exception to keep the use compatible within its surroundings.

Section 706. Restoration.

Any lawful nonconforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm, or other similar active cause may be reconstructed in the same location for the same use as before the damage, provided that:

- A. The reconstructed building or structure shall not exceed the height, area, or volume of the damaged or destroyed building or structure, lot coverage and such reconstructed building or structure shall not increase any dimensional nonconformities.
- B. Reconstruction shall begin twenty-four (24) months from the date of damage or destruction and shall be carried on without interruption.

Section 707. Previously Expanded Nonconforming Uses and Structures.

It is the express intent and purpose of this Zoning Ordinance that if a building, structure, sign or land was expanded or extended to the limits of expansion for a nonconforming building, structure, sign, or use of land as authorized by a prior zoning regulation or ordinance, no further expansion of said building, structure, sign, or land shall be authorized. In the event a nonconforming building, structure, sign, or use of land was expanded to a portion of the limits of expansion authorized by a prior zoning regulation or ordinance, additional expansion if permitted by this Zoning Ordinance, shall only be authorized to the amount of expansion not previously utilized pursuant to said prior zoning regulation or ordinance.

Section 708. Use of Nonconforming Lots of Record.

- A. In any zone in which single family detached dwellings are permitted, a single family detached dwelling and customary accessory structures may be erected and accessory uses established on any lot of record in existence as of January 25, 1994 or the date of any amendment thereto creating the nonconformity. Said lots shall comply with the principal use area and bulk requirements of the applicable zone for single family detached dwellings existing as of January 25, 1994 or the date of any amendment thereto creating the nonconformity.
- B. For purposes of this Section, when two (2) or more nonconforming lots for which a subdivision plan had not been recorded are contiguous and are in single ownership, they become held in common as one (1) parcel and require a variance from the Township Zoning Hearing Board to re-subdivide the parcel. This shall apply regardless of the number of deeds held by the owner. This provision shall apply even though such lot fails to meet requirements of side, front, or rear yard setbacks or the minimum lot area requirements applicable in the zone in which the lot is located.

ARTICLE 8

ZONING HEARING BOARD

Section 801. Establishment and Membership.

- A. The Township Board of Supervisors shall appoint a Zoning Hearing Board consisting of three (3) members who shall be residents of Rapho Township. Their terms of office shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Township Zoning Hearing Board shall promptly notify the Township Board of Supervisors of any vacancies that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Township Zoning Hearing Board shall hold no other office in the Township of Rapho. Any member of the Township Zoning Hearing Board may be removed for malfeasance, misfeasance, or nonfeasance in office or for other just cause by a majority vote of the Township Board of Supervisors taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.
- B. The Township Board of Supervisors may appoint by resolution at least one (1), but no more than three (3) residents of Rapho Township to serve as alternate members of the Township Zoning Hearing Board. The term of office of an alternate member shall be three (3) years. When seated pursuant to the provisions of Article 8 of this Zoning Ordinance relating to *Organization of Zoning Hearing Board (§ 802.)*, an alternate shall be entitled to participate in all proceedings and discussions of the Township Zoning Hearing Board to the same and full extent as provided by law for Township Zoning Hearing Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Zoning Ordinance and as otherwise provided by law. Alternates shall hold no other office in the Township of Rapho, including membership on the Township Planning Commission and Township Zoning Officer. Any alternate may participate in any proceeding or discussion of the Township Zoning Hearing Board, but shall not be entitled to vote as a member of the Township Zoning Hearing Board nor be compensated pursuant to Article 8 of this Zoning Ordinance relating to *Expenditures for Services (§ 803.)*, unless designated as a voting alternate member pursuant to Article 8 of this Zoning Ordinance relating to *Organization of Zoning Hearing Board (§ 802.)*.

Section 802. Organization of Zoning Hearing Board.

The Township Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Township Zoning Hearing Board, but the Township Zoning Hearing Board may appoint a Hearing Officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Township Zoning Hearing Board, as provided in Article 8 of this Zoning Ordinance relating to *Hearings (S. 804.)*. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Township Zoning Hearing Board shall designate as many alternate members of the Township Zoning Hearing Board to sit on the Township Zoning Hearing Board as

may be needed to provide a quorum. Any alternate member of the Township Zoning Hearing Board shall continue to serve on the Township Zoning Hearing Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Township Zoning Hearing Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates. The Township Zoning Hearing Board may make, alter, and rescind rules and forms for its procedure, consistent with ordinances of the Township of Rapho and laws of the Commonwealth. The Township Zoning Hearing Board shall keep full public records of its business, which records shall be the property of the Township of Rapho, and shall submit a report of its activities to the Township Board of Supervisors upon request.

Section 803. Expenditures for Services.

Within the limits of funds appropriated by the Township Board of Supervisors, the Township Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Township Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Township Board of Supervisors. Alternate members of the Township Zoning Hearing Board may receive compensation, as may be fixed by the Township Board of Supervisors, for the performance of their duties when designated as alternate members pursuant to Article 8 of this Zoning Ordinance relating to *Organization of Zoning Hearing Board (S. 802.)*, but in no case shall such compensation exceed the rate of compensation authorized to be paid to the members by the Township Board of Supervisors.

Section 804. Hearings.

- A. The Township Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:
 - 1. Public Notice shall be Provided. In addition, the Township Zoning Hearing Board shall notify the applicant, Township Zoning Officer, Township Secretary, each member of the Township Board of Supervisors, Secretary of the Township Planning Commission, and every other person or organization who shall have registered with the Township Zoning Hearing Board for the purposes of receiving such notices. Written notices shall be given at such time and in such manner as shall be prescribed by this Zoning Ordinance or, in the absence of Zoning Ordinance provision, by rules of the Township Zoning Hearing Board. In addition to the written notice provided herein, public notice shall also include the posting of a sign at conspicuous locations along the perimeter of the subject property deemed sufficient by the Township to notify potentially interested citizens. This sign(s) shall be posted at least one (1) week prior to the hearing and will exhibit the nature, date, time, and location of the hearing.
 - 2. The Township Board of Supervisors may prescribe reasonable fees with respect to hearings before the Township Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the Township Zoning Hearing Board, notice and advertising costs, and necessary administrative overhead

connected with the hearing. The costs, however, shall not include legal expenses of the Township Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

3. The first (1st) hearing before the Township Zoning Hearing Board or Hearing Officer shall commence within sixty (60) days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the Township Zoning Hearing Board or Hearing Officer shall be held within forty-five (45) days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete his case-in-chief, within one hundred (100) days of the first (1st) hearing. Upon the request of the applicant, the Township Zoning Hearing Board or Hearing Officer shall ensure that the applicant receives at least seven (7) hours of hearings within the one hundred (100) days, including the first (1st) hearing. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and the Township of Rapho, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.
- B. The hearings shall be conducted by the Township Zoning Hearing Board, or the Township Zoning Hearing Board may appoint any member, or an independent attorney, as a Hearing Officer. The decision, or, where no decision is called for, the findings shall be made by the Township Zoning Hearing Board; however, the appellant or the applicant, as the case may be, in addition to the Township of Rapho, may, prior to the decision of the hearing, waive decision or findings by the Township Zoning Hearing Board and accept the decision or findings of the Hearing Officer as final.
 - C. The parties to the hearing shall be the Township of Rapho, any person affected by the application who has made timely appearance of record before the Township Zoning Hearing Board, and any other person, including civic or community organizations permitted to appear by the Township Zoning Hearing Board. The Township Zoning Hearing Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Township Zoning Hearing Board for that purpose.
 - D. The Chairman or Acting Chairman of the Township Zoning Hearing Board or the Hearing Officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
 - E. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
 - F. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

- G. The Township Zoning Hearing Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Township Zoning Hearing Board. The cost of the original transcript shall be paid by the Township Zoning Hearing Board if the transcript is ordered by the Township Zoning Hearing Board or Hearing Officer; or shall be paid by the person appealing the decision of the Township Zoning Hearing Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
- H. The Township Zoning Hearing Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved, except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- I. The Township Zoning Hearing Board or the Hearing Officer, as the case may be, shall render a written decision or, when no decision is called for; make written findings on the application within forty-five (45) days after the last hearing before the Township Zoning Hearing Board or Hearing Officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact, and conclusions based thereon, together with the reasons therefore. Conclusions based on any provisions of the MPC or of this Zoning Ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there has been no stipulation that his decision or findings are final, the Township Zoning Hearing Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Township Zoning Hearing Board prior to final decision or entry of findings, and the Township Zoning Hearing Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer. Except for challenges filed under Section 916.1 of the MPC, where the Township Zoning Hearing Board fails to render the decision within the period required in the this subsection, or fails to commence or complete the required hearing, as provided in the subsection above relating commencing and completing the hearings (§ 804.A.3.), the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Township Zoning Hearing Board to meet or render a decision as above provided, the Township Zoning Hearing Board shall give public notice of said decision within ten (10) days from the last day it could have met to render a decision in the same manner, as provided in the subsection above relating to *The hearings shall be conducted by the Township Zoning Hearing Board...*(§ 804.B.) If the Township Zoning Hearing Board shall fail to provide such notice, the applicant may do so. Nothing in this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

- J. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Township Zoning Hearing Board not later than the last day of the hearing, the Township Zoning Hearing Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.
- K. Time Limitations on Zoning Hearing Board's Decision:
 1. For uses that do not require subsequent subdivision and/or land development approval under the SLDO:
 - a. If the variance or special exception is granted or the issuance of a zoning permit is approved, or other action by the appellant is authorized, the necessary zoning permit shall be secured and the authorized action begun within two (2) years after the date when the variance or special exception is finally granted, or the issuance of a zoning permit is finally approved, or the other action by the appellant is authorized, and the construction or alteration, as the case may be, shall be completed within three (3) years of said date. For good cause, the Township Zoning Hearing Board, upon application in writing, may extend either of the two (2) year or three (3) year time period limitation, as applicable, stating the reason for extending such time period.
 - b. Should the appellant or applicant fail to obtain the necessary zoning permit within said two (2) year time period limitation, or having obtained the zoning permit, should he fail to commence work thereunder within such two (2) year time period limitation, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his application, and all provisions, variances and zoning permits granted to him shall be deemed automatically rescinded by the Township Zoning Hearing Board.
 - c. Should the appellant or applicant commence construction or alteration within said two (2) year time period limitation, but should he fail to complete such construction or alteration within said three (3) year time period limitation, the Township Zoning Hearing Board may, upon ten (10) days' notice in writing, rescind or revoke the granted variance or special exception, or the issuance of the zoning permit, or the other action authorized to the appellant or applicant, if the Township Zoning Hearing Board finds that a good cause appears for the failure to complete within such three (3) year time period limitation.
 2. For uses that require subsequent subdivision and/or land development approval under the SLDO:
 - a. If a variance or special exception is granted, or other action by the appellant is authorized, the applicant shall be required to submit the subsequent

subdivision and/or land development application within two (2) years after the date when the variance or special exception is finally granted, or the other action by the appellant is authorized, and the applicant shall have secured a zoning permit for such use within five (5) years of said date. For good cause, the Township Zoning Hearing Board may upon application in writing, state the reasons therefore and extend either the two (2) year or five (5) year time period limitation.

- b. Should the appellant or applicant fail to submit the subsequent subdivision and/or land development application within the two (2) year time period limitation, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his application, and all approvals granted to him shall be deemed automatically rescinded by the Township Zoning Hearing Board.
 - c. Should the appellant or applicant submit the subsequent subdivision and/or land development application within said two (2) year time period limitation, but should he fail to secure a zoning permit for such use within said five (5) year time period limitation, the Township Zoning Hearing Board may, upon ten (10) days' notice in writing, rescind or revoke the granted approvals, if the Township Zoning Hearing Board finds that no good cause appears for the failure to secure a zoning permit within such five (5) year time period limitation.
 3. As an alternative to the preceding requirements set forth in the subsections above relating to *Time Limitations on Zoning Hearing Board's Decision (§ 804.K.)*, an applicant can request, as part of the original application before the Township Zoning Hearing Board, the granting of a timetable associated with the request which would supersede the time period limitations imposed in this subsection above relating to *Time Limitations on Zoning Hearing Board's Decision (§ 804.K.)*. In so doing, the applicant must demonstrate by credible evidence that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this subsection (§ 804.K.3.), the Township Zoning Hearing Board must establish and bind a definite time-frame for:
 - a. Application for subdivision and/or land development approval under the SLDO, if applicable;
 - b. Issuance of a zoning permit; and
 - c. Completion of construction of the project.

Section 805. Zoning Hearing Board's Functions.

The Township Zoning Hearing Board shall have the exclusive jurisdiction to hear and render decisions in the following matters:

- A. Substantive Challenges to the Validity of this Zoning Ordinance. Substantive challenges to the validity of this Zoning Ordinance except those brought before the Township Board of Supervisors pursuant to Article 9 of this Zoning Ordinance relating to *Amendment Initiated by a Petition from an Interested Party in Amendments (§ 905.E.)*.
1. If a challenge heard by a Township Zoning Hearing Board is found to have merit, the decision of the Township Zoning Hearing Board shall include recommended amendments to the challenged Zoning Ordinance that will cure the defects found. In reaching its decision, the Township Zoning Hearing Board shall consider the amendments, plans and explanatory material submitted by the landowner and shall also consider:
 - a. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
 - b. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the Zoning Ordinance or Official Zoning Map.
 - c. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources, and other natural features.
 - d. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.
 - e. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
 2. The Township Zoning Hearing Board, shall render its decision within forty-five (45) days after the conclusion of the last hearing. If the Township Zoning Hearing Board fails to act on the landowner's request within this time limit, a denial of the request is deemed to have occurred on the forty-sixth (46th) day after the close of the last hearing.
 3. The Township Zoning Hearing Board shall commence its hearings within sixty (60) days after the request is filed, unless the landowner requests or consents to an extension of time.
 4. Public notice of the hearing shall be provided as specified in Article 9 of this Zoning Ordinance relating to *Public Notice in Amendments (§ 905.B.2.)*.
- B. Special Exceptions. The Township Zoning Hearing Board shall hear and act upon applications for special exceptions, specifically authorized by this Zoning Ordinance. The granting of a

special exception shall be subject to the following standards and criteria. The applicant for a special exception shall demonstrate, by credible evidence, compliance with these criteria and those criteria specified elsewhere in this Zoning Ordinance for the use in question:

1. Filing Requirements for Special Exception. The special exception application shall include the following:
 - a. Ground floor plans and schematic architectural drawing of the principal building's façade and elevations of proposed structures.
 - b. Names and address of adjoining property owners, including properties directly across a public right-of-way.
 - c. Plot/Site Plan. Unless otherwise required in Article 6 of this Zoning Ordinance, a legibly drawn to scale plot/site plan of the lot including the following shall be submitted:
 - (1). Project name or identifying title.
 - (2). Name and address of the tract owner and applicant.
 - (3). Name of the individual and/or the firm that prepared the plan.
 - (4). Location map, drawn to scale, relating the tract to existing streets and municipal boundaries within one thousand (1,000) feet of the property.
 - (5). The entire tract boundary with bearing and distances.
 - (6). Names of all immediately adjacent landowners, and recorded plan name and record book numbers.
 - (7). North point, graphic scale, written scale, and date.
 - (8). Site Data. Site data shall include the following:
 - (a). Total acreage of the proposed tract;
 - (b). Proposed number, acreage, density/intensity, and type of residential and non-residential uses;
 - (c). Proposed lot coverage and open space areas;
 - (d). Total number of proposed lots; and
 - (e). General description of all proposed land uses.

- (9). Landmarks within the proposed tract, including the location of all existing:
 - (a). Public and private streets, access drives, driveways, drives or lanes;
 - (b). Railroads;
 - (c). Buildings;
 - (d). Easements;
 - (e). Rights-of-way;
 - (f). Sanitary sewers;
 - (g). Water mains;
 - (h). Stormwater management facilities; and
- (10). All existing land uses and lot lines within two hundred (200) feet of the proposed tract, including the location of all:
 - (a). Public and private streets, access drives, driveways, drives or lanes;
 - (b). Railroads;
 - (c). Other significant natural or man-made features, only to the extent such information is available from the Lancaster County GIS data.
- (11). Existing Topographic Information.
 - (a). See Table 8-5.1 in this subsection below for the existing contour and slope interval requirements:

TABLE 8-5.1
EXISTING TOPOGRAPHIC INFORMATION

CONTOUR INTERVAL	SLOPE RANGE
[1]. 1 foot	0% – 3.0%
[2]. 2 foot	3.01% – 20.0%
[3]. 5 foot	20.1% and greater

- (b). Lancaster County GIS topography can be utilized to show existing contours.
 - (12). Proposed lot configurations.
 - (13). Proposed location and design of circulation, parking, and loading systems.
 - (14). Proposed location, type, number, and density/intensity of proposed residential and non-residential uses and buildings.
 - (15). Proposed utilities, including water and sewer systems.
 - (16). Proposed landscaping and screening plan.
 - (17). Conceptual storm water management design.
 - (18). Phasing plan, if applicable.
 - d. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Zoning Ordinance.
2. General Criteria. Each applicant must demonstrate, by credible evidence, the proposed use complies with the following:
- a. The proposed use shall be consistent with the purpose and intent of this Zoning Ordinance and such use is specifically authorized as a use by special exception within the zone wherein the applicant seeks approval.
 - b. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
 - c. The proposed use will not substantially cause a change in the character of the subject property's neighborhood, nor adversely affect the character of the general neighborhood, the conservation of property values, the health and safety of residents or workers on adjacent properties and in the neighborhood, nor the reasonable use of neighboring properties. The use of adjacent properties shall be adequately safeguarded.
 - d. Adequate public facilities are available to serve the proposed use and the proposed use shall not have an adverse effect upon the logical and economic extension of such public services and facilities (e.g., schools; fire, police and ambulance protection; sewer, water and other utilities; parks and recreation; solid waste disposal; vehicular access; etc.).
 - e. The proposed use will not have deleterious impact on adjoining properties or the neighborhood due to impacts and/or by-products of the proposed

use, such as noise, dust, odor, smoke, litter, glare, heat, radiation, electromagnetic interference, etc.

- f. The proposed use will not substantially impair the integrity of the most recent version of the Comprehensive Plan adopted by the Township of Rapho.

3. Specific Criteria. Each applicant must demonstrate, by credible evidence, the proposed use complies with the following applicable specific criteria listed in:

- a. Article 3 of this Zoning Ordinance relating to the following specific requirements and regulations:

- (1). Permitted use;
- (2). Area and bulk; and
- (3). Additional layout, design, and other standards.

- b. Article 4 of this Zoning Ordinance relating to specific overlay zone requirements and regulations;

- c. Article 5 of this Zoning Ordinance relating to the following specific requirements and regulations:

- (1). Lot Access, access drives, and driveways;
- (2). Off-street loading;
- (3). Off-street parking;
- (4). Operation and performance standards;
- (5). Screening and landscaping; and
- (6). Sewer and water systems standards.
- (7). Signs;
- (8). Traffic impact study and street classifications; and
- (9). Vehicle queuing.

- d. Article 6 of this Zoning Ordinance relating to specific use regulations.

In addition, the proposed use must comply with all other applicable general and specific requirements and regulations of in this Zoning Ordinance.

4. Conditions. The Township Zoning Hearing Board in approving special exception applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Township Zoning Officer, and failure to comply with such conditions shall constitute a violation of this Zoning Ordinance and be subject to the penalties described in Article 9 of this Zoning Ordinance.
 5. Plot/Site Plan Approval. Any plot/site plan presented in support of the special exception pursuant to the subsection above relating to *Filing Requirements for Special Exception* in *Special Exceptions* in *Zoning Hearing Board's Functions* (§ 805.B.1.) shall become an official part of the record for said special exception. Approval of any special exception will also bind the use in accordance with the submitted plot/site plan; therefore, should a change in the plot/site plan be required as part of the approval of the use, the applicant shall revise the plot/site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved plot/site plan shall require the approval of another special exception.
 6. Time Limitations for Special Exceptions. An approved special exception shall be bound by the time period limitations listed in Article 8 of this Zoning Ordinance relating to *Time Limitations for Zoning Hearing Board's Decisions* in *Hearings* (§ 804.K.).
- C. Variances. The Township Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this Zoning Ordinance inflict unnecessary hardship upon the applicant. The Township Zoning Hearing Board may, by rule, prescribe the form of application to the Township Zoning Officer. The Township Zoning Hearing Board may grant a variance, provided that the applicant submits sufficient evidence for the Township Zoning Hearing Board to make the following findings where relevant in a given case:
1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Zoning Ordinance in the neighborhood or zone in which the property is located.
 2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Ordinance, and that the authorization of a variance is therefore necessary to enable reasonable use of the property.
 3. That such unnecessary hardship has not been created by the appellant.
 4. That the variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, not be

detrimental to the public welfare.

5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.
6. That variances within the (FPO) Zone shall comply with Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*.
7. Conditions.
 - a. In granting any variance, the Township Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance. These conditions shall be enforceable by the Township Zoning Officer, and failure to comply with such conditions shall constitute a violation of this Zoning Ordinance and subject to the penalties described in Article 9 of this Zoning Ordinance.
 - b. If a zoning permit has been requested, the approved variance with any conditions imposed by the Township Zoning Hearing Board shall be attached to the application. Where the variance is approved prior to the application, then the approved variance with any conditions imposed by the Township Zoning Hearing Board shall be forwarded to the Township Zoning Officer.
8. Time Limitations for Variances. An approved variance shall be bound by the time period limitations listed in Article 8 of this Zoning Ordinance relating to *Time Limitations for Zoning Hearing Board's Decisions in Hearings (§ 804.K.)*.
- D. Appeals from the Determination of the Township Zoning Officer. Appeals from the determination of the Township Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order, enforcement notices, or the registration or refusal to register any nonconforming use, structure or lot.
- E. Appeals from a Determination by the Township Engineer or the Township Zoning Officer with Reference to the Administration Contained within the Floodplain Overlay (FPO) Zone. Appeals from a determination by the Township Engineer or the Township Zoning Officer with reference to the administration of any provisions contained within the (FPO) Zone as set forth in Article 4 of this Zoning Ordinance relating to *Floodplain Overlay (FPO) Zone (§ 402.)*.
- F. Appeals from the Determination of any Officer or Agency Charged with the Administration of any Transfers of Development Rights or Performance Density. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Zoning Ordinance.

- G. Appeals from the Township Zoning Officer's Determination under Section 916.2 of the MPC.
Appeals from the Township Zoning Officer's determination under Section 916.2 of the MPC.
- H. Appeals from the Determination of the Township Zoning Officer or Township Engineer in the Administration of any Land Use Ordinance with Reference to Sedimentation and Erosion Control and/or Storm Water Management for Applications not involving a Subdivision and/or Land Development, nor a Planned Residential Development. Appeals from the determination of the Township Zoning Officer or Township Engineer in the administration of any land use ordinance with reference to sedimentation and erosion control and/or storm water management for applications not involving a subdivision/land development, nor a planned residential development as regulated in Articles V and VII of the MPC, respectively.
- I. Floodplain Duties and Responsibilities. See Article 4 of this Zoning Ordinance relating to *Standards and Criteria for Special Exceptions and Variances in Floodplain Overlay (FPO) Zone (§ 402.V.)*

Section 806. Parties Appellant Before the Zoning Hearing Board.

- A. Appeals under Article 8 of this Zoning Ordinance relating to the *Zoning Hearing Board's Functions (§ 805.)* in:

Appeals from the Determination of the Township Zoning Officer;

Appeals from a Determination by the Township Engineer or the Township Zoning Officer with Reference to the Administration Contained within the Floodplain Overlay (FPO) Zone;

Appeals from the Determination of any Officer or Agency Charged with the Administration of any Transfers of Development Rights or Performance Density;

Appeals from the Township Zoning Officer's Determination under Section 916.2 of the MPC; and Appeals from the Determination of the Township Zoning Officer or Township Engineer in the Administration of any Land Use Ordinance with Reference to Sedimentation and Erosion Control and/or Storm Water Management for Applications not involving a Subdivision and/or Land Development, nor a Planned Residential Development, respectively; and

proceedings to challenge this Zoning Ordinance under Article 8 of this Zoning Ordinance relating to the *Zoning Hearing Board's Functions Substantive Challenges to the Validity of the this Zoning Ordinance (§ 805.A.);*

may be filed with the Township Zoning Hearing Board in writing by the landowner affected, any officer or agency of the Township of Rapho, or any person aggrieved. Requests for a variance under Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)* and for special exceptions in *Special Exceptions in Zoning Hearing Board's Functions (§ 805.B.)* may be filed with the Township Zoning Hearing Board by any landowner or any tenant with the permission of such landowner. Any appeal/application shall state:

1. The name and address of the appellant and applicant.
 2. The name and address of the landowner of the real estate to be affected.
 3. A brief description and location of the real estate to be affected by such proposed change, together with a legibly drawn to scale plot/site plan of the lot on a minimum eight and one half by eleven (8 ½ x 11) inch sheet size with sufficient clarity to show the nature and character of the request.
 4. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof.
 5. A statement of the section of this Zoning Ordinance under which the request may be allowed, and reasons why it should, or should not be granted.
- B. All appeals and any amendments thereto addressed to the Township Zoning Hearing Board shall be filed with the Township of Rapho on forms prescribed by the Township of Rapho and executed by the applicant(s).
- C. Every appeal form shall be completed in its entirety and shall include a reference to the specific section and, where applicable, the subsection at issue and a statement in numbered paragraphs setting forth the grounds for each form of relief sought together with each fact supporting the claim for relief.
- D. No appeal form or any amendment thereto shall be deemed filed unless and until the applicable fee is paid, the form is properly completed and all necessary signatures are applied. Any failure to comply with the requirements of this subsection may lead to the rejection of the appeal or amendment as determined by the Township Zoning Officer.
- E. By executing the appeal form and any amendment thereto, every applicant verifies that to the best of his or her knowledge, information and belief each fact alleged is true and correct, and that there exists a good faith basis for the requested relief.

Section 807. Time Limitations.

- A. No person shall be allowed to file any proceeding with the Township Zoning Hearing Board later than thirty (30) days after an application for development, preliminary or final, has been approved by the Township Zoning Officer or the agency responsible for granting such approval if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice or knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.
- B. The failure of anyone other than the landowner to appeal from an adverse decision by the Township Zoning Officer on a challenge to the validity of this Zoning Ordinance or the Official Zoning Map pursuant to Section 916.2 of the MPC shall preclude an appeal from a

final approval, except in the case where the final submission substantially deviates from the approved tentative preliminary approval.

Section 808. Stay of Proceeding.

- A. Upon filing of any proceeding referred to in Article 8 of this Zoning Ordinance relating to *Parties Appellant Before the Zoning Hearing Board (§ 806.)* and during its pendency before the Township Zoning Hearing Board, all land development pursuant to any challenged ordinance, order or approval of the Township Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed, unless the Township Zoning Officer or any other appropriate agency or body certifies to the Township Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case, the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Township Zoning Hearing Board or by the court having jurisdiction of zoning appeals on petition after notice to the Township Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Township Zoning Hearing Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Township Zoning Hearing Board.
- B. All stays of proceeding before the Township Zoning Hearing Board shall be in accordance with the applicable laws of the Commonwealth of Pennsylvania and Article IX of the MPC.

Section 809. Appeal.

Any person, taxpayer or the Township of Rapho aggrieved by any decision of the Township Zoning Hearing Board may within thirty (30) days after such decision of the Township Zoning Hearing Board seek review by the Court of Common Pleas of such decision in the manner provided by the laws of the Commonwealth of Pennsylvania and Article X-A of the MPC.

Section 810. Mediation Option.

- A. Parties to proceedings before the Township Zoning Hearing Board may utilize mediation as an aid in completing such proceedings. In no case shall the Township Zoning Hearing Board, initiate, mediate or participate as a mediating party. Mediation shall supplement, not replace, those procedures in Article 9 of this Zoning Ordinance once they have been formally initiated.
- B. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. The Township of Rapho shall assure that, in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:

1. Funding mediation.
 2. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 3. Completing mediation, including time limits for such completion.
 4. Suspending time limits otherwise authorized by the MPC, provided there is written consensus by the mediating parties, and by an applicant or municipal decision making body if either is not a party to the mediation.
 5. Identifying all parties and affording them the opportunity to participate.
 6. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.
 7. Assuring that mediated solutions are in writing and signed by the parties, and become subject to review and approval by the appropriate decision making body pursuant to the authorized procedures set forth in the MPC.
- C. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

ARTICLE 9

ADMINISTRATION AND ENFORCEMENT

Section 901. Administration and Enforcement.

A. Administration:

1. Township Zoning Officer. The provisions of this Zoning Ordinance shall be enforced by an agent, to be appointed by the Township Board of Supervisors, who shall be known as the Township Zoning Officer. The Township Zoning Officer shall be appointed at the first (1st) meeting of the Township Board of Supervisors in January to serve until the first (1st) day of January next following, and shall thereafter be appointed annually to serve for a term of one (1) year and/or until his successor is appointed. The Township Zoning Officer may succeed himself. He shall receive such fees or compensation as the Township Board of Supervisors may, by resolution, provide. The Township Zoning Officer shall not hold any elective office within the Township of Rapho. The Township Zoning Officer may designate a Deputy or Assistant Zoning Officer, subject to the approval of the Township Board of Supervisors, who shall exercise all the powers of the Township Zoning Officer during the temporary absence or disability of the Township Zoning Officer.
2. Duties & Responsibilities. The duties and responsibilities of the Township Zoning Officer shall be:
 - a. Process Applications. To receive, examine and process all applications and permits as provided by the terms of this Zoning Ordinance. The Township Zoning Officer shall also issue zoning permits for special exception and conditional uses, or for variances after the same have been approved.
 - b. Maintain Official Records. To maintain and be responsible for all pertinent records on zoning matters in Rapho Township. These records shall include, but not be limited to, all applications received, copies of all zoning permits and certificates of use and occupancy issued, copies of orders and findings of the Township Zoning Hearing Board, written complaints of alleged violations, records of all inspections made, a copy of the most recent version of this Zoning Ordinance, and all amending ordinances, the Official Zoning Map, and all other pertinent information. The records of the Township Zoning Officer shall be available for the use of the Township of Rapho and for inspection of any interested party during office hours. The Township Zoning Officer shall at least annually submit to the Township Board of Supervisors a written statement of all permits and certificates of use and occupancy issued and violations and stop-work orders recommended or promulgated.
 - c. Inspections. Before issuing any zoning permit or certificate of use and occupancy at his discretion, to inspect or cause to be inspected all buildings,

structures, signs, or land and portions thereof for which an application has been filed for a zoning permit or a zoning certificate of use and occupancy. Thereafter, he may make such inspections during the completion of the work for which a zoning permit has been issued. Upon completion of such work and before issuing a certificate of use and occupancy, a final inspection shall be made and all violations of the approved plans or zoning permit shall be noted and the holder of the zoning permit shall be notified of the discrepancies. The Township Zoning Officer shall have the right to enter any building or structure or enter upon any land at any reasonable hour in the course of his duties to inspect properties to determine compliance with all provisions of this Zoning Ordinance as well as conditions attached to the approval of variances, special exceptions, conditional uses and curative amendments.

- d. Inspect and/or Register Nonconformities. Upon request by a landowner and/or the direction of the Township Board of Supervisors, to inspect nonconforming uses, structures, and lots and to keep a filed record of such nonconforming uses and structures, together with the reasons why the Township Zoning Officer identified them as nonconformities, as a public record and to examine them periodically, with the view of eliminating the nonconforming uses under the existing laws and regulations.
- e. Assist Local Officials. Upon the request of the Township Board of Supervisors, Township Planning Commission, or the Township Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests, to assist such bodies in reaching their decisions.
- f. Maintain Up-to-Date Zoning Ordinance. To be responsible for keeping this Zoning Ordinance and the Official Zoning Map up-to-date, including any amendments thereto.
- g. Floodplain Administrator Duties and Responsibilities. See Article 4 of this Zoning Ordinance relating to *Duties and Responsibilities of the Floodplain Administrator in Floodplain Overlay (FPO) Zone (§ 402.E.)*.
- h. Preliminary Opinion. To render a preliminary opinion regarding a proposed land use in accordance with Section 916.2. of the MPC.
- i. Investigate Complaints. When in receipt of a verbal non-anonymous complaint stating fully the cause and basis thereof, to investigate alleged violations of this Zoning Ordinance where appropriate. Said investigation shall be completed within thirty (30) days of said complaint. A written report of all investigations of this Zoning Ordinance shall be prepared and filed by the Township Zoning Officer. If after the investigation the Township Zoning Officer determines that a violation has occurred, he shall take action as provided for by this Zoning Ordinance.

- j. Prosecute Violations. To institute civil enforcement proceedings, where appropriate, as a means of enforcement when anyone undertakes deliberate actions that are contrary to the terms of this Zoning Ordinance, and any conditions placed upon the approval of special exceptions, variances and conditional uses or any other approvals authorized under this Zoning Ordinance.
- B. Enforcement. This Zoning Ordinance shall be enforced by the Township Zoning Officer of the Township of Rapho. No zoning permit or certificate of use and occupancy shall be granted by him for any purpose except in compliance with the literal provisions of this Zoning Ordinance. The Township Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcement when acting within his scope of employment.
- C. Violations. Failure to secure a zoning permit prior to a change in use of land or structure, or the erection, construction or alteration of any structure or portion thereof, shall be a violation of this Zoning Ordinance. It shall also be a violation of this Zoning Ordinance to undertake other deliberate actions which are contrary to the terms of the Zoning Ordinance and any conditions placed upon the approval of special exceptions, variances, and conditional uses. Each day that a violation is continued shall constitute a separate offense.
- D. Enforcement Notice. If it appears to the Township of Rapho that a violation of this Zoning Ordinance has occurred, the Township of Rapho may initiate enforcement proceedings by sending an enforcement notice as provided in the following. Prior to sending an official enforcement notice, the Township Zoning Officer may at his option informally request compliance.
 1. The enforcement notice shall be sent via certified mail, return receipt requested and postage prepaid, to the owner of record of the parcel on which the violation has occurred to the address the owner of record has provided to the Township of Rapho, or, if none given, to the most recent address as evidenced by the tax records within possession of the Township of Rapho, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
 2. An enforcement notice shall state at least the following:
 - a. The name of the owner of record and any other person against whom the Township of Rapho intends to take action.
 - b. The location of the property in violation.
 - c. The specific violation with a description of the requirements that have not been met, citing in each instance the applicable provisions of this Zoning Ordinance.
 - d. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

- e. That the recipient of the notice has the right to appeal to the Township Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in Article 8 of this Zoning Ordinance relating to *Appeals from the Determination of the Township Zoning Officer in Zoning Hearing Board's Functions (§ 805.D.)*.
 - f. That failure to comply with the notice within the time specified, unless extended by appeal to the Township Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.
- E. Enforcement Remedies. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township of Rapho, pay a judgment of not more than five hundred (500) dollars plus all court costs, including reasonable attorney fees incurred by the Township of Rapho as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice/magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township of Rapho may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice/magisterial district judge, determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Zoning Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice/magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid over to the Township of Rapho.
- F. Causes of Action. In case any building, structure, landscaping or land is, or is proposed to be erected, constructed, reconstructed, altered, converted, maintained, or used in violation of this Zoning Ordinance, the Township Board of Supervisors or, with the approval of the Township Board of Supervisors, an officer of the Township of Rapho, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township of Rapho at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township Board of Supervisors. No such action may be maintained until such notice has been given.

Section 902. Zoning Permits.

A. General Requirements for Zoning Permits.

1. Actions Requiring Zoning Permits. A zoning permit shall be required prior to:
 - a. A change in use of land or structure.
 - b. The erection or construction of a structure or portion thereof, including.
 - c. The improvement or alteration of any existing structure where such improvement or portion thereof increases the amount of space which the structure encloses.
 - d. The alteration or development of any improved or unimproved real estate, including, but not limited to, mining, dredging, filling, grading, paving, excavation or drilling operations.
 - e. The conduct of forestry involving commercial timber operations.
 - f. The erection or alteration of any signs specified in Article 5 of this Zoning Ordinance relating to *Signs* (§ 528.) as requiring a zoning permit.
 - g. The construction or installation of manure storage facilities, lakes, ponds, dams, or other water retention basins.
2. Permit Exemptions. No zoning permit shall be required for:
 - a. Repairs or maintenance of any structure or land provided such repairs do not change the use or the exterior dimensions of the structure, or otherwise violate the provisions of this Zoning Ordinance.
 - b. The erection or construction of satellite dish antennas that are less than forty (40) inches in diameter.
 - c. The tilling of soil associated with agriculture including but not limited to agricultural operations, crops/gardening, etc.
 - d. The conduct of forestry not involving commercial timber operations.
3. Form of Application.
 - a. Application for zoning permits shall be made in writing to the Township Zoning Officer.
 - b. Two (2) copies of the application including a legibly drawn to scale plot/site plan on a minimum eight and one half by eleven (8 ½ x 11) inch sheet size, for a zoning permit shall be submitted in such form as the Township Zoning

Officer may prescribe.

- c. The Township of Rapho may, at its option, issue combined or separate zoning permits and building permits, and may utilize a single or separate application for the permits.
4. Zoning Permit Review Deadline. Such zoning permits shall be issued or rejected within ninety (90) days from date of application.
5. Zoning Permit Conformity. No zoning permit shall be issued except in conformity with the regulations of this Zoning Ordinance, except after written order from the Township Zoning Hearing Board or the Courts.
6. Zoning Permit Burden of Proof. In all instances in which the Township Zoning Officer expresses reasonable doubt as to the ability of a proposed use to meet all the requirements of this Zoning Ordinance, it will be incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied.
7. Authorization to Apply. The parcel or parcels shall be in full ownership, or proof of option shall be furnished at the time of application. The full names and addresses of the landowner or developer, and of the responsible officers if the landowner or developer is a corporate body, shall be stated in the application. If the application is made by a developer other than the landowner, it shall be accompanied by a written authorization of the landowner, that the proposed work is authorized by the landowner.
8. Zoning Permit Referral. The Township Zoning Officer may call upon other Township staff and/or Township-appointed consultants in the review of submitted materials for applications.
9. Zoning Permit Revocation. The Township Zoning Officer may revoke a zoning permit or approval issued under the provisions of this Zoning Ordinance, in case of any false statement or misrepresentation of fact in the application or on the plans on which the zoning permit or approval was based or for any other cause set forth in this Zoning Ordinance.
10. Required Zoning Permit Fees. No zoning permit shall be issued until the fees prescribed by the Township Board of Supervisors approved by resolution shall be paid to the Township Zoning Officer. The payment of fees under this Section shall not relieve the applicant or holder of said zoning permit from payment of other fees that may be required by this Zoning Ordinance or by any other ordinances or law. The fees collected for the review of a zoning permit shall include at least one (1) inspection for a certificate of use and occupancy.
11. Issuance/Rejection of Zoning Permits. Upon receipt, the Township Zoning Officer shall examine the zoning permit application within a reasonable time after filing. If the application fails to comply with the provisions of this Zoning Ordinance and all

pertinent local laws, and/or any conditions of approval attached to the grant of any applicable subdivision and/or land development approval, the Township Zoning Officer shall reject such application in writing, stating the reasons therefore. Should the Zoning Officer deny the zoning permit, he shall inform the applicant of his right to appeal to the Township Zoning Hearing Board as set forth in Article 8 of this Zoning Ordinance relating to *Appeals from the Determination of the Township Zoning Officer in Zoning Hearing Board's Functions (§ 805.D.)*. If satisfied that the proposed work and/or use conforms to the provisions of this Zoning Ordinance, and all laws and ordinances applicable thereto, and/or any conditions of approval attached to the grant of any applicable subdivision and/or land development approval, he shall issue a zoning permit therefore as soon as practical, but not later than ninety (90) days from receipt of the complete application.

12. Reconsideration of Application. An applicant whose request for a zoning permit has been denied by the Township Zoning Officer may make a later application for a zoning permit, provided all deficiencies which were the basis for the prior denial of the zoning permit have been eliminated. The Township Zoning Officer shall not be required to make a new review of the application if this condition is not met.
13. Expiration of Zoning Permit. The zoning permit shall expire after one (1) year from the date of issuance; provided, however, that the same may be extended every six (6) months for a period not to exceed an additional one (1) year, upon the request by the applicant who can demonstrate good cause for the extension.
14. Compliance with this Zoning Ordinance. The zoning permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of this Zoning Ordinance, except as stipulated by the Township Zoning Hearing Board through the issuance of an approved variance under Article 8 of this Zoning Ordinance relating to *Variances in Zoning Hearing Board's Functions (§ 805.C.)*.
15. Compliance with Zoning Permit and Plot/Site Plan. All work or uses shall conform to the approved application and plans for which the zoning permit has been issued, as well as the approved plot/site plan.
16. Display of Zoning Permit. All approved zoning permits shall be prominently displayed on the subject property during construction, renovation, reconstruction, repair, remodeling or the conduct of other site improvements. Such zoning permit displays shall occur within five (5) days of zoning permit issuance or prior to the commencement of actual work on the site, whichever occurs first. Such zoning permit display shall be continuous until the site receives its certificate of use and occupancy.
17. Availability of Zoning Permit. The Township Zoning Officer shall maintain a copy of all active zoning permits for inspection.
18. Compliance with Applicable Laws and Regulations. Each application for a zoning permit shall include a written list of all of the Township of Rapho, county, state and

federal permits and approvals that are required for the initiation of the use of land, buildings or structures. Additionally, the list shall include the following due diligence statement:

“By signature below, the applicant affirms [he/she/it] has in good faith performed a due diligence review of the Township of Rapho, county, state and federal statutes, laws, ordinances, regulations, and requirements to determine the permits and approvals that are required for the proposed use (to be inserted by applicant) of land, building or structure and that [he/she/it] has provided a complete list of such permits and approvals.”

The statement shall be followed by the applicant's signature and the date of signing. Each applicant has an affirmative and continuing duty to supplement this list, as may be necessary from time to time, until issuance of the certificate of use and occupancy. Each supplement shall contain the foregoing due diligence statement, followed by the applicant's signature and date of signing.

19. Temporary Zoning Permits. It is recognized that it may be in accordance with the purpose of this Zoning Ordinance to permit temporary activities for a limited period of time including the following circumstances:

- a. In times of local or national emergency and/or disaster, in which such temporary activities may be prohibited by other provisions of this Zoning Ordinance. If such temporary activities are of such a nature and are so located that, at the time of application, they will:
 - (1). In no way exert a detrimental effect upon the uses of land and activities normally permitted in the zone; and
 - (2). Contribute materially to the welfare of Rapho Township, particularly in a state of emergency, under conditions peculiar to the time and place involved;

then the Township Board of Supervisors may direct the Township Zoning Officer to issue a temporary zoning permit for a period not to exceed one hundred eighty (180) days. Such temporary zoning permit may be extended not more than once for an additional period of one hundred eighty (180) days.

- b. Other Temporary Uses or Structures.
 - (1). Customary, routine, and accessory short-term special events, provided that only a well-established non-profit organization proposing a temporary use demonstrates clearly that the proposed use will primarily serve a charitable, public service or religious purpose in order to be eligible to receive approval for commercial or business type activities in a zone where a commercial or business use would not otherwise be permitted;

- (2). Temporary storage and office trailers that are necessary to serve on-site construction, while such construction is actively underway;
- (3). Such other activities that the applicant proves are routine, customary and temporary, including those specific “temporary” uses and structures set forth in Article 5 and Article 6 of this Zoning Ordinance.

- c. Time Period. For the uses set forth in the subsection above (§ 902.A.19.), the Township Zoning Officer shall state a reasonable maximum time period for the temporary zoning permit. If no time limit is stated or otherwise specifically provided in Article 5 or Article 6 of this Zoning Ordinance, then a one hundred eighty (180) day maximum period shall apply. Such temporary zoning permit may be extended not more than once for an additional period of one hundred eighty (180) days.

B. Application for All Zoning Permits.

1. Applications shall contain a general description of the proposed work, development, use or occupancy of all parts of the structure or land and shall be accompanied by legibly drawn to scale plot/site plans on a minimum eight and one half by eleven (8 ½ x 11) inch sheet size showing the following, where applicable; the:
 - a. Property lines, actual dimensions, and shape of lot to be built-upon.
 - b. Exact size and location on the lot of buildings, structures, and areas of land use, existing and/or proposed, and extensions thereto.
 - c. Number of dwelling units or other units of occupancy (e.g., commercial, industrial, institutional/civic, agricultural, accessory uses, etc.) if any, to be provided.
 - d. Location of lot access and curbcuts, surfacing of driveways and access drives, clear sight triangles, and copies of any highway occupancy permits as required by Township, county and/or state agencies.
 - e. Height of all structures and buildings.
 - f. Distances of buildings and structures from lot lines and street right-of-way lines.
 - g. Off-street parking and loading spaces and access thereto, including grades and proposed surfacing, and proposed truck types.
 - h. Outside areas devoted to storage or display of goods, materials and/or wastes.

- i. Utility systems affected and proposed including primary and back-up individual on-lot and/or public sewage disposal and water supply systems, including any required permits.
 - j. Alteration or development of any improved or unimproved real estate.
 - k. Lot coverage.
 - l. Floor area devoted to each proposed use and unit of occupancy.
 - m. Recreation areas.
 - n. Screening, landscape screening strip, buffer yards, landscaping.
 - o. Means of pedestrian access.
 - p. Water courses and bodies of water
 - q. Copies of any applicable subdivision and/or land development plan.
 - r. Written approvals for needed Conservation Plans, Nutrient Management Plans and/or Erosion and Sediment Control Plans.
 - s. Information relating to any zoning approvals obtained from the Township Zoning Hearing Board or the Township Board of Supervisors.
 - t. Proof of approval from the PA L&I.
 - u. Workers Compensation Certificates.
 - v. All other lawful information that may be required by the Township Zoning Officer to determine compliance with this Zoning Ordinance.
2. Applications involving any Excavation or Earthmoving. Applications involving any excavation or earthmoving involving five thousand (5,000) square feet or more shall require submission of one (1) or more of the following:
- a. Applications for Zoning Permits involving Agricultural Use. Applications for zoning permits for agricultural use involving earth disturbance on five thousand (5,000) square feet or more shall require submission of a letter from the LCCD or the USDA's NRCS that the proposed use has an approved Conservation Plan.
 - b. Applications for Zoning Permits involving Non-Agricultural Use. Applications for zoning permits involving non-agricultural use where any of the following conditions apply shall require submission of written evidence that the proposed use has a Conservation Plan or an Erosion and Sediment Control

Plan that meets with the approval of the Lancaster County Conservation District.

- (1). Earth disturbance will occur on more than one (1) acre.
- (2). The site possesses slopes exceeding ten (10) percent.
- (3). The site contains or adjoins a body of water or watercourse.
- (4). The site and proposed use or activity presents the potential for discharge into State designated "High Quality Waters," and/or State designated "Exceptional Value Waters," and/or "Exceptional Value Wetland;".

c. Applications for Zoning Permits for Other Uses and Activities. Applications for zoning permits that do not involve agricultural uses or activities, and do not involve any of those conditions listed in this subsection above relating to *Applications for Zoning Permits involving Agricultural Use* and *Applications for Zoning Permits involving Non-Agricultural Use § 902.B.3.b.)* shall require the submission of a signed statement by the applicant that an adequate Erosion and Sediment Control Plan will be developed, implemented and maintained prior to any excavation or earthmoving on the site.

3. Applications involving forestry uses shall require the submission of information listed in Article 5 of this Zoning Ordinance relating to *Forestry (Commercial Timber Operations) (§ 510.)*.

C. Application for Zoning Permits for Non-Residential Uses. In addition to the requirements for all zoning permits set forth in the subsection above relating to *Application for All Zoning Permits (§ 902.B.)*, applications for proposed non-residential uses shall provide the following information, unless the Township Zoning Officer determines such information is unnecessary to determine compliance with this Zoning Ordinance:

1. Location Plan. A location plan showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred (200) feet from all tract boundaries.
2. Plot/Site Plan. A legibly drawn to scale plot/site plan of the lot on a minimum eight and one half by eleven (8 ½ x 11) inch sheet size, certified by a qualified professional land surveyor, engineer, or landscape architect licensed and registered to practice in the Commonwealth of Pennsylvania, showing the location of all existing and proposed:
 - a. Buildings and structures;
 - b. Lot access, curbcuts, access drives, driveways, clear sight triangles, on-site circulation patterns, parking, loading, and vehicle queuing facilities;

- c. Landscaping, screening, buffer yards and related improvements;
 - d. Waste disposal facilities, methods of water supply and sewage disposal;
 - e. Other construction features and improvements on the lot; and
 - f. The location of all topographical features; unless the Township Zoning Officer determines such information is unnecessary to determine compliance with this Zoning Ordinance.
3. Hours of Operation and Management Plan. An hours of operation and management plan demonstrating how on-site activities are appropriately scheduled, operated, and maintained to protect the existing neighborhood and nearby residential uses from detrimental noise, disturbance, or interruption. The “hours of operations and management plan” shall include the following, unless the Township Zoning Officer determines such information is unnecessary to determine compliance with this Zoning Ordinance:
- a. Address of the premises of proposed use including tax parcel identification number.
 - b. Name and general and specific type of the proposed use (e.g. commercial use, retail sales).
 - c. Name and related contact information of the owner, on-site manager, and/or other authorized agent of the proposed use and the lot (e.g. telephone number[s], email address, etc.).
 - d. The nature of the on-site activities and operations involved in the proposed use (e.g. the type of products, materials, equipment and/or processes, etc.).
 - e. Estimated number of employees, patrons, and/or occupants, including per shift and maximum permitted occupancy, as applicable.
 - f. The gross floor area of the building(s) and gross area of the lot devoted to the proposed use.
 - g. General description of the land uses adjacent to the property and on the same block.
 - h. Vehicles and traffic associated with the proposed use (e.g. employees and customers/occupants deliveries, loading, etc.).
 - i. Hours and days the proposed use will be open and/or operating including any expected “special events”, as applicable.
 - j. How disposal of materials will be accomplished in a manner that complies with the Township of Rapho, county, state, and federal regulations.

- k. A discussion of likely possible impacts and/or problems the proposed use may cause (e.g. traffic, odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts/problems. The applicant shall further furnish evidence that the impacts generated by the proposed use will be within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Article 5 of this Zoning Ordinance relating *Operations and Performance Standards* (§ 521.).
 4. Schematic Architectural Drawing. A schematic architectural drawing of the principal building's front façade.
 5. SLDO Plan. Submission, approval, and recording information subdivision and/or land development plan and in accordance with the SLDO, as required.
- D. Application for Zoning Permits for Signs. Zoning permits for the placement of signs requiring the obtainment of a zoning permit as set forth in Article 5 of this Zoning Ordinance (§ 528.). All signs requiring zoning permits must have such zoning permit prior to the erection, installation, or alteration of the sign. Applications for a zoning permit for a sign shall be made in writing to the Township Zoning Officer and shall contain all information necessary for the Township Zoning Officer to determine whether the proposed sign, or the proposed alterations, conform to the requirements of this Zoning Ordinance. All applications for zoning permits for signs shall be accompanied by scaled plans or diagrams showing the following:
1. Exact dimensions of the lot, including any right-of-way lines or building upon which the sign is proposed to be erected.
 2. Exact size, dimensions and location of the said sign on the lot or building together with its type, construction, materials to be used, and the manner of installation.
 3. Any other lawful information which may be required of the applicant by the Township Zoning Officer.

Section 903. Certificate of Use and Occupancy.

- A. Certificate of Use and Occupancy Required. It shall be unlawful to use and/or occupy any structure, building, and/or land or portion thereof for which a zoning permit is required until a certificate of use and occupancy has been issued by the Township Zoning Officer. The Township Zoning Officer shall not issue such certificate of use and occupancy unless he has inspected said structure, building, or land and has determined that all provisions of this Zoning Ordinance and other laws of the Township of Rapho have been satisfied and that the applicant has received a certificate of occupancy under the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements, if applicable.

B. Form of Application.

1. The application for a certificate of use and occupancy shall be in such form as the Township Zoning Officer may prescribe and may be made on the same application as is required for a zoning permit is filed with the Township Zoning Officer.
2. The Township of Rapho may, at its option, issue combined or separate zoning certificates of use and occupancy and certificates of occupancy (for building permits), and may utilize a single or separate application for the certificates.

C. Description of Use and Occupancy. The application for a certificate of use and occupancy shall contain a description of the intended use and occupancy of any structure, building, and/or land or portion thereof for which a zoning permit is required.

D. Action Upon Application. The Township Zoning Officer shall inspect any structure, building, or use of land within ten (10) days after notification that the proposed work that was listed under the zoning permit has been completed. If the Township Zoning Officer is satisfied that the:

1. Work is in conformity and compliance with the work listed in the issued zoning permit;
2. Work is in conformity and compliance with other pertinent local laws; and
3. That the applicant has received a certificate of occupancy under the most recent version of the IBC or IRC (as applicable) as referenced in the PA UCC adopted by the Township of Rapho, and with all other applicable Township requirements, if applicable;

he shall issue a certificate of use and occupancy for the intended use listed in the approved application. If the Township Zoning Officer finds that the work has not been performed in accordance with this Zoning Ordinance and/or the approved application, the Township Zoning Officer shall refuse to issue the certificate of use and occupancy and shall give in writing the reasons for such refusal. The Township Zoning Officer shall inform the zoning permit holder of his right of appeal to the Township Zoning Hearing Board set forth in Article 8 of this Zoning Ordinance relating to *Appeals from the Determination of the Township Zoning Officer in Zoning Hearing Board's Functions (§ 805.D.)*.

The fees collected for the review of a zoning permit include one (1) inspection for certificate of use and occupancy. Should an applicant fail to demonstrate compliance with an approved zoning permit at such inspection, he will be required to correct any noted violations and pay another final inspection fee, or submit a new zoning permit application (in compliance with all requirements listed above) along with its fee for each time the Township of Rapho must inspect the site prior to its final issuance of a certificate of use and occupancy.

E. Availability of Certificate of Use and Occupancy. The Township Zoning Officer shall maintain a certificate of use and occupancy (or a true copy thereof) for all uses that shall be kept available for inspection of any interested party during office hours.

F. Temporary Certificate of Use and Occupancy. It is recognized that it may be in accordance with the purpose of this Zoning Ordinance to permit temporary activities for a limited period of time, including but not limited to the following circumstances:

(1) In times of local or national emergency or disaster, in which such temporary activities may be prohibited by other provisions of this Zoning Ordinance. If such temporary activities are of such a nature and are so located that, at the time of application, they will:

(a) In no way exert a detrimental effect upon the uses of land and activities normally permitted in the zone; and

(b) Contribute materially to the welfare of Rapho Township, particularly in a state of emergency, under conditions peculiar to the time and place involved;

then the Township Board of Supervisors may direct the Township Zoning Officer to issue a temporary certificate of use and occupancy for a period not to exceed one hundred eighty (180) days. Such temporary certificate of use and occupancy may be extended not more than once for an additional period of one hundred eighty (180) days.

(2) Other Temporary Uses or Structures.

(a) Customary, routine, and accessory short-term special events, provided that only a well-established non-profit organization proposing a temporary use demonstrates clearly that the proposed use will primarily serve a charitable, public service or religious purpose in order to be eligible to receive approval for commercial or business type activities in a zone where a commercial or business use would not otherwise be permitted;

(b) Temporary storage and office trailers that are necessary to serve on-site construction, while such construction is actively underway;

(c) Such other activities that the applicant proves are routine, customary and temporary, including those specific "temporary" uses and structures set forth in Article 5 and Article 6 of this Zoning Ordinance;

(3) Time Period. For the uses set forth in the subsection above (§ 902.A.19.), the Township Zoning Officer shall state a reasonable maximum time period for the temporary certificate of use and occupancy. If no time limit is stated or otherwise specifically provided in Article 5 or Article 6 of this Zoning Ordinance, then a one hundred eighty (180) day maximum period shall apply. Such temporary certificate of use and occupancy may be extended not more than once for an additional period

of one hundred eighty (180) days.

- G. Improvement Guarantees. No certificate of use and occupancy shall be issued for structures and buildings located in subdivisions and land developments requiring Improvement Guarantees until the structure or building adjoining either a street which has been accepted by the Township of Rapho for dedication, or adjoins upon a street which has been paved with a base wearing course.
- H. Compliance with Other Laws and Regulations. No certificate of use and occupancy shall be issued until such time as the applicant provides evidence that the identified Township of Rapho, county, state and federal permits and approvals required for the initiation of use of land, building or structure have been obtained, including the SLDO. Following the issuance of a certificate of use and occupancy, it is expected that the use of the land, building or structure that is the subject of the certificate of use and occupancy shall be conducted in compliance with the zoning permit and all of the applicable Township of Rapho, county, state, and federal statutes, ordinances, regulations, requirements, permits and approvals.
- I. Operations and Performance Standards for Non-Residential Uses. For non-residential uses that involve activities that are subject to performance standards listed in Article 5 of this Zoning Ordinance relating to *Operations and Performance Standards (§ 521.)*, no certificate of use and occupancy shall become permanent until thirty (30) days after the facilities are fully operational when, upon a re-inspection by the Township Zoning Officer, it is determined that the facilities are in compliance with all operations and performance standards.

Section 904. Fees.

- A. The Township Board of Supervisors shall establish by resolution a schedule of fees, charges, and expenses and collection procedures for applications for zoning permits, certificates of use and occupancy, special exceptions, conditional uses, variances, appeals, amendments, and other matters pertaining to this Zoning Ordinance.
- B. The schedule of fees shall be available for inspection of any interested party during office hours and may be altered or amended by resolution of the Township Board of Supervisors.
- C. Until all application fees, charges, and expenses have been paid in full, the application or appeal shall not be considered complete. Therefore, no proceedings related to any such application or appeal shall be initiated, no established time elements shall begin to accrue, and no action shall be taken on any such application or appeal.

Section 905. Amendments.

- A. Power of Amendment. The Township Board of Supervisors may from time to time, amend, supplement, change or repeal this Zoning Ordinance including the Official Zoning Map. Any amendment, supplement, change or repeal may be initiated by the Township Planning Commission, the Township Board of Supervisors, or by a petition to the Township Board of

Supervisors by an interested party. The Township of Rapho is under no obligation to consider any zoning amendment other than curative amendments submitted under the subsections below relating to *Curative Amendment by a Landowner (§ 905.F.)* and *Curative Amendment by the Township Board of Supervisors (§ 905.G.)*.

B. Hearing and Enactment Procedures for Zoning Amendments.

1. Public Hearing. Before hearing and enacting any amendment to this Zoning Ordinance and/or Official Zoning Map, the Township Board of Supervisors shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice, as described in the subsection immediately below relating to *Public Notice (§ 905.B.2.)*, and mailed notice and electronic notice to any owner of a tract or parcel of land located with Rapho Township, or an owner of the mineral rights of a tract or parcel of land within Rapho Township who has made a timely request in accordance with Section 109 of the MPC, has been given.
2. Public Notice. Before conducting a public hearing, the Township Board of Supervisors shall provide public notice as follows:
 - a. Notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in Rapho Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first (1st) publication shall not be more than thirty (30) days, and the second (2nd) publication shall not be less than seven (7) days from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:
 - (1). A copy of the full text shall be supplied to a newspaper of general circulation in Rapho Township at the time the public notice is published; and,
 - (2). An attested copy of the proposed ordinance shall be filed in the County Law Library or other County office designated by the Lancaster County Board of Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing said ordinances.
 - b. Official Zoning Map Amendments.
 - (1). Public notice shall also include the posting of a sign at conspicuous locations along the perimeter of the subject property deemed sufficient by the Township of Rapho to notify potentially interested citizens. This sign(s) shall be posted at least one (1) week prior to the hearing and will exhibit the nature, date, time and location of the hearing. The sign posting requirement shall not apply when the

rezoning constitutes a comprehensive rezoning.

- (2). In addition, notice of the public hearing shall be sent by first (1st) class mail by the Township of Rapho at least thirty (30) days prior to the date of the public hearing by first (1st) class mail to the addressees to which real estate tax bills are sent for real property to be rezoned, as evidenced by the tax records within possession of the Township of Rapho. Such notice shall include the location, date and time of the public hearing. The first (1st) class mail notice requirement shall not apply when the rezoning constitutes a comprehensive rezoning.
- c. For curative amendments, public notice shall also indicate that the validity of this Zoning Ordinance and/or Official Zoning Map is in question, and shall give the place where, and the times when, a copy of the request, including any plans, explanatory material or proposed amendments, may be examined by the public.
- d. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Township Board of Supervisors shall hold another public hearing, pursuant to public notice, and mailed notice and electronic notice to any owner of a tract or parcel of land located with Rapho Township, or an owner of the mineral rights of a tract or parcel of land within Rapho Township who has made a timely request in accordance with Section 109 of the MPC, before proceeding to vote on the amendment.
3. Enactment Notice. The Township Board of Supervisors must publish a reference to the time and place of the meeting at which passage of this Zoning Ordinance or amendment will be considered, and a reference to a place within the Township of Rapho where copies of the proposed ordinance or amendment may be examined without charge, or obtained for a charge not greater than the cost thereof. Enactment notice shall be published at least once in one (1) newspaper of general circulation in Rapho Township not more than sixty (60) days nor less than seven (7) days prior to passage. The published content of the enactment notice shall be the same as that required for public notice described in the subsection above relating to *Public Notice (§ 905.B.2.)* and may be published as part of them same notice.
4. Township Planning Commission Referrals.
 - a. For amendments proposed by parties other than the Township Planning Commission, the Township Board of Supervisors shall submit each amendment to the Township Planning Commission at least thirty (30) days prior to the public hearing on such amendment.
 - b. A report of the review by the Township Planning Commission, together with any recommendations, may be given to the Township Board of Supervisors

within thirty (30) days from the date of said referral. The recommendation of the Township Planning Commission may include a specific statement as to whether or not the proposed action is in accordance with the intent of this Zoning Ordinance and the most recent version of the Comprehensive Plan adopted by the Township of Rapho.

5. LCPC Referrals. All proposed amendments shall be submitted to the LCPC at least forty-five (45) days prior to the public hearing on such amendments. The Commission may submit recommendations to the Township Board of Supervisors; however, if the LCPC fails to act within forty-five (45) days, the Township Board of Supervisors may proceed without its recommendations.
 6. Adjournment of Public Hearing. If, during the public hearing process, the Township Board of Supervisors needs additional time to understand the proposal, inform the public, receive public comment, and/or render a decision, it may adjourn the public hearing to a certain time and place.
 7. Copies of Adopted Amendments. Within thirty (30) days after enactment, a copy of the amendment to this Zoning Ordinance and/or Official Zoning Map shall be forwarded to the LCPC.
- C. Amendments Initiated by the Township Planning Commission. When an amendment, supplement, change, or repeal is initiated by the Township Planning Commission, the proposal shall be presented to the Township Board of Supervisors which shall then proceed in the same manner as with a petition to the Township Board of Supervisors which has already been reviewed by the Township Planning Commission.
- D. Amendment Initiated by the Township Board of Supervisors. When an amendment, supplement, change, or repeal is initiated by the Township Board of Supervisors, such amendment, supplement, change, or repeal shall follow the procedure prescribed for a petition in the subsection above relating to *Hearing and Enactment Procedures for Zoning Amendments (§ 905.B.)*.
- E. Amendment Initiated by a Petition from an Interested Party. A petition for amendment, supplement, change, or repeal for a portion of this Zoning Ordinance shall include the following:
1. Name and address of landowner.
 2. Name and address of landowner's professional consultants involved in the rezoning request.
 3. Address and tax parcel identification number of tracts or parcel of land to be considered for rezoning.
 4. An accurate legal description of any land to be rezoned.
 5. Existing zone and the proposed zone.

6. Existing use of the land and/or buildings and the proposed use of the land and/or buildings.
7. Existing and proposed utilities serving the property, especially water and sewer.
8. A legibly drawn to scale plot/site plan of the lot on a minimum eight and one half by eleven (8 ½ x 11) inch sheet size showing the following:
 - a. Property lines, actual dimensions, and shape of lot to be built-upon.
 - b. Location on the lot of buildings, structures, and areas of land use, existing and/or proposed, and extensions thereto.
 - c. Minimum yard setback lines.
 - d. Location of lot access, curbcuts, access drives, and driveways.
 - e. Off-street parking and loading spaces and access thereto.
 - f. General description of the existing land uses adjacent to the property, including across the street.
 - g. Current zone of properties adjacent to the property, including across the street.
 - h. Water courses and bodies of water.
9. A schematic architectural drawing of the principal building's building façade.
10. A detailed description of:
 - a. Why the proposed amendment would be in the best interests of Rapho Township.
 - b. How the proposed amendment is in accordance with the intent of this Zoning Ordinance.
 - c. How the proposed amendment furthers the objectives of the most recent version of the Comprehensive Plan or other applicable plan adopted by the Township of Rapho.

The petition shall also be signed by at least one (1) record owner of the property in question whose signature shall be notarized attesting to the truth and correctness of all the facts and information presented in the petition. A fee to be established by the Township Board of Supervisors shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein. The Township of Rapho reserves the right to require duplicate sets of petition materials and request additional information in order to evaluate the applicability of the petition.

- F. Curative Amendment by a Landowner. A landowner, who desires to challenge on substantive grounds the validity of this Zoning Ordinance or the Official Zoning Map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the Township Board of Supervisors (including all of the reasons supporting the request to be considered) with a written request that his challenge and proposed amendment be heard and decided, as provided in Sections 609.1. and 916.1 of the MPC. The Township Board of Supervisors shall commence a hearing thereon within sixty (60) days of the request. The curative amendment shall be referred to the Township Planning Commission and the LCPC, as provided for in the subsection above relating to *Hearing and Enactment Procedures for Zoning Amendments (§ 905.B.)*, and public notice of the hearing shall be provided as described in the subsection above relating to *Public Notice (§ 905.B.2.)*.
1. In reviewing the curative amendment, the Township Board of Supervisors may deny the request, accept the request as submitted, or may adopt an alternative amendment which will cure the challenged defects. The Township Board of Supervisors shall consider the curative amendments, plans and explanatory material submitted by the landowner, and shall also consider;
 - a. The impact of the proposal upon roads, sewer facilities, water supplies, schools, and other public service facilities.
 - b. If the proposal is for a residential use, the impact of the proposal upon regional housing needs, and the effectiveness of the proposal in providing housing units of a type actually available to, and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Zoning Ordinance or Official Zoning Map.
 - c. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources, and other natural features.
 - d. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources, and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.
 - e. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
 2. The Township Board of Supervisors shall render its decision within forty-five (45) days after the conclusion of the last hearing.
 3. If the Township Board of Supervisors fails to act on the landowner's request within the time limits referred to in the subsection immediately above (§ 905.F.2.), a denial of the request is deemed to have occurred on the forty-sixth (46th) day after the close of the last hearing.

4. Public notice of the hearing shall include notice that the validity of this Zoning Ordinance or Official Zoning Map is in question and shall give the place where, and the times when, a copy of the request, including any plans, explanatory material or proposed amendments, may be examined by the public.
5. The challenge shall be deemed denied when:
 - a. The Township Board of Supervisors fails to commence the hearing within sixty (60) days.
 - b. The Township Board of Supervisors notifies the landowner that it will not adopt the curative amendment.
 - c. The Township Board of Supervisors adopts another curative amendment which is unacceptable to the landowner; or
 - d. The Township Board of Supervisors fails to act on the request forty (45) days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and the Township of Rapho.
6. Where, after the effective date of the MPC, a curative amendment proposal is approved by the grant of a curative amendment application by the Township Board of Supervisors pursuant to this subsection relating to *Curative Amendment by a Landowner (§ 905.F.)*, or a validity challenge is sustained by the Township Zoning Hearing Board pursuant to Article 8 of this Zoning Ordinance relating to *Substantive in Challenges to the Validity of this Zoning Ordinance in Zoning Hearing Board's Functions (§ 805.A.)*, or the court acts finally on appeal from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two (2) years from the date of such approval to file an application for preliminary or tentative approval for a subdivision and/or land development, or planned residential development. Within the two (2) year period, no subsequent change or amendment in the zoning, subdivision and land development, or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Upon the filing of the preliminary or tentative plan, the provisions of Section 508 (4) of the MPC shall apply.
7. Where the proposal appended to the curative amendment application or the validity challenge is approved but does not require further application under the SLDO, the developer shall have one (1) year within which to file for a zoning permit. Within the one (1) year period, no subsequent change or amendment in the zoning, subdivision and/or land development, or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purpose of awarding such supplemental relief as may be necessary.

G. Curative Amendment by the Township Board of Supervisors.

1. The Township Board of Supervisors, by formal action, may declare this Zoning Ordinance or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal, the Township Board of Supervisors shall:
 - a. By resolution, make specific findings setting forth the declared invalidity of this Zoning Ordinance or portions thereof which may include:
 - (1). References to specific uses which are either not permitted or not permitted in sufficient quantity.
 - (2). References to a class of use or uses which require revision; or
 - (3). References to this entire Zoning Ordinance which requires revisions.
 - b. Begin to prepare and consider a curative amendment to this Zoning Ordinance to correct the declared invalidity.
2. Within one hundred eighty (180) days from the date of the declaration and proposal, the Township Board of Supervisors shall enact a curative amendment to validate or reaffirm the validity of this Zoning Ordinance pursuant to the provisions required by Section 609 of the MPC in order to cure the declared invalidity of this Zoning Ordinance.
3. Upon the date of the declaration and proposal, the Township Board of Supervisors shall not be required to entertain or consider any curative amendment filed by a landowner. Nor shall the Township Zoning Hearing Board be required to give a report, upon request, for a challenge to the validity of this Zoning Ordinance under Article 8 of this Zoning Ordinance relating to *Substantive in Challenges to the Validity of this Zoning Ordinance in Zoning Hearing Board's Functions (§ 805.A.)*, subsequent to the declaration and proposal, based upon the grounds identical to, or substantially similar to, those specified in the resolution required by this subsection relating to *Curative Amendment by the Township Board of Supervisors (§ 905.G.)*. Upon the enactment of a curative amendment to, or the reaffirmation of the validity of, this Zoning Ordinance, no rights to a cure by amendment or challenge shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Ordinance for which the Township Board of Supervisors propose to prepare a curative amendment.
4. The Township Board of Supervisors, having utilized the procedures as set forth in this subsection relating to *Curative Amendment by the Township Board of Supervisors (§ 905.G.)*, may not again utilize said procedures for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of this Zoning Ordinance; provided, however, if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the

Township of Rapho by virtue of a decision by any court of competent jurisdiction, the Township Board of Supervisors may utilize the provisions of this subsection relating to *Curative Amendment by the Township Board of Supervisors (§ 905.G.)* to prepare a curative amendment to this Zoning Ordinance to fulfill this duty or obligation.

- H. Authentication of Official Zoning Map. Whenever there has been a change in the boundary of a zone or a reclassification of the zone adopted in accordance with the above, the change on the Official Zoning Map shall be made, and shall be duly certified by the Township Secretary, and shall thereafter be refiled as part of the permanent records of the Township of Rapho.
- I. Amendment Request Format. Any applicant requesting an amendment to this Zoning Ordinance and/or Official Zoning Map shall submit information about such request that complies with this Zoning Ordinance and justifies the request. In addition, the applicant must submit, in a format that can be adopted by the Township Board of Supervisors, the necessary amendments that make most recent version of the Comprehensive Plan adopted by the Township of Rapho, generally consistent with the requested amendment.

Section 906. Conditional Uses.

- A. Filing of Requirements for Conditional Use. The Township Board of Supervisors shall hear and act upon applications for conditional uses, specifically authorized by this Chapter. The granting of a conditional use shall be subject to the following standards and criteria. The applicant for a conditional use shall demonstrate, by credible evidence, compliance with these criteria and those criteria specified elsewhere in this Chapter for the use in question. The conditional use application shall include the following:
 - 1. Ground floor plans and schematic architectural drawing of the principal building's façade and elevations of proposed structures.
 - 2. Names and addresses of adjoining property owners including properties directly across a public right-of-way.
 - 3. Plot/Site Plan. Unless otherwise required in Article 6 of this Zoning Ordinance, a legibly drawn to scale plot/site plan of the lot including the following, shall be submitted:
 - a. Project name or identifying title.
 - b. Name and address of the tract owner and applicant.
 - c. Name of the individual and/or the firm that prepared the plan.
 - d. Location map, drawn to scale, relating the tract to existing streets and municipal boundaries within one thousand (1,000) feet of the property.
 - e. The entire tract boundary with bearing and distances.

- f. Names of all immediately adjacent landowners, and recorded plan name and record book numbers.
- g. North point, graphic scale, written scale, and date.
- h. Site Data. Site data shall include the following:
 - (1). Total acreage of the proposed tract;
 - (2). Proposed number, acreage, density/intensity, and type of residential and non-residential uses;
 - (3). Proposed lot coverage and open space areas;
 - (4). Total number of proposed lots; and
 - (5). General description of all proposed land uses.
- i. Landmarks within the proposed tract, including the location of all existing:
 - (1). Public and private streets, access drives, driveways, drives or lanes;
 - (2). Railroads;
 - (3). Buildings;
 - (4). Easements;
 - (5). Rights-of-way;
 - (6). Sanitary sewers;
 - (7). Water mains;
 - (8). Stormwater management facilities; and
- j. All existing land uses and lot lines within two hundred (200) feet of the proposed tract, including the location of all:
 - (1). Public and private streets, access drives, driveways, drives or lanes;
 - (2). Railroads;
 - (3). Other significant natural or man-made features, only to the extent such information is available from the Lancaster County GIS data.
- k. Existing Topographic Information.

- (1). See Table 9-6.1 in this subsection below for the existing contour and slope interval requirements:

**TABLE 9-6.1
EXISTING TOPOGRAPHIC INFORMATION**

CONTOUR INTERVAL	SLOPE RANGE
i. 1 foot	0% – 3.0%
ii. 2 foot	3.01% – 20.0%
iii. 5 foot	20.1% and greater

- (2). Lancaster County GIS topography can be utilized to show existing contours.
 - l. Proposed lot configurations.
 - m. Proposed location and design of circulation, parking, and loading systems.
 - n. Proposed location, type, number, and density/intensity of proposed residential and non-residential uses and buildings.
 - n. Proposed utilities, including water and sewer systems.
 - o. Proposed landscaping and screening plan.
 - p. Conceptual storm water management design.
 - q. Phasing plan, if applicable.
 4. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Zoning Ordinance.
- B. General Criteria. Each applicant must demonstrate, by credible evidence, the proposed use complies with the following:
1. The proposed use shall be consistent with the purpose and intent of this Zoning Ordinance, and such use is specifically authorized as a use by conditional use within the zone wherein the applicant seeks approval.
 2. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
 3. The proposed use will not substantially cause a change in the character of the subject property's neighborhood, nor adversely affect the character of the general neighborhood, the conservation of property values, the health and safety of residents or workers on adjacent properties and in the neighborhood, nor the reasonable use of neighboring properties. The use of adjacent properties shall be adequately safeguarded.

4. Adequate public facilities are available to serve the proposed use and the proposed use shall not have an adverse effect upon the logical and economic extension of such public services and facilities (e.g., schools; fire, police and ambulance protection; sewer, water, and other utilities; parks and recreation; solid waste disposal; vehicular access, etc.).
 5. The proposed use will not have deleterious impact on adjoining properties or the neighborhood due to impacts and/or by-products of the proposed use, such as noise, dust, odor, smoke, litter, glare, heat, radiation, electromagnetic interference, etc.
 6. The proposed use will not substantially impair the integrity of the most recent version of the Comprehensive Plan adopted by the Township of Rapho.
- C. Specific Criteria. Each applicant must demonstrate, by credible evidence, the proposed use complies with the following applicable specific criteria listed in:
1. Article 3 of this Zoning Ordinance relating to the following specific requirements and regulations:
 - a. Permitted use;
 - b. Area and bulk; and
 - c. Additional layout, design, and other standards.
 2. Article 4 of this Zoning Ordinance relating to specific overlay zone requirements and regulations;
 3. Article 5 of this Zoning Ordinance relating to the following specific requirements and regulations:
 - a. Lot Access, access drives, and driveways;
 - b. Off-street loading;
 - c. Off-street parking;
 - d. Operation and performance standards;
 - e. Screening and landscaping; and
 - f. Sewer and water systems standards.
 - g. Signs;
 - h. Traffic impact study and street classifications; and
 - i. Vehicle queuing.

4. Article 6 of this Zoning Ordinance relating to specific use regulations.

In addition, the proposed use must comply with all other applicable general and specific requirements and regulations of in this Zoning Ordinance.

- D. Conditions. The Township Board of Supervisors, in approving conditional use applications may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Township Zoning Officer, and failure to comply with such conditions shall constitute a violation of this Zoning Ordinance and be subject to the penalties described in Article 9 of this Zoning Ordinance.
- E. Plot/Site Plan Approval. Any plot/site plan presented in support of the conditional use pursuant to the subsection above relating to *Filing Requirements for Conditional Use (§ 906.A.)* shall become an official part of the record for said conditional use. Approval of any conditional use will also bind the use in accordance with the submitted plot/site plan; therefore, should a change in the plot/site plan be required as part of the approval of the use, the applicant shall revise the plot/site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved plot/site plan shall require the obtainment of another conditional use approval.
- F. Time Limitations for Conditional Uses. An approved conditional use shall be bound by the time period limitations listed in Article 9 of this Zoning Ordinance relating to *Time Limitations for Conditional Use Decisions in Conditional Uses (§ 906.H.)*.
- G. Hearing Procedures.
1. Before voting on the approval of a conditional use, the Township Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. If, after any public hearing held upon an application, the proposed application is revised, the Township Board of Supervisors, or Hearing Officer, shall hold another public hearing, pursuant to public notice, before proceeding to vote on the application. As an alternative, the Township Board of Supervisors may appoint any one (1) of its members, or an independent attorney, to act as a Hearing Officer. The decision, or, where no decision is called for, the findings shall be made by the Township Board of Supervisors however, the appellant or the applicant, as the case may be, in addition to the Township of Rapho, may, prior to the decision of the hearing, waive the decision or findings by the Township Board of Supervisors and accept the decision or findings of the Hearing Officer as final.
 2. The Township Board of Supervisors shall submit each such application to the Township Planning Commission at least thirty (30) days prior to the hearing on such application to provide the Township Planning Commission an opportunity to submit recommendations.
 3. Public notice and written notice shall be given to the applicant, the Township Zoning Officer, such other persons as the Township Board of Supervisors shall designate by ordinance, and to any person who has made timely request for the

same. Written notices shall be given at such time and in such manner as shall be prescribed by ordinance or, in the absence of the ordinance provision, by rules of the Township Board of Supervisors. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing, and will exhibit the nature, date, time, and location of the hearing.

4. The Township Board of Supervisors may prescribe reasonable fees with respect to hearings. Fees for said hearings may include compensation for the secretary, notice and advertising costs, and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses, expenses for engineering, architectural, or other technical consultants, or expert witness costs.
5. The parties to the hearing shall be the Township of Rapho, any person affected by the application who has made timely appearance of record before the Township Board of Supervisors or Hearing Officer, and any other person, including civic or community organizations permitted to appear by the Township Board of Supervisors or Hearing Officer. The Township Board of Supervisors or Hearing Officer shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Township Board of Supervisors or Hearing Officer for that purpose.
6. The Chairman or Acting Chairman of the Township Board of Supervisors or Hearing Officer shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
7. The parties shall have the right to be represented by counsel, and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
8. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
9. The Township Board of Supervisors or Hearing Officer may keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Township Board of Supervisors. The cost of the original transcript shall be paid by the Township Board of Supervisors if the transcript is ordered by the Township Board of Supervisors or Hearing Officer, or shall be paid by the person appealing the decision of the Township Board of Supervisors or Hearing Officer if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
10. The Township Board of Supervisors or Hearing Officer shall not communicate, directly or indirectly, with any party or his representative in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other

materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative, unless all parties are given an opportunity to be present.

11. The Township Board of Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within forty-five (45) days after the last hearing before the Township Board of Supervisors. However, the applicant and the Township of Rapho, may, prior to the decision of the hearing, waive the decision or findings by the Township Board of Supervisors and accept the decision or findings of the Hearing Officer as final. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of the MPC or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
12. Where the Township Board of Supervisors or Hearing Officer fails to render the decision within the period required by the subsection immediately above (§ 906.G.11.), or fails to commence the required hearing within sixty (60) days from the date of the applicant's request for a hearing, or fails to complete the hearing no later than one hundred (100) days after completion of the applicant's case in chief, unless extended for good cause upon application to the Court of Common Pleas, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Township Board of Supervisors or Hearing Officer to meet or render a decision as in provided, the Township Board of Supervisors or Hearing Officer shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of the MPC. If the Township Board of Supervisors or Hearing Officer shall fail to provide such notice, the applicant may do so.
13. Nothing in the subsection above relating to *Hearing Procedures (§ 906.G.)* shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings, shall be delivered to the applicant personally, or mailed to him no later than the day following its date.

H. Time Limitation on Conditional Use Decisions.

1. For uses that do not require subsequent subdivision and/or land development approval under the SLDO:
 - a. If the conditional use is granted, the necessary zoning permit shall be secured and the authorized action begun within two (2) years after the date when the conditional use is finally granted, and the construction or alteration, as the case may be, shall be completed within three (3) years of

said date. For good cause, the Township Board of Supervisors, upon application in writing, may extend either of the two (2) year or three (3) year time period limitation, as applicable, stating the reason for extending such time period.

- b. Should the appellant or applicant fail to obtain the necessary zoning permit within said two (2) year time period limitation, or having obtained the zoning permit, should he fail to commence work thereunder within such two (2) year time period limitation, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his conditional use application, and all approvals granted to him shall be deemed automatically rescinded by the Township Board of Supervisors.
 - c. Should the appellant or applicant commence construction or alteration within said two (2) year time period limitation, but should he fail to complete such construction or alteration within said three (3) year time period limitation, the Township Board of Supervisors may, upon ten (10) days' notice in writing, rescind or revoke the granted conditional use, or if the Township Board of Supervisors finds that a good cause appears for the failure to complete within such three (3) year time period limitation.
2. For uses that require subsequent subdivision and/or land development approval under the SLDO:
 - a. If a conditional use is granted, the applicant shall be required to submit the subsequent subdivision and/or land development application within two (2) years after the date when the conditional use is finally granted, and the applicant shall have secured a zoning permit for such use within five (5) years of said date. For good cause, the Township Board of Supervisors may upon application in writing, state the reasons therefore and extend either the two (2) year or five (5) year time period limitation.
 - b. Should the appellant or applicant fail to submit the subsequent subdivision and/or land development application within the two (2) year time period limitation, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his conditional use application, and all approvals granted to him shall be deemed automatically rescinded by the Township Board of Supervisors.
 - c. Should the appellant or applicant submit the subsequent subdivision and/or land development application within said two (2) year time period limitation, but should he fail to secure a zoning permit for such use within said five (5) year time period limitation, the Township Board of Supervisors may, upon ten (10) days' notice in writing, rescind or revoke the granted conditional use approval, if the Township Board of Supervisors finds that no good cause appears for the failure to secure a zoning permit within such five (5) year time period limitation.

3. As an alternative to the preceding requirements set forth in the subsections above relating to *Time Limitations on Conditional Use Decisions (§ 906.H.)*, an applicant can request, as part of the original application before the Township Board of Supervisors, the granting of a timetable associated with the request which would supersede the time period limitations imposed in this subsection above relating to *Time Limitations on Conditional Use Decisions (§ 906.H.)*. In so doing, the applicant must demonstrate by credible evidence that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this subsection, the Township Board of Supervisors must establish and bind a definite time-frame for:
 - a. Application for subdivision and/or land development approval under the SLDO, if applicable;
 - b. Issuance of a zoning permit; and
 - c. Completion of construction of the project.

Section 907. Mediation Option.

- A. Parties to proceedings before the Township Board of Supervisors may utilize mediation as an aid in completing such proceedings. In no case shall the Township Board of Supervisors, initiate, mediation or participate as a mediating party. Mediation shall supplement, not replace, those procedures in Article 9 of this Zoning Ordinance once they have been formally initiated.
- B. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. The Township of Rapho shall ensure that, in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:
 1. Funding mediation.
 2. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 3. Completing mediation, including time limits for such completion.
 4. Suspending time limits otherwise authorized by the MPC, provided there is written consensus by the mediating parties, and by an applicant or municipal decision making body if either is not a party to the mediation.
 5. Identifying all parties and affording them the opportunity to participate.
 6. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.
 7. Assuring that mediated solutions are in writing and signed by the parties, and

become subject to review and approval by the appropriate decision making body pursuant to the authorized procedures set forth in the MPC.

- C. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

Section 908. Repealer.

Any resolution, ordinance or part of any resolution or ordinance inconsistent herewith and any amendments thereof are hereby expressly repealed.

Section 909. Severability.

Should any section or provision of this Zoning Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 910. Effective Date.

This Zoning Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Rapho Township, County of Lancaster, Commonwealth of Pennsylvania.

This Zoning Ordinance, ordained and enacted this _____ day of _____.

BOARD OF SUPERVISORS OF RAPHO TOWNSHIP

By: _____
Chairman

Vice-Chairman

Member

ATTEST:

Secretary

(SEAL)

Township of Rapho, Lancaster County, PA: Official Zoning Map

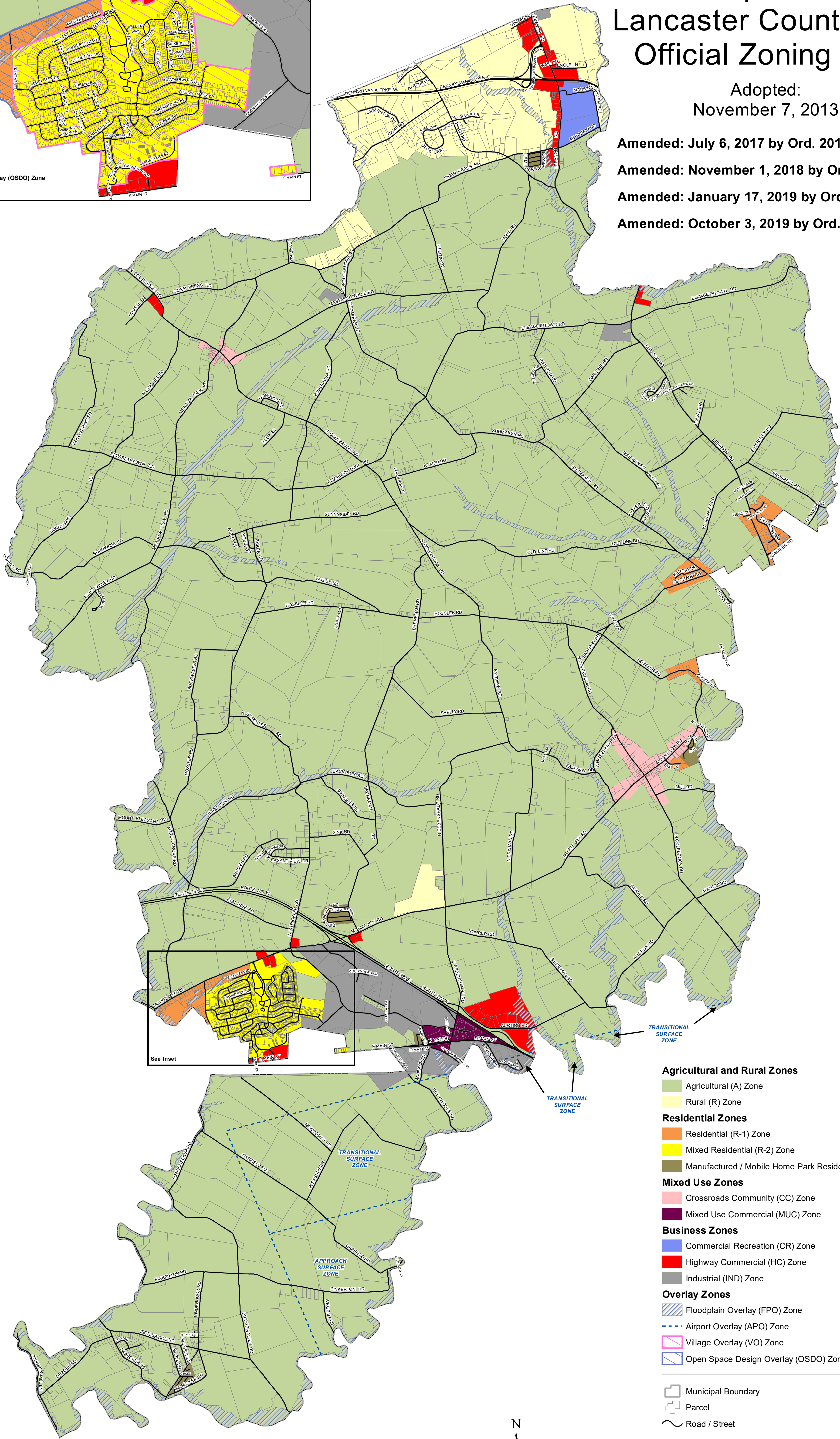
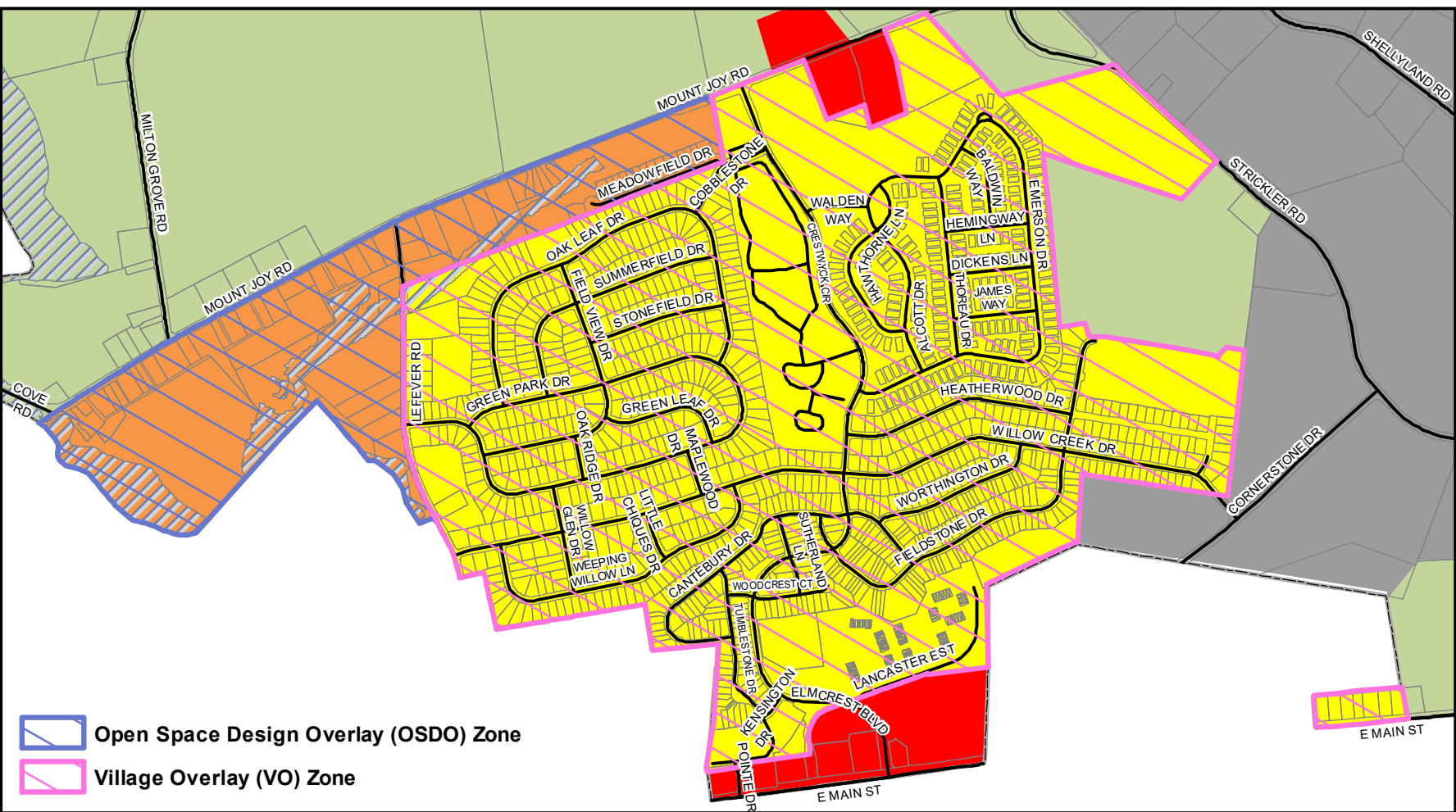
Adopted:
November 7, 2013

Amended: July 6, 2017 by Ord. 2017-1

Amended: November 1, 2018 by Ord. 2018-3

Amended: January 17, 2019 by Ord. 2019-1

Amended: October 3, 2019 by Ord. 2019-3



Agricultural and Rural Zones

- Agricultural (A) Zone
- Rural (R) Zone

Residential Zones

- Residential (R-1) Zone
- Mixed Residential (R-2) Zone
- Manufactured / Mobile Home Park Residential (MHP) Zone

Mixed Use Zones

- Crossroads Community (CC) Zone
- Mixed Use Commercial (MUC) Zone

Business Zones

- Commercial Recreation (CR) Zone
- Highway Commercial (HC) Zone
- Industrial (IND) Zone

Overlay Zones

- Floodplain Overlay (FPO) Zone
- Airport Overlay (APO) Zone
- Village Overlay (VO) Zone
- Open Space Design Overlay (OSDO) Zone

- Municipal Boundary
- Parcel
- Road / Street

Note: The boundaries of the Floodplain Overlay (FPO) Zone are provided for reference purposes only. Applicants shall refer to the Flood Insurance Study (FIS) for the Township of Rapho, Lancaster County, Pennsylvania, as prepared by FEMA, dated April 5, 2016 and the accompanying maps, or the most recent version thereof as issued by FEMA.

Projection: PA State Plane South, NAD 1983 (feet)
Map Source:
FEMA FIRM Database
Lancaster County GIS
RETTEW Associates, Inc.
Pennsylvania Department of Transportation

RETTEW

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