

Wolf Creek Township



Zoning Ordinance

Adopted June 14th, 2004

Prepared by the Wolf Creek Township Supervisors
and the Mercer County Regional Planning Commission

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ARTICLE I

SHORT TITLE, PURPOSE, SCOPE, INTERPRETATION, APPLICABILITY AND SEVERENCE

SECTION 100: SHORT TITLE

This Ordinance shall be known as the "Wolf Creek Township Zoning Ordinance" hereinafter referred to as the "Zoning Ordinance" or "Ordinance".

The official map showing zoning districts and boundaries shall be known as the "Wolf Creek Township Zoning Map" hereinafter referred to as the "Zoning Map" copies of which shall be retained by the Township Zoning Officer and the Township Secretary. The Zoning Map included herein is a reproduction of the official map and is for reference only.

SECTION 101: PURPOSE AND AUTHORITY

This Zoning Ordinance and its regulations are adopted by authority granted to the Township under the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) and are made in accordance with the following purposes:

1. To promote health, safety, morals and general welfare;
2. To promote coordinated, orderly, harmonious and practical community development;
3. To discourage the intermixture of incompatible land uses and, where such intermixture may be beneficial or where zoning district boundaries present transitions between incompatible uses, to control impacts of incompatible uses;
4. To lessen congestion and promote public safety and convenience on roads and highways;
5. To secure safety from fire, disaster, panic, pollution hazards and other dangers;
6. To provide adequate light and air;
7. To prevent the overcrowding of land;
8. To avoid undue congestion of population;
9. To facilitate the adequate provision of housing, commercial and industrial development, transportation, water, sewer, schools, parks and other public requirements;
10. To establish reasonable standards to which buildings and development shall conform;
11. To protect and enhance the value of land.

Such regulations are also made with reasonable consideration to the character of the zoning districts, hereinafter set forth, and their suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Township.

SECTION 102: SCOPE

This Zoning Ordinance regulates and restricts within the boundaries of the Township of Wolf Creek, Mercer County, Pennsylvania:

1. The height, number of stories and size of buildings and other structures;
2. Their construction, alteration, extension, repair and maintenance;
3. All facilities and services in or about such buildings and structures;
4. The percentage of the lot that may be occupied;
5. The size of yards, courts and other open spaces;
6. The density of population;
7. The location and use of buildings, structures and land for trade, industry, residence, or other purposes;
8. The establishment and maintenance of building lines and setback building lines upon any or all public roads or highways.

SECTION 103: INTERPRETATION

In interpreting and applying the provisions of the Zoning Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience and general welfare. Where the Zoning Ordinance imposes greater restrictions than those of any statute, other ordinance, or regulations, the provisions of the Zoning Ordinance shall be controlling. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than the Zoning Ordinance, those provisions shall be controlling.

This Zoning Ordinance is not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between private parties. However, where the Zoning Ordinance imposes greater restrictions than those imposed by any such easement, covenant, or agreement, the provisions of the Zoning Ordinance shall govern. Where any such easement, covenant, or other agreement imposes greater restrictions than those imposed by the Zoning Ordinance, those shall govern.

SECTION 104: APPLICATION

The provisions of the Zoning Ordinance shall apply to the use and/or occupancy of all buildings, structures, and/or lots. Except as provided in this Ordinance, no building, or part thereof, or other structure shall be erected, altered, added to, or enlarged, nor shall any land, building, structure, or premises be used for any purpose other than for the uses hereinafter listed as permitted in the zone in which such building, land, or premises is located. Any use that is not listed in a specific zoning district shall be interpreted as prohibited in that district.

SECTION 105: SEVERANCE

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in the Zoning Ordinance or the zoning district boundaries, as shown on the Zoning Map, shall be, for any reason, declared to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole or any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Zoning Ordinance.

The Township Supervisors hereby declare that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, and each zoning district boundary of the Zoning Map irrespective of the fact that any one or more of the sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, words, or boundaries may be declared illegal, unconstitutional, or invalid.

ARTICLE II COMMUNITY DEVELOPMENT OBJECTIVES

SECTION 200: PURPOSE OF COMMUNITY DEVELOPMENT OBJECTIVES

This article shall serve as the statement of community development objectives for the Wolf Creek Township Zoning Ordinance as required by Section 606 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended). This Zoning Ordinance reflects the policy goals of the Township as stated in the following community development objectives and has been developed as a legislative and administrative tool of the Township to implement these objectives.

SECTION 201: COMMUNITY DEVELOPMENT OBJECTIVES

The Wolf Creek Township Zoning Ordinance shall promote and advance the following community objectives:

201.1: Land Use Objectives

1. The Township should retain its rural and agricultural characteristics.
2. The Township should realize that it is becoming increasingly difficult to farm for a living and should allow some development of farmland.
3. The Township should promote low-density development.
4. The Township should regulate Corporate Animal Feeding Operations.
5. The Township should discourage the placement of disabled vehicles and junk in areas that can be seen from public rights-of-way.

201.2: Economic Objectives

1. The Township should allow for small businesses, especially home based businesses and home occupations throughout the Township.
2. Economic development in the Township should not disturb neighboring properties with light, noise, dust, pollution, and other nuisances.
3. The Township should promote some development near the I-80/Rt. 173 interchange but should be cautious not to overrun existing or potential residences in the area.
4. The Township should allow for the reasonable construction of signs, particularly to promote businesses in the I-80/Rt. 173 interchange area.
5. The Township should support economic development that would support the agricultural industry.

201.3: Housing Objectives

1. The Township should allow multiple residential dwellings on the same lot, making it favorable for family members to live in separate residential units on the same lot.
2. The Township should regulate the development of multi-family residential units.
3. The Township should promote single-family residential.

201.4: Transportation Objectives

1. Development in the Township should occur along transportation routes that can support such development without placing a burden on that transportation route itself or on the Township to improve a particular transportation route.

201.5: Natural Resource and Preservation Objectives

1. The Township should preserve woodlands, wetlands, waterways and other natural and environmental areas and resources.

201.6: Community Resource Objectives

1. The Township should maintain safe, quiet neighborhoods.

ARTICLE III ZONING DISTRICTS

SECTION 300: ZONING DISTRICTS

The following zoning districts are hereby created in Wolf Creek Township:

Full Zoning District Name	Abbreviation
Rural Residential-Agricultural	R-1
General Residential	R-2
Mixed Use	B-1
Industrial	I

SECTION 301: PURPOSE AND CHARACTER OF ZONING DISTRICTS

301.1: Rural Residential-Agricultural (R-1)- A zoning district to promote and allow for agricultural operations, low density single-family residential, open space, recreational facilities, home based businesses and home occupations as primarily found throughout the Township.

301.2: General Residential (R-2)- A zoning district to allow, primarily, for the development and expansion of manufactured/ mobile home parks in the Township.

301.3: Mixed Use (B-1)- A zoning district to promote and allow for a mix of residential dwellings and businesses along Rt. 173, extending North from the I-80 interchange.

301.4: Industrial (I)- A zoning district to promote industrial and commercial development at the Rt. 173/ I-80 interchange, and allow for residential uses compatible with existing residential uses, while minimizing the impact between industrial, commercial and residential uses.

SECTION 302: BOUNDARIES OF ZONING DISTRICTS

The boundaries of the zoning districts shall be as shown on the Zoning Map. Where uncertainty exists with respect to the boundaries of the various zoning districts, the following rules shall apply:

302.1: Where a Zoning District Boundary Follows a Street, Alley, Railroad, or Watercourse- The centerline of such street, alley, railroad, or watercourse shall be interpreted to be the zoning district boundary.

302.2: Where a Zoning District Boundary Approximately Parallels a Street or Alley- The boundary shall be interpreted as being parallel to it and at such distance from it as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Zoning Map.

302.3: Where a Zoning District Boundary Approximately Follows a Lot Line- The lot line shall be interpreted to be the zoning district boundary.

302.4: Submerged Areas- Where areas within the Township are underwater and are bounded by two or more zoning districts, the boundary lines of these districts shall be extended to the center of the body of water.

302.5: Annexed Lands- Any land annexed to or made a part of the Borough subsequent to the adoption of this Ordinance shall immediately be classified as Rural Residential/ Agricultural (R-1) as of the effective date of annexation.

302.6: Vacation of Public Ways- Whenever any street or alley is vacated, the zoning district or districts adjoining the side of such street or alley shall be automatically extended to the center of the vacated area.

302.7: Where a Zoning District Boundary Does Not Follow a Physical Feature or Lot Line and None of the Previous Rules Apply- The location of such boundary, unless the same is indicated by dimensions shown on the Zoning Map, shall be determined by the use of the map scale appearing thereon.

ARTICLE IV PERMITTED & CONDITIONAL USES

SECTION 400: PERMITTED PRINCIPAL USES

The following table lists the Zoning Districts in Wolf Creek Township, created through this Ordinance and shown on the Zoning Map, and the principal uses that are permitted in each Zoning District. Uses shall be interpreted according to the common meaning of the term or as defined in Article XV, Definitions. Uses not specifically listed shall not be permitted.

Principal uses that are permitted in a certain Zoning District are identified in the respective Zoning District column with an X. Where listed uses are followed by a section or sub-section number in parentheses, refer to that section or sub-section for additional regulations or provisions that apply to that use.

400.1: Table of Permitted Principal Uses

Permitted Principal Uses	R-1	R-2	B-1	I
Agricultural Operations	X	X	X	X
Greenhouse/ Nursery	X	X	X	X
Roadside Agricultural/ Food Stands	X	X	X	X
Single-Family Residential Dwellings (600.1)	X	X	X	X
Multi-Family Residential Dwellings (2-4 units) (600.1)			X	X
Manufactured/ Mobile Home Parks (601)		X		
Tent Camps and Recreational Vehicle Parks (602)	X			
Group Homes	X		X	
Convalescent Homes	X		X	
Child Care Center	X	X	X	
Health Care Facility			X	X
Personal Care Home and Nursing Homes			X	
Bed & Breakfast	X		X	
Hotels, Motels and Inns				X
Clubs, Lodges and Fraternal Organizations	X		X	X
Funeral Homes			X	
Churches	X	X	X	X
Cemeteries	X		X	
Government and/or Community Facilities	X	X	X	X
Educational Facilities	X	X	X	X
Public, Non-Commercial Parks and Recreational Facilities	X	X	X	X
Non-Commercial Recreational Clubs	X	X	X	X
Commercial Recreation, Indoor (605)			X	X

Permitted Principal Uses- Cont.	R-1	R-2	B-1	I
Commercial Recreation, Low-Impact (605)			X	X
Golf Courses	X		X	X
Kennels (606)			X	X
Veterinary Clinic/ Animal Hospital (606)	X		X	X
Home Based Business (603)	X	X	X	X
General and Professional Offices			X	X
Medical and Dental Offices			X	X
Service Businesses			X	X
Convenience/ Food Store			X	X
Eating and Drinking Establishments			X	X
Retail Establishments			X	X
Drive In/ Through Establishments			X	X
Gas and Service Stations			X	X
Automotive, Boat, Recreational Vehicle or other Motorized Vehicle Sale Establishment			X	X
Parking Lots			X	X
Establishments for the Storage and Sale of Junk (607)	X		X	X
Industrial Establishments for Manufacturing, Processing, Packing and Bottling				X
Industrial Research and Development Establishments				X
Chemical and/or Petroleum Storage Establishments				X
Self Storage Units			X	X
Warehousing and/or Wholesaling				X
Contractor and Supply Yards				X
Trucking and Shipping Facilities				X
Utility Substations and/or Facilities (610)	X	X	X	X
Forestry	X	X	X	X
Essential Services	X	X	X	X

SECTION 401: PERMITTED ACCESSORY USES

The following table lists the Zoning Districts in Wolf Creek Township, created through this Ordinance and shown on the Zoning Map, and the accessory uses that are permitted in each Zoning District. Uses shall be interpreted according to the common meaning of the term or as defined in Article XV, Definitions. Uses not specifically listed shall not be permitted.

Accessory uses that are permitted in a certain Zoning District are identified in the respective Zoning District column with an X. Where listed uses are followed by a section or sub-section number in parentheses, refer to that section or sub-section for additional regulations or provisions that apply to that use.

401.1: Table of Permitted Accessory Uses

Permitted Accessory Uses	R-1	R-2	B-1	I
Garage, Carport, or Storage Shed	X	X	X	X
Dwelling Units (600.3)	X	X	X	X
Greenhouse/ Nursery	X	X	X	X
Gazebo, Porch, or Deck	X	X	X	X
Agricultural Facilities	X	X	X	X
Roadside Agricultural/ Food Stands (609)	X	X	X	X
Communications Antennas (612)	X	X	X	X
Telecommunications Stealth Tower/Antenna (612)	X	X	X	X
Telecommunications Tower (612) on Township-owned land	X			X
Antennas	X	X	X	X
Play Equipment	X	X	X	X
Pools	X	X	X	X
Essential Accessory Uses	X	X	X	X

SECTION 402: CONDITIONAL USES

The following table lists the Zoning Districts in Wolf Creek Township, created through this Ordinance and shown on the Zoning Map, and the uses that are a conditional use in each Zoning District. Uses shall be interpreted according to the common meaning of the term or as defined in Article XV, Definitions. Uses not specifically listed shall not be permitted.

Conditional uses shall be considered the principal use on a lot unless otherwise noted. Conditional uses may be granted or denied by the Township Supervisors in accord with conditions and standards expressed in this Ordinance. The Township Supervisors may attach reasonable conditions and safeguards when granting a conditional use. Such conditions are to implement the stated objectives of this Ordinance and the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

Uses that are a conditional use in a certain Zoning District are identified in the respective Zoning District column with an X. Where listed uses are followed by a section or sub-section number in parentheses, refer to that section or sub-section for additional regulations or provisions that apply to that use.

402.1: Procedures for Conditional Uses

Applications for conditional uses shall follow the following review and approval process in accord with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended):

1. Public Notice and Hearing- Public notice shall be provided and a public hearing shall be held by the Township Supervisors in accord with the Pennsylvania Municipalities Planning Code prior to making a decision on the application.

2. Decision- The Township Supervisors shall render a decision on the application and any conditions to be required as part of an approved application within 45 days of receipt of the application.

402.2: Table of Conditional Uses

Conditional Use	R-1	R-2	B-1	I
Multi-Family Residential Dwellings (5 or more units) (600.2)			X	X
Sanitary Landfill, Solid Waste Transfer Stations or Similar Facility for Processing and Disposal of Solid Waste (608)				X
Adult Entertainment Establishments (611)				X
Telecommunications Towers (612) not located on Township-owned land and/or not considered a Stealth Tower	X			
Mineral Excavation (614)	X	X	X	X
Commercial Recreation, High-Impact (605)			X	

ARTICLE V LOT, YARD & HEIGHT PROVISIONS

SECTION 500: LOT, YARD AND HEIGHT PROVISIONS

The following table sets provisions for each Zoning District concerning minimum lot sizes, minimum lot width, building setbacks, maximum height and maximum lot coverage. When different provisions exist for a principal use and an accessory use, they are distinguished with a "P" representing the provisions for the principal building, structure and/or use and an "A" representing the provisions of the accessory building, structure, and/or use. Accessory structures, as herein defined, are not subject to setback provisions, unless otherwise noted in this Ordinance.

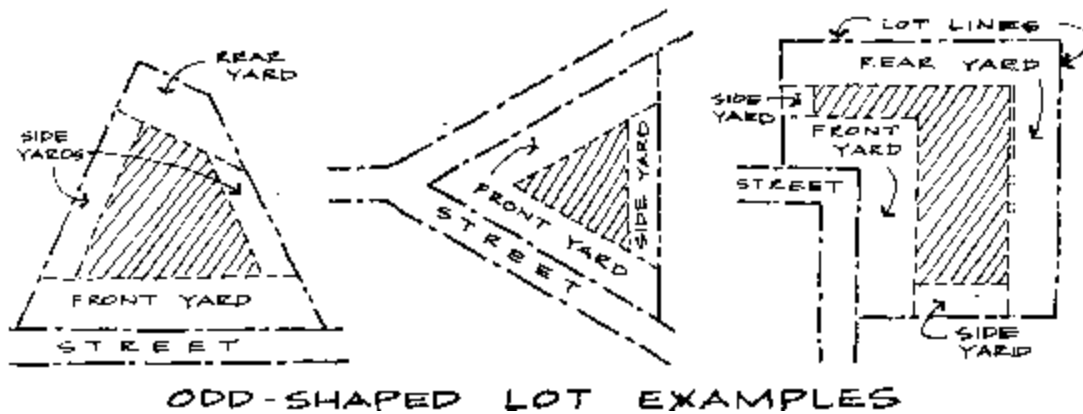
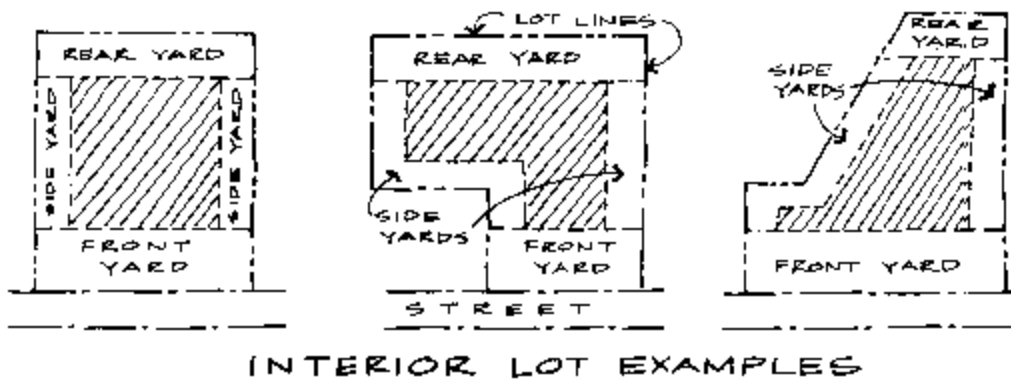
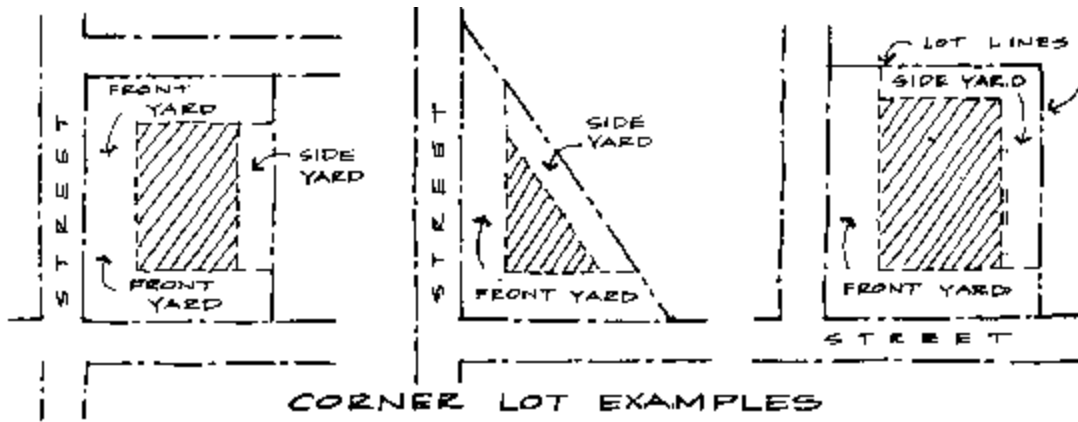
500.1: Lot, Yard and Height Provisions Table

Zoning District	Minimum Lot Area	Min. Lot Width	Front Yard ¹	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
R-1	With sewer: 20,000 sq. ft.	100'	75 ²	P: 10' A: 5'	P: 25' A: 5'	35'	30%
	Without: 1 ½ acres	150'	75 ²	P: 15' A: 5'	P: 35' A: 35'	35'	20%
R-2	1 acre (all uses)	125'	50'	P: 10' A: 5'	P: 35' A: 5'	35'	20%
B-1	With sewer: 20,000 sq. ft.	75'	75 ²	P: 10' A: 5'	P: 25' A: 5'	50'	50%
	Without: 1 acre	125'	75 ²	P: 15' A: 5'	P: 35' A: 5'	35'	20%
I	With sewer: 10,000 sq. ft.	75'	75 ²	P: 10' A: 5'	P: 15' A: 5'	70'	50%
	Without: 1 acre	125'	75 ²	P: 15' A: 5'	P: 35' A: 5'	35'	20%

¹ All front setback lines shall be measured from the road centerline.

² The front setback along Route 173 (Sandy Lake Road) shall be 75' from the road centerline. The front yard setback along all other roads shall be 50' from the road centerline.

500.2: Lot Examples



ARTICLE VI

ADDITIONAL USE CRITERIA

SECTION 600: ADDITIONAL CRITERIA FOR RESIDENTIAL USES

600.1: All Dwelling Units

1. All dwelling units shall have a minimum floor area of 750 square feet.
2. No dwelling structures shall have visible, unclosable openings that allow penetration of air, outside elements, or animals into the structure's interior.
3. All dwelling units shall be placed on a basement foundation, concrete pad or piers, or other permanent foundation with footings to a minimum depth of 36 inches.

600.2: Multi-Family Dwellings (5 or more units)

The following provisions shall apply to any new multi-family construction or conversion of single-family dwellings into multi-family dwellings of five or more units.

1. Minimum lot area shall be 1 acre for the first dwelling unit plus 5,000 square feet for each additional dwelling unit thereafter.
2. Multi-family developments containing more than one structure shall be arranged in such a way to allow for adequate air, light, and access to all units.
3. Internal streets built and maintained for private service to the development shall be paved, located, and have capacity to:
 - a. Prevent blockage of vehicles entering or leaving the site and minimize conflicts with pedestrian traffic in the development.
 - b. Provide adequate area for servicing of the site by delivery trucks, refuse collection, and other service vehicles without blockage or interference with the use of driveways or off-street parking.
4. Adequate pedestrian facilities shall be provided into the development to assure the safe movement of pedestrians between dwellings, any accessory buildings on the property, and to parking areas or driveways.
5. Storm drainage facilities shall:
 - a. Be installed to insure that storm water does not flow onto abutting property, sidewalks, or streets in such quantities as to cause detrimental effect or inconvenience.
 - b. Make sure that the maximum rates of storm water runoff from the property after development shall not exceed the rate of runoff prior to development.
 - c. Be designed so all runoff will be directed away from buildings and prevent ponding, accelerated erosion, or flowing onto adjacent properties by using the *Best Management Practices* as specified by the Pennsylvania Association of Conservation Districts.

6. Open space requirements:
 - a. A minimum of ten percent (10%) of the gross area of the development or 1,000 square feet per dwelling unit, whichever is greater, shall be provided for recreation space.
 - b. The recreation space shall be suitable for outdoor recreational activity and shall be easily accessible to all units.
 - c. The applicant shall show how such recreation space shall be maintained permanently, and shall present implementing documents to ensure such maintenance.
 - d. At the determination of the Zoning Hearing Board, this requirement may be reduced by 50% if there is a public park within 500 feet of the proposed development.
7. All maintenance equipment for the building(s) must be kept in an enclosed structure, such as a shed or garage.
8. Sewage treatment facilities and dumpsters shall be effectively screened from dwelling units, internal private streets, and public streets, according to the screening and landscaping requirements in Article IX.
9. In addition to the requirements of a zoning permit application (see Article XI), new construction or the conversion of an existing structure into multi-family dwellings of five or more dwelling units shall comply with the following plan requirements:
 - a. A site plan shall be submitted to the Zoning Officer at a scale of 1"=50', 1"=40', 1"=30', or 1"=20' on up to 24" by 36" pages.
 - b. The site plan shall consist of existing property information, including: the existing property survey, existing topography shown at two-foot contours, and existing utilities. The site plan shall also show proposed development information, including proposed buildings, structures, utility connections, parking and access plans, and an open space plan.
 - c. An erosion and sediment control plan, as well as a storm water management plan shall be submitted documenting compliance with the previous stated requirements. The erosion and sediment control plan needs to be approved by the Mercer County Conservation District prior to approval of the plan.
 - d. The site plan shall be reviewed by the Wolf Creek Township Planning Commission and shall show proof of compliance with all provisions of this Zoning Ordinance.

600.3: Accessory Dwellings

1. In any district permitting residential uses, an existing single-family dwelling or existing lawful accessory structure to a single-family dwelling may be altered or changed in use to create an accessory dwelling, provided:
 - a. Only one accessory dwelling may be created per single-family dwelling lot.
 - b. The accessory building shall be a complete, separate housekeeping unit that can be isolated from the original unit.

- c. The accessory dwelling shall be designed so that the appearance of the building remains that of a single-family residence. Any new entrances shall be located in the side or rear of the building.
 - d. Conversion of accessory structures to accessory dwellings shall not increase the ground floor area of the original structure.
2. Maximum Floor Area – The accessory dwelling shall be clearly a subordinate part of the dwelling. In no case shall it be more than 30% of the building's total floor area nor have more than two bedrooms, unless, in the opinion of the Zoning Hearing Board, a greater or lesser amount of floor area is warranted by the circumstances of the particular building.
 3. Minimum Floor Area – The accessory dwelling shall have at least 400 square feet of floor area. Any alterations shall not violate requirements for yards or height for a single-family dwelling.
 4. Additional off-street parking spaces shall be provided for the additional dwelling unit as required in Article VII, Parking and Loading Regulations.
 5. The design and size of the accessory dwelling shall conform to all applicable standards in health, building, fire, and other laws.
 6. In order to encourage the development of housing units for disabled and handicapped individuals and persons of limited mobility, the Zoning Hearing Board may allow reasonable deviation from the stated conditions, where necessary, to install features that facilitate access and mobility for disabled persons.

SECTION 601: MOBILE HOME PARKS

1. New mobile home parks and expansions of existing parks shall comply with all applicable provisions of the Mercer County Subdivision and Land Development Ordinance.
2. A copy of the final plan of the mobile home park indicating approval of the Mercer County Regional Planning Commission shall be submitted to the Zoning Officer prior to the issuance of a permit.

SECTION 602: TENT CAMPS/ RECREATIONAL VEHICLE PARKS

1. All tent camps and recreational vehicle parks or expansions of existing tent camps and/or recreational vehicle parks shall comply with the following regulations:
 - a. No recreational vehicle, tent, campsite, or building shall be located within 300 feet of any side or rear lot lines.
 - b. An internal street system shall be incorporated into the tent camp or recreational vehicle park to provide access to all lots, campsites, or buildings for convenient and safe movements of patrons within the park.
2. A copy of the final plan of the recreational vehicle park, indicating approval of the Mercer County Regional Planning Commission, shall be submitted to the Zoning Officer prior to issuance of a permit.

SECTION 603: HOME-BASED BUSINESSES-

Where permitted, a home-based business shall comply with the following:

1. The principal building on the lot is a dwelling unit.
2. The Home-Based Business shall be conducted entirely within either the dwelling unit or accessory structure provided that such accessory structure is completely accessory and subordinate to the building.
3. No more than two non-family persons shall be employed on the site.
4. The area in which the home occupation occurs may not be more than 400 square feet, UNLESS:
 - a. The Township Supervisors may grant a conditional use for any home-based business which occupies more than 400 square feet, subject to the following conditions:
 - i. By limiting the size to under 400 square feet, the proposed home-based business has a hardship that will not allow the proposed use to exist, such as, but not limited to: lack of room for equipment or storage of materials.
 - ii. The home-based business will conform to all other regulations of this Section.
5. Signage for the home-based business may not exceed eight square feet, and may only advertise the service provided by the home-based business, the address, and a contact number.
6. The owner must provide sufficient off-street parking for the home-based business as provided in Article VII if incoming traffic will occur. Such parking requirements will be in addition to the off-street parking requirement for the dwelling.
7. The home-based business shall not produce offensive noise, vibration, smoke (or other particulate matter), heat, humidity, glare, traffic, or other objectionable effects that would disturb the residential character of the area.

SECTION 604: NO-IMPACT HOME BUSINESS

Any no-impact home business shall meet all requirements of a "No-Impact Home Business" as stated in Article XV- Definitions, and the additional provisions:

1. The business or commercial activity shall employ no employees other than family members residing in the dwelling;
2. There shall be no outside appearance of any use other than a residential use, including, but not limited to, parking, traffic, signs, or lights;
3. The business or commercial activity shall be conducted only within the dwelling and may not contain more than 25% of the habitable floor area.

SECTION 605: COMMERCIAL RECREATION FACILITIES

605.1: Definitions- All types of Commercial Recreation listed in this section shall be as defined in ARTICLE XV, Definitions.

605.2: Indoor Commercial Recreation Facilities- shall meet the following requirement:

1. They shall have no outdoor speakers.

605.3: Low-Impact Commercial Recreation Facilities- shall meet the following requirements:

1. They must be located on a lot no smaller than three acres.
2. Present a plan for the use, time, and duration of any Outdoor speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers shall not be employed for non-emergency use between the hours of 10:00 PM and 7:00 AM.
3. Safety fencing of at least four feet shall be provided to enclose all spaces utilized for outdoor activities that abut a public road or street or a commercial parking lot.
4. A solid fence at least eight feet in height shall be constructed for all lot lines that abut the Rural Residential-Agricultural (R-1) zoning district. In addition, a buffer area planted with evergreens (no less than six feet in height at time of planting) that are no more than six feet apart along the entire length of the lot lines. Another species of tree may be used, as long as a continuous screen will be provided.
5. All side yards shall be increased by 25 feet.
6. Outdoor lighting shall be shielded to prevent glare to neighboring properties.

605.4: High-Impact Commercial Recreation Facilities- can be approved as a Conditional Use, based on the following conditions:

1. They must be located on a lot no smaller than ten acres.
2. Safety fencing of at least four feet shall be provided to enclose all spaces utilized for outdoor activities that abut a public road or street or a commercial parking lot.
3. A solid fence at least eight feet in height shall be constructed for all lot lines that abut the Rural Residential-Agricultural (R-1) zoning district. In addition, a buffer area planted with evergreens, no less than six feet in height at time of planting and no more than six feet apart along the entire length of the lot lines. Another species of tree may be used, as long as a continuous screen will be provided.
4. An additional buffer area, consisting of 10 coniferous or deciduous trees per 100 lineal feet, shall be planted in the rear and side yard areas. All trees shall be at least six feet in height at time of planting.
5. All side and rear yards shall be increased by 75 feet.
6. Hours of operation shall not commence before 8:00 AM or after 10:00 PM.
7. Outdoor lighting shall be shielded to prevent glare to neighboring properties.
8. The Township Supervisors may impose other reasonable conditions based on the site and its surroundings.

SECTION 606: KENNELS AND VETERINARY CLINICS / ANIMAL HOSPITALS

1. Any lot containing a kennel, veterinary clinic and/or an animal hospital shall be completely fenced;
2. Animals may only be allowed outdoors from the hours of 7 A.M. to 10 P.M.
3. Kennels, veterinary clinics, and/or animal hospitals located in the Mixed-Use (B-1) Zoning District shall not locate within 200 feet of a residential dwelling.

SECTION 607: ESTABLISHMENTS FOR THE STORAGE AND/OR SALE OF JUNK

-This section does not apply to finished products for retail sale to the public.

1. All fuel, raw materials, products, and junk stored or to be sold on the property must be kept behind the building line.
2. All junk and all other materials stored or kept on the property, if located outdoors, must be screened from all neighboring properties and all public streets and rights-of-way according to the landscaping and screening requirements in Article IX, Section 902.
3. It shall not emit any offensive odors, noxious, toxic, corrosive fumes or gases, or exhaust into the air any excessive dust or smoke.
4. Junk and other materials shall not be allowed to accumulate over the fence line.
5. It shall not discharge any wastes, whether liquid or solid, into the waters of the Commonwealth of Pennsylvania, including any surface or underground waters – both natural and artificial – unless approved by the Pennsylvania Department of Environmental Protection or other public regulatory agency that has jurisdiction in water quality.

SECTION 608: SANITARY LANDFILLS, SOLID WASTE TRANSFER STATIONS, OR SIMILAR FACILITIES FOR PROCESSING AND DISPOSING OF SOLID WASTE

1. The applicant shall comply with all applicable regulations and requirements of the Pennsylvania Department of Environmental Protection and shall present to the Township Supervisors an approved permit for the proposed facility from the Pennsylvania Department of Environmental Protection.
2. The applicant shall provide the Township with a copy of the permit application submitted to the Pennsylvania Department of Environmental Protection and all accompanying site plans, engineering data, and other information.
3. The applicant shall grant a right of entry to the proposed facility to the Township Supervisors or its authorized representatives, upon written request by the Township, in order to inspect the facility and ensure that all applicable regulations and requirements are being met while the facility is in operation.

4. The Township Board of Supervisors may impose other conditions, based on consideration of the unique physical conditions and natural and man-made characteristics of the proposed facility site and its surroundings, which do not violate the minimum standards of the Pennsylvania Department of Environmental Protection and which are reasonably necessary to provide maximum protection to the Township's underground and surface water supplies and to minimize adverse impacts to surrounding properties.
5. All township roads leading to the proposed facility shall be upgraded to the standard of an industrial street, as defined by the Pennsylvania Department of Transportation.

SECTION 609: FOOD STANDS / ROADSIDE AGRICULTURE

Food stands for roadside agriculture are permitted as a temporary structure, provided:

1. The stand shall not be located in any public right-of-way;
2. The stand shall not be used and/or operated for a period of more than 45 consecutive days and not more than five months per year;
3. The stand shall be removed when not in use or when the permitted time has expired.

SECTION 610: UTILITY SUBSTATIONS AND/OR FACILITIES

1. All utility substations and/or facilities shall be screened from all neighboring properties and street right-of-ways according to the landscaping and screening requirements in Article IX, Section 902.
2. This provision does not apply if the facilities are placed in a building or structure that meets the character and design of the surrounding neighborhood, as determined by the Zoning Officer.

SECTION 611: ADULT ENTERTAINMENT ESTABLISHMENTS

611.1: Purpose and Legislative Intent

The Township Supervisors, in enacting the following regulations, does not attempt or intend to absolutely prohibit adult entertainment establishments in the Township, but rather seek to regulate matters to promote, protect, and facilitate the public health, safety, and general welfare of all of the Township residents, and reduce to the maximum extent the adverse secondary effects of these businesses. This will be done by locating these businesses away from areas highly susceptible to these adverse secondary effects, especially areas where minors may learn, play, pass by, or would be exposed to the advertising, window displays, or general atmosphere accompanying the operation.

611.2: Definitions – It is the purpose of this subsection, together with its subparagraphs to provide clear and concise definitions of those words, terms, and phrases most commonly utilized in the provisions of these regulations in order to assist any interpretations of said provisions and to insure uniformity of application. It is intended that the following words, terms, and phrases, whenever used, shall be construed as defined in the following subsections and subparagraphs unless from the context a different meaning is clearly intended. The following definitions are intended to supplement the definitions contained in Article XV, Definitions.

For the purpose of this Section, adult entertainment establishments are defined as follows:

1. Adult Bookstore - Any establishment having 25% or more of its stock in:
 - a. Books, films, magazines, or other periodicals or other forms of audio or visual representation that are distinguished or characterized by an emphasis on depiction of specified sexual activities or specified anatomical areas;
 - b. Instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.
2. Adult Cabaret – (1) An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas; (2) a cabaret that features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers for observation by patrons.
3. Adult Mini Motion Picture Theater – An enclosed or unenclosed building and/or structure with a capacity of more than 5 but less than 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 that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
4. Adult Model Studio – Any place where, for any form of compensation or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculpted, 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 that meets the requirements established in the Education Code of the Commonwealth of Pennsylvania for the issuance of or conferring of, and is in fact authorized thereunder to issue, a diploma.
5. Adult Motel – A motel or similar establishment offering public accommodations for any consideration, that provides patrons with material distinguished or characterized by an emphasis on depiction or descriptions of specified sexual activities or specified anatomical areas.
6. Adult Motion Picture Arcade – An enclosed or unenclosed building with a capacity of 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 that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

7. Adult Motion Picture Theater – An enclosed or unenclosed building with a capacity of 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 that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
8. Adult Newsrack – Any coin-operated machine or device that dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.
9. Adult Theater – A theater, concert hall, auditorium, or other similar establishment, either indoor or outdoor in nature that regularly features live performances that are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
10. Bath House – An establishment or business that provides 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 section shall not apply to hydrotherapy treatment practiced by, or under the supervision of a medical practitioner. A medical practitioner for the purpose of this Ordinance shall be a medical doctor, physician, chiropractor, or similar professional licensed by the Commonwealth of Pennsylvania.
11. Body Painting Studio – Any establishment or business that 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.
12. Massage Parlor – Any establishment or business that provides the services of massage and body manipulation, including exercises, heat, and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner or professional physical therapist licensed by the Commonwealth. This definition does not include an athletic club, health 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.
13. Out Call Service Activity – An establishment or business that provides an out call service that 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.
14. Sexual Encounter Center – Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two or more persons may congregate, assemble, or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical area, excluding psychosexual

workshops, operated by a medical practitioner (as previously defined), to engage in sexual therapy.

15. Any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

611.3: Specifications

Specified anatomical areas, as used herein, shall mean and include any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the areola, or;
2. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

Specified sexual activities include the following:

1. Showing of human genitals in a state of sexual stimulation or arousal;
2. Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any other specified sexual activity prohibited by law;
3. Fondling or erotic touching of human genitals, pubic region, buttocks, or female breasts.

611.4: Minimum Spacing and Proximity Requirements

No adult entertainment establishment shall be located within 1,000 feet of the following:

1. Any other adult entertainment establishment;
2. A dwelling unit;
3. Any parcel of land that contains any one or more of the following specified land uses:
 - a. Amusement park;
 - b. Camp (for minor's activities)
 - c. Child care facility;
 - d. Church;
 - e. Community center;
 - f. Public or private park;
 - g. Playground;
 - h. School and school bus stops;
 - i. Other lands where minors congregate.
4. When measuring the distance between any two adult entertainment establishments or between any adult entertainment establishment and any land use specified in 611.4 (2) and 611.4 (3), the distance shall be measured in a straight line, without regard to intervening buildings and/or structures, from the nearest point on the property line of each establishment.

611.5: Visibility from the Street

No person operating an adult entertainment establishment shall permit, or cause to be permitted, any stock in trade that depicts, describes, or relates to specified sexual activities and/or specified anatomical areas as defined herein, to be viewed from the street, sidewalk, or highway.

611.6: Signage Requirements for Adult Entertainment Establishments

1. All signs shall be flat wall signs.
2. The gross surface area of a wall sign shall not exceed five percent of the area of the wall that such sign is a part of;
3. No signs shall be placed in any window. A one and one-half square foot sign may be placed on the door to state hours of operation and admittance to adults only.

SECTION 612: WIRELESS TELECOMMUNICATIONS FACILITIES

612.1: Purpose and Legislative Intent

The purpose of this section is to govern the placement of wireless telecommunications to:

1. Encourage co-location on both new and existing towers to minimize the number of sites used throughout the Township by telecommunications towers;
2. Allow wireless facilities to provide effective and efficient services to the Township, while encouraging wireless telecommunications companies to locate their facilities where the adverse impact on the Township is kept to a minimum;
3. Encourage innovation in design (such as stealth facilities), screening, and landscaping techniques by the wireless telecommunications companies to minimize the adverse impact on the Township;
4. Ensure that prime agricultural land will not be used for wireless telecommunications facilities;
5. Ensure that the scenic nature and aesthetic quality of the Township will not be compromised; and
6. Promote the aesthetic quality of the Township as an aspect of the health, safety, and general welfare of the Township.

612.2: Definitions

The purpose of this section is to provide clear, concise definitions of the terms, words, and phrases commonly utilized in the provisions of these regulations in order to assist any interpretations of said provisions and to insure uniformity of application. The following definitions are intended to supplement the definitions contained in Article XV, Definitions.

1. **Co-Location**: The use of a single mount by more than one carrier and/or several mounts on an existing building by more than one carrier. Clustering

communications towers and antennas or locating one mount directly next to one another will not be considered co-location by this definition.

2. **Communications Antenna**: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence-mounted satellite dishes, television antennas, or amateur radio equipment including without limitation ham or citizen band radio antennas.
3. **Communications Equipment Building**: An unmanned building or cabinet containing communications equipment required for the operation of Communications Antennas.
4. **Height of a Telecommunications Tower**: The vertical distance measured from the ground level to the highest point on a Telecommunications Tower, including antennas on the tower.
5. **Prime Agricultural Land**: Land used for agricultural purposes that contains soils of the first, second, or third class as defined by the United States Department of Agriculture natural resource and conservation services county soil survey.
6. **Telecommunications Stealth Tower/Antenna**: Telecommunications towers and antennas disguised to appear unrecognizable as an antenna or tower, be completely unseen, or located on a building (not an antenna structure) and aesthetically painted, constructed, or applied with material so that it is incorporated into the pattern, style, and material of the structure to effectively render the antenna unnoticeable. In the latter case, a new structure may be constructed to hold or house the antenna or equipment; however, the structure must be consistent with the overall architectural features of the primary buildings.
7. **Telecommunications Tower**: A structure other than a building, such as a monopole, self-supporting, lattice or guyed tower, designed and used to support Communications Antennas, which shall not exceed 200 feet in height.

612.3: Additional Standards for Communications Antennas

1. The placement of the Communications Antenna mounted on existing buildings or structures shall not increase the height of the building by more than 20 feet.
2. Building-mounted Communication Antennas shall not be located on any single-family or multi-family dwelling.
3. Communications Antennas mounted on existing buildings or structures shall not extend more than five feet horizontally from the edge of the building or structure to which it is attached and shall not encroach on abutting properties. If a Communication Antenna is attached to an existing building or structure, it shall not have any horizontal extension on any side facing a public right-of-way.
4. Communications Antennas shall be mounted on the existing building or structure in a way to best screen it from abutting properties and public right-of-way. For

- example, if a Communications Antenna is to be mounted on an existing building, it should be screened by a roof pitch, parapet, or other architectural feature.
5. Omnidirectional or whip Communications Antennas shall not exceed 20 feet in height and 7 inches in diameter.
 6. Directional or panel Communications Antennas shall not exceed five feet in height and three feet in width.
 7. The applicant shall demonstrate, before they receive a permit, that they are licensed by the Federal Communications Commission (FCC) to operate Communications Antennas.
 8. Any applicant proposing a Communications Antenna to be mounted on an existing building or structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or structure, considering wind and other loads associated with the Communications Antenna location.
 9. Any applicant proposing a Communications Antenna to be mounted on an existing building or structure shall submit evidence of agreements and/or easements necessary to provide access to the building or structure on which the Communications Antennas are to be mounted so that installation and maintenance of the antennas and communications equipment building can be accomplished.
 10. Communications Antennas shall comply with all applicable standards established by the Federal Communications Commission (FCC) governing human exposure to electromagnetic radiation.
 11. Communications Antennas shall not cause radio frequency interference with other communications facilities in the Township.
 12. If a Communications Antenna remains unused for a period of twelve consecutive months, the owner or operator shall dismantle and remove the Communications Antenna within six months of the expiration of such twelve-month period.

612.4: Additional Standards for Telecommunications Towers

1. The applicant shall demonstrate that he/she is licensed by the Federal Communications Commission (FCC) to operate a Telecommunications Tower.
2. The applicant shall demonstrate that the proposed Telecommunications Tower and Communications Antennas proposed to be co-located thereon comply with all applicable standards established by the Federal Communications Commission (FCC) governing human exposure to electromagnetic radiation.
3. Telecommunications Towers shall comply with all applicable Federal Aviation Administration (FAA) and Commonwealth Bureau of Aviation regulations.
4. Any applicant proposing construction of a new Telecommunications Tower shall demonstrate that a good faith effort has been made to obtain permission to mount or co-locate the Communications Antennas on an existing building, structure, or tower. A good faith effort shall mean that the applicant show, through certified mail receipts and a copy of the letter, that all owners of potentially suitable buildings or structures within a one-quarter mile radius, and all owners of existing Telecommunications Towers with space available for co-location within a one-

- half mile radius of the proposed Telecommunications Tower site be contacted and that one or more of the following reasons for not selecting such structure apply:
- a. The proposed Communications Antennas and related equipment would exceed the structural capacity of the existing building or structure and its reinforcement cannot be accomplished at a reasonable cost.
 - b. The proposed Communications Antennas and related equipment would cause radio frequency interference with other existing equipment for that existing building/structure and the interference cannot be prevented at a reasonable cost.
 - c. Such existing buildings or structures do not have adequate location, space, access, or height to accommodate the proposed Communications Antennas and equipment or to allow it to perform its intended function.
 - d. Addition of the proposed Communications Antennas and related equipment would result in electromagnetic radiation from such building or structure exceeding applicable standards established by the Federal Communications Commission (FCC) governing human exposure to electromagnetic radiation.
 - e. A commercially reasonable agreement could not be reached with the owners of such buildings or structures.
5. Telecommunications towers shall not have to adhere to the height requirements for the Zoning district; however, no Telecommunications Tower shall exceed 200 feet.
 6. The foundation and base of any Telecommunications Tower shall be setback from any front property line at least 75 feet, from any side or rear property line at least 50 feet, and from any residential property line (front, side, or rear) at least 100 feet.
 7. No Telecommunications Towers or any other necessary equipment may be placed on any prime agricultural land that is currently used for agriculture, or has been used for agricultural purposes in the past 12 months.
 8. Access shall be provided to the Communications Tower and Communications Equipment Building by means of a public street or an access right-of-way or easement to a public street. The access right-of-way or easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet with a dust-free, all weather surface for its entire length.
 9. The Telecommunications Towers and other necessary equipment shall be secured by a fence with a maximum height of eight feet.
 10. A dense landscape buffer shall be planted along the outside of the fence to screen the foundation and base of the Telecommunications Tower and the security fence from abutting properties and public rights-of-way.
 11. One off-street parking space shall be provided within the fenced area.
 12. Existing trees and vegetation shall be retained as much as possible to screen the Telecommunications Tower.
 13. A Telecommunications Tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the zoning district.

14. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed Telecommunications Tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/ Telecommunications Industry Association and applicable requirements of the Township Building Code.
15. The applicant shall submit a copy of its current Federal Communications Commission (FCC) license; the name, address, and emergency telephone number for the operator of the Telecommunications Tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Telecommunications Tower and Communications Antennas.
16. All guy wires associated with guyed Telecommunications Towers shall be clearly marked so as to be visible at all times. All guy wires shall be located within a fenced enclosure.
17. No signs or lights shall be mounted on a Telecommunications Tower, except as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or any other governmental agency that has jurisdiction.
18. Telecommunications Towers shall be protected and maintained in accordance with the requirements of the Township Building Code.
19. If a Telecommunications Tower remains unused for a period of twelve consecutive months, the owner or operator shall dismantle and remove the Telecommunications Tower within six months of the expiration of such twelve month period.
20. The applicant and owner of record of any Wireless Telecommunications Facilities must file, at its cost and expense, a security performance bond with the Township for at least \$75,000 to insure the removal of abandoned or unused Facilities.

612.5: Conditional Use Requirements for Allowing a Telecommunications Tower Not Located on Township-Owned Land and/or not a Stealth Telecommunications Facility:

Telecommunications Towers are allowed as a Conditional Use in the R-1 and I zoning districts, subject to the following regulations:

1. The proposed tower must comply with all regulations set forth in Section 612.4: Additional Regulations for Telecommunications Towers, except in any case where the regulations of this Section are more restrictive.
2. The Telecommunications Tower must provide for future co-location. The owner/operator of the tower is required to allow co-location until said tower has reached full antenna capacity, but in no event fewer than two additional antennas from two additional providers.
3. The applicant must prove that they are locating the Telecommunications Tower at the site with the least visibility from residences, scenic views, and public rights-

of-ways. To fulfill this requirement, a visual impact demonstration must be submitted. The visual impact demonstration shall show views of the proposed tower from effected residential properties, scenic views, and public rights-of-way to identify potential visual impacts of the proposed facility. All costs for the visual impact demonstration shall be borne by the applicant.

4. Documentation must be provided by the applicant that the proposed Telecommunications Tower will not be located on any Prime Agricultural Land, as defined in Section 612.2 of this ordinance.

612.6: Additional Standards for Communications Equipment Buildings

1. The Communications Equipment Building shall comply with the required yard and height requirements of the applicable Zoning District for an accessory structure.
2. Communications Equipment Buildings servicing Communications Antennas mounted on existing buildings or structures shall be placed in a location to best screen it from abutting properties and public rights-of-way.
3. Communications Equipment Buildings proposed for any residential district shall be additionally screened with landscaping if placed on the ground, or if constructed on the existing building or structure, shall compliment the colors, materials, and design of the existing building and structure as much as possible and shall not change or alter the appearance, character, or design of the existing building or structure.
4. Communications Equipment Buildings servicing Telecommunications Towers shall be placed within the fenced area of the Tower.

612.7: Performance Security Bond for all Wireless Telecommunications Facilities

1. The applicant and the owner of record of any proposed Wireless Telecommunications Facilities must file a bond with the Township, or other form of security acceptable to the Township, for at least \$75,000. The full amount of the bond will be kept for the entire time that the Wireless Telecommunications Facilities are in operation, and will continue to be kept until the necessary site restoration is completed to restore the site to a condition comparable of that which existed before the Wireless Telecommunications Facilities existed.

SECTION 613: DUMPSTERS

1. All dumpsters shall be located on the lot for which they are intended to serve.
2. All dumpsters shall be screened from all neighboring properties and street right-of-ways according to the landscaping and screening requirements in Article IX, Section 902.

SECTION 614: MINERAL EXCAVATION

1. Mineral excavation shall be permitted only as a conditional use upon application to and approval by the Wolf Creek Township Supervisors.
2. Prior to approval of the mineral excavation activities by the Wolf Creek Township Supervisors, the applicant requesting conditional approval shall comply with the following:
 - a. An approved permit from the Pennsylvania Department of Environmental Protection shall be presented to the Township Supervisors.
 - b. The applicant shall guarantee that a notice of final inspection conducted by the Department of Environmental Protection will be provided to the Township Supervisors in order that they have the opportunity to participate in the inspection.
 - c. The excavation of minerals can not take place during the hours of 10:00 PM to 7:00 AM.
 - d. The Township Supervisors may require additional, reasonable safeguards, considering the character of the zoning district in which the activity will be located, to protect the public health, safety, and general welfare of the Township and its residents.

ARTICLE VII PARKING & LOADING REGULATIONS

SECTION 700: GENERAL REGULATIONS

700.1: Applicability- Off-street loading and parking spaces shall be provided in accordance with the specifications of this Section in all zoning districts whenever:

1. Any new use of land or structure(s) is established;
2. An existing use of land or structure(s) is enlarged through addition of dwelling units, gross floor area, lot area, design capacity, or other means;
3. An existing use of land or structure is changed to a different use or a new use is added;
4. Such new, enlarged, or changed use or structure shall fully comply with the specifications of this Section prior to being given a certificate of use and occupancy.

700.2: Unlicensed Vehicles- All required off-street parking spaces shall be used solely for the parking of motor vehicles by residents, visitors, patrons, or employees. Two or more motor vehicles without current and valid inspection stickers as required by the commonwealth of Pennsylvania shall not be parked or stored on any lot unless within completely enclosed buildings, except as part of a permitted auto wrecking, junk, and scrap establishment.

700.3: Location- All parking spaces shall be located on the lot on which they are intended to serve, except when:

1. The owner of two or more abutting lots may locate the use on one lot and the parking space required for the use on another of his abutting lots, so long as both lots are zoned to allow the use.
2. Two or more abutting property owners may locate the space required for their uses on any of their lots, so long as:
 - a. The lots providing the parking area abuts the lot(s) containing the use(s) it serves;
 - b. All of the affected lots are in the same zoning district;
 - c. The total number of spaces provided is not less than the sum of spaces required for all the uses;
 - d. Means of pedestrian access is provided from the parking space to the uses so that pedestrians are not required to traverse property other than that owned by other than said property owners; and
 - e. A lease, easement, or other form of general agreement be executed among said property owners 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.

SECTION 701: OFF-STREET LOADING SPACES

1. Space for the loading and unloading of vehicles shall be provided for when required below. Each required loading space shall be at least 12 feet in width, 45 feet in length, and have a vertical clearance of at least 14 feet. Spaces shall be located no more than 15 feet from any public right-of-way, 5 feet from any lot line, and shall be paved with an all-weather material.
2. One off-street loading space is required for all non-residential uses with a floor area of at least 5,000 square feet but less than 25,000 square feet. For non-residential uses that have a floor area of 25,000 square feet or more, one additional space shall be provided for each additional 25,000 square feet, or fraction thereof.
3. Required off-street parking spaces shall not be used for loading and unloading purposes except during hours when business operations are suspended.
4. All required loading and unloading spaces shall be located on the same property as the use they serve.

SECTION 702: OFF-STREET PARKING SPACES

702.1: Dimensions - Each parking space shall be at least 10 feet wide and 18 feet long if set at an angle to the access aisle, or 8 feet wide by 24 feet long if parallel to the access aisle.

702.2: Number and Computation - In computing the required number of spaces, all fractional numbers shall be increased to the next highest integer. When computation is based on the number of employees, the number employed during the largest work shift shall be used.

702.3: Construction - All required off-street parking spaces and aisles shall be covered with an all-weather material. For all spaces and aisles that are not part of a parking lot as herein defined, this may include gravel or crushed stone. However, for parking lots, the paving material shall be limited to asphalt, concrete, or similar hard surface material with all spaces designed with a four inch white or yellow stripe painted the entire length of each space in accordance with the dimensional requirements listed in Section 702.1.

702.4: Required Number of Off-Street Parking Spaces - The minimum number of off-street parking spaces for each use is specified below:

USE	REQUIRED PARKING SPACES
Residential Uses	
-Structures with less than four dwelling units	2 per dwelling unit
-Structures with four or more dwelling units	1.5 per dwelling unit
-Mobile home parks	2 per mobile home lot
-Housing for senior citizens	1 per dwelling unit

USE	REQUIRED PARKING SPACES
Public & Quasi-Public Uses	
-Hospitals	1 per bed
-Nursing Homes	1 per 4 beds or residents, plus 1 per employee
-Group Homes	1 per staff plus 1 per client, maximum of 5
-Child daycare center	1 per employee plus 1 per 5 children
-Educational Facilities	1 per each teacher and staff member, plus 1 for each 4 classrooms (if an institution of higher education or post-secondary school, also add 1 per every 4 students)
-Churches and other places of worship	1 per 4 seats in the portion of the church building used for services
-Clubs, lodges, or fraternal organizations	1 per 4 persons based on maximum design capacity
-Golf courses and driving ranges	2 per tee
Commercial Uses	
-Retail and service establishments (except those stated below)	1 per 300 sq. ft. of floor area, plus 1 per employee
-Furniture stores, contractor's equipment, farm equipment and feed sales, boat and marine, mobile home, motor vehicle, and monument burial vault and casket sales	1 per 500 sq. ft. of enclosed retail and service floor area, plus 1 per 3000 sq. ft. of outside sales area, plus 1 per employee
-Gas/ Automobile service station	1 per gas pump plus 2 spaces per service bay
-Eating and Drinking Establishments	1 per 4 persons based on maximum design capacity
-Hotels, motels, and bed & breakfast facilities	1 per room, plus 1 per 4 persons for restaurants and meeting rooms, based on maximum design capacity
-General and Professional Offices	1 per 400 sq. ft. of floor area
-Medical and dental offices, clinics	5 per practitioner
-Bowling alley	3 per alley
-Billiard parlors, table tennis, pinball machines, or similar indoor amusement enterprises	1 for each game table or amusement device plus 1 per employee
-Arenas, stadiums, auditoriums, theaters, roller rinks, ice rinks, or dance halls	1 for 4 seats with fixed seats, otherwise 1 for 4 persons based on maximum design capacity
Industrial Uses	
-Junkyards, auto wrecking, and scrap establishments	5, plus 1 per employee
-Trucking and shipping facilities	1 per employee plus 1 per vehicle maintained on the premises
-Warehousing	1 per 5,000 sq. ft. of floor area
-Manufacturing or Wholesaling	1 per 1,000 sq. ft. of floor area
-All other industrial uses	1 per employee, plus 1 visitor space for each 10,000 sq. ft. for visitors up to 10 additional spaces
Mixed-Use	
-Any mixed use	The sum of the various uses calculated separately

SECTION 703: PARKING LOTS

703.1: Definition- For the purposes of this Ordinance, parking lots are defined as facilities providing off-street parking space for five or more motor vehicles. All parking lots shall meet the design and maintenance standards specified in this section. All applications for a zoning permit to use land, in whole or in part, as a parking lot as herein defined shall be accompanied by a site plan as stipulated in ARTICLE XI.

703.2: Dimensions- All parking spaces shall comply with the dimensions specified in section 702.1. The minimum dimensions of all aisles providing access to parking lot spaces shall be as follows:

Angle of Parking Space to Aisle (in degrees)	Aisle Width (in feet)	
	One-Way	Two-Way
Parallel	12	20
30 (150)	12	20
45 (135)	15	20
60 (120)	18	20
90	24	24

No portion of any parking space shall intrude into the required aisle width. For aisles providing access to parking spaces set at angles other than those specified above, the required aisle width shall be that of the nearest specified angle of parking. If equidistant from specified angles, the greatest aisle width of the nearest two angles shall apply.

703.3: Obstructions - Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle.

703.4: Ingress and Egress- Parking spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave a lot.

703.5: Location and Yard Requirements- All parking lots shall meet the location requirements stipulated in section 700.3. All yards surrounding the parking lot, exclusive of driveways providing ingress and egress to the lot, shall be bordered by a curb six inches high along the sides of the yard area abutting the parking lot, including spaces and aisles. Setback areas shall be landscaped as described in section 703.8.

703.6: Structures- Utility poles, light standards, and similar structures shall not be permitted within any aisle or parking space. Any structure located elsewhere within a parking lot shall be surrounded on all sides abutting the spaces or aisles by a curb six inches high, separated from the structure by at least three feet, with the distance to be measured from the broadest point on each side exclusive of any portion greater than ten feet from the ground.

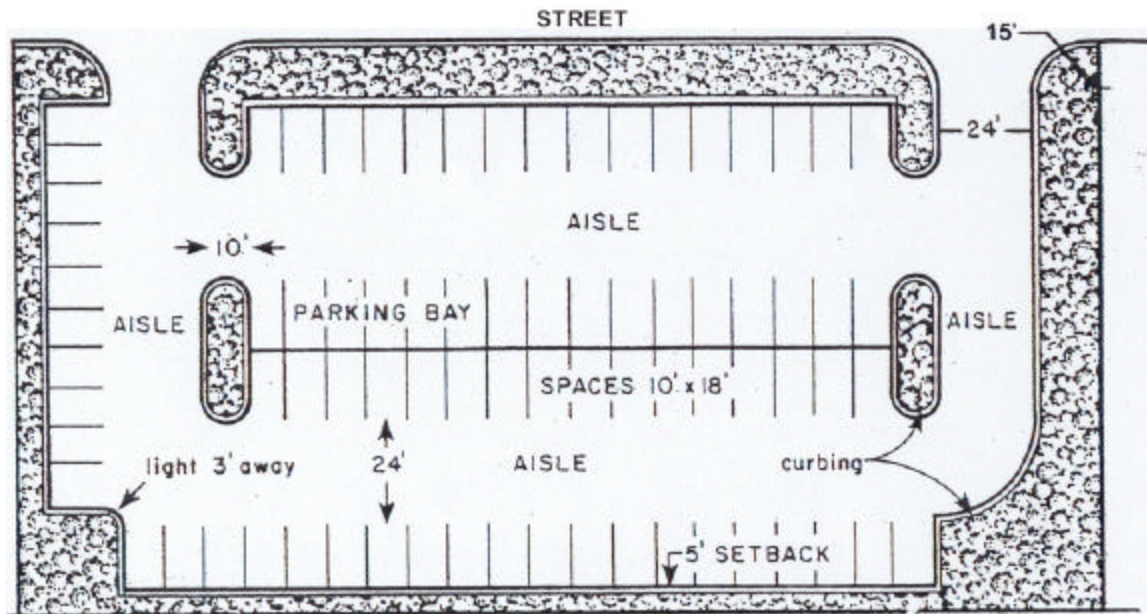
703.7: Raised Islands - Raised islands shall be installed at the ends of all parking bays abutting an aisle or driveway. The raised islands shall be bordered by a curb six inches high wherever it abuts a space or aisle, and shall be at least ten feet wide and extend the length of the parking space and/or bay. The islands will be landscaped as described in section 703.8 below.

703.8: Landscaping - All setback areas and raised islands shall be landscaped with the following:

1. Grass, mulch, and/or other vegetative material;
2. At least one canopy, ornamental, flowering, or evergreen tree, at least six feet in height at time of planting, for every 20 feet of the setback area or raised island length; and
3. At least two shrubs or bushes for every 10 feet of the setback area or raised island length.

703.9: Maintenance - All parking lots shall be kept free of litter and trash. Any vegetative material required herein which dies shall be replaced as soon as recommended seasonal conditions occur for the replacement of the species.

Illustration of selected parking lot requirements



ARTICLE VIII SIGN REGULATIONS

SECTION 800: PURPOSE

The purpose of these sign regulations is: to encourage the effective use of signs as a means of communication in the Township; to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

SECTION 801: APPLICABILITY

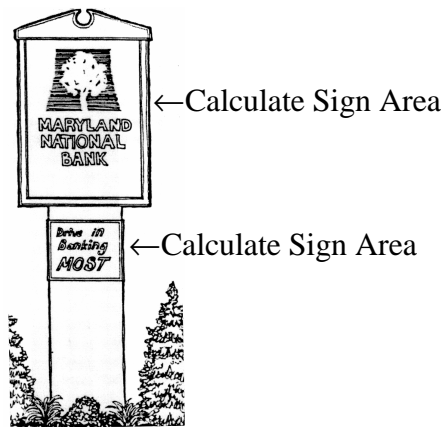
A sign may be erected, placed, established, painted, created, or maintained in the Township only with the standards, procedures, exemptions, and other requirements of this Article.

SECTION 802: COMPUTATIONS

The following principles shall control the computation of sign area and sign height.

802.1: Computation of Area of Individual Signs- The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

Do Not Calculate Remaining
Area of Supporting Structure
as Sign Area.



Do not include ornamental
woodwork as part of overall
sign area



Do not include brick
material as part of
overall sign area.

802.2: Computation of Area of Multifaced Signs - The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and less than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

802.3: Computation of Height- The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for locating the sign. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

SECTION 803: PERMITTED SIGNS, PROHIBITED SIGNS, AND REQUIREMENTS FOR SIGN TYPE, AREA, NUMBERS, DIMENSIONS, AND LOCATION

Signs shall be allowed on private property in the Township and must comply with the requirements for sign type, area, numbers, dimensions, and location as specified in the additional requirements of this section.

803.1: Signs Permitted & Exempt From Permits and Fees- The following signs are permitted in all zoning districts and shall be exempt from all permits and fee requirements as stated in Section 805, Sign Permits and Section 806: Fees.

1. Street Address or 911 Identification Sign- may include the name, address, and street number for the building and/or property and may be no larger than two square feet.
2. Governmental Signs- including, but not limited to, historical markers and/or municipal or special interest identification not to exceed four square feet. These signs may be permitted in the public right-of-way.

3. Emergency Signs- official and governmental emergency signs depicting location of emergency services, directions, etc. These signs may be permitted in the public right-of-way.
4. Traffic Signs- official government and Pennsylvania Department of Transportation traffic regulatory, cautionary, and/or directional signs. These signs may be permitted in the public right-of-way.
5. Directional signs- signs on private property directing pedestrian and/or vehicular traffic throughout the premises, or depicting areas such as a restroom, telephone, exit, or other public benefit, not to exceed four square feet. Such signs shall not incorporate any commercial logos, signs, messages or names.
6. Real estate signs- promoting the sale, lease, or rent of property, not to exceed six square feet and to be removed within seven days of the sale, lease, or rental of the property.
7. Work being performed signs- advertising work being performed on a property, not to exceed six square feet and removed within seven days of project completion.
8. Political signs- addressing the candidacy of one or more persons for elective office, not to exceed six square feet and removed within seven days of the election.
9. Political campaign signs- addressing the candidacy of one or more persons at a polling site, not to exceed six square feet and not placed prior to twenty-four hours and removed within twenty-four hours of an election.
10. Special event signs- advertising a public auction, birth of a child, marriage, garage sale, or other similar event, not to exceed sixteen square feet and removed within seven days of the event.
11. Announcement signs- advertising a special promotion, grand opening, or other event, not to exceed sixteen square feet and removed within seven days.
12. No trespassing signs- signs depicting the private nature of property and/or a road, not to exceed four square feet.
13. Public utility signs- signs placed by a public utility showing the location of underground facilities, not to exceed two square feet (may be permitted within the public right-of-way).
14. Seasonal and/or religious signs- signs celebrating a holiday or religious event, so long as there is no commercial advertising of any product.
15. Handicapped services signs- signs that depict services for the handicapped, such as handicapped parking areas and access ramps, not to exceed two square feet.
16. Subdivision signs- signs advertising a subdivision of land, not to exceed six square feet and removed within seven days of completion of the subdivision.
17. Farmer's market sign- signs advertising a roadside stand or agricultural products for sale on a farm, as defined by this Ordinance. These signs are not to exceed eight square feet and removed when the roadside stand is removed, or at the end of the growing season.
18. Flags- representing the nations and governments, military, public entities, religious entities, corporate symbols, seasons, or designer flags, provided:
 - a. The size of a flag depicting a corporate symbols shall not exceed twelve square feet;

19. Banners- placed by the municipality, tourist agency, special event agency, business district, or public agency to promote a business district, special event, attraction or other event to promote tourism, business, identity, or enthusiasm within the municipality (may be permitted within the public right-of-way).

In addition, the following operations shall not be considered as erecting, constructing, or placing a sign and shall be exempt from permit and fee requirements as stated in Section 806, Fees for Signs.

1. The changing of advertising messages, such as dates, promotions, specials, events, and similar messages, repairs and improvements to signs, and the changing of colors, provided:
 - a. The size, shape, location, materials, or lighting of the sign is not changed;
 - b. There are no structural alterations to the sign or its supporting structures;
 - c. The business type, name, or symbol is not changed.

803.2: Signs Prohibited in all Zoning Districts- The following signs are prohibited in all zoning districts throughout the Township:

1. Signs that resemble or imitate governmental and/or Pennsylvania Department of Transportation traffic signs.
2. Signs that resemble or imitate official and governmental emergency signs.
3. Billboards.
4. Roof signs.
5. Any portable and/or temporary signs, except those permitted in Section 803.1, Signs Exempt from Permits and Fees.
6. Any sign that is attached to a tree, utility pole (except public utility signs), wireless communications tower, or derelict or non-operating vehicle.
7. Any sign not specifically permitted either throughout the entire Township or within a specified zoning district.
8. Any sign advertising an off-site business erected, constructed, or placed on a parcel containing a residential dwelling.

803.3: Permitted Signs Table- In addition to the general provisions for signs in this Article, the following provisions are for all signs erected, constructed, or placed within the specific zoning district.

Zoning District	Permitted Type of Sign	Number Allowed	Maximum Dimensions		Minimum Dimensions
			Area- sq. ft.	Height (ft.)	Setback (ft.)
Rural Residential-Agricultural (R-1)	Public/ Quasi-Public Use ¹	1 Per Zoned Lot	24'	8'	15' from edge of cartway ²
	Professional/ Home Occupation	1 Per Zoned Lot	8'	5'	15' from edge of cartway ⁴
Mixed-Use (B-1)	Ground Signs	1 Per Zoned Lot ³	24'	8'	15' from edge of cartway
	Pole Signs	1 Per Zoned Lot ⁵⁴	24'	18'	15' from all property lines
	Marquee/Canopy Signs	1 Per Zoned Lot	20% ⁵		
	Wall/Fascia Signs	1 Per Business	15% ⁶		
Interchange (I)	Ground Signs	1 Per Zoned Lot ⁵	40'	8'	15' from edge of cartway
	Pole Signs	1 Per Zoned Lot ⁵⁶	40'	35'	15' from all property lines
	Marquee/Canopy Signs	1 Per Zoned Lot	25% ⁷		
	Wall/Fascia Signs	1 Per Business	20% ⁸		
	Business Center Signs ⁷	1 Per Street Frontage	1 per 2 ft. frontage ⁸	18'	15' from all property lines

¹ Public/ Quasi-Public Uses are defined as those under "Public/Quasi-Public Uses" in the table in Section 702.4.

² Must be at least 10' from any side lot line.

³ One Ground Sign OR One Pole Sign is Permitted per Zoned Lot

⁴ Up to two accessory pole signs not exceeding six square feet may be mounted on a pole sign.

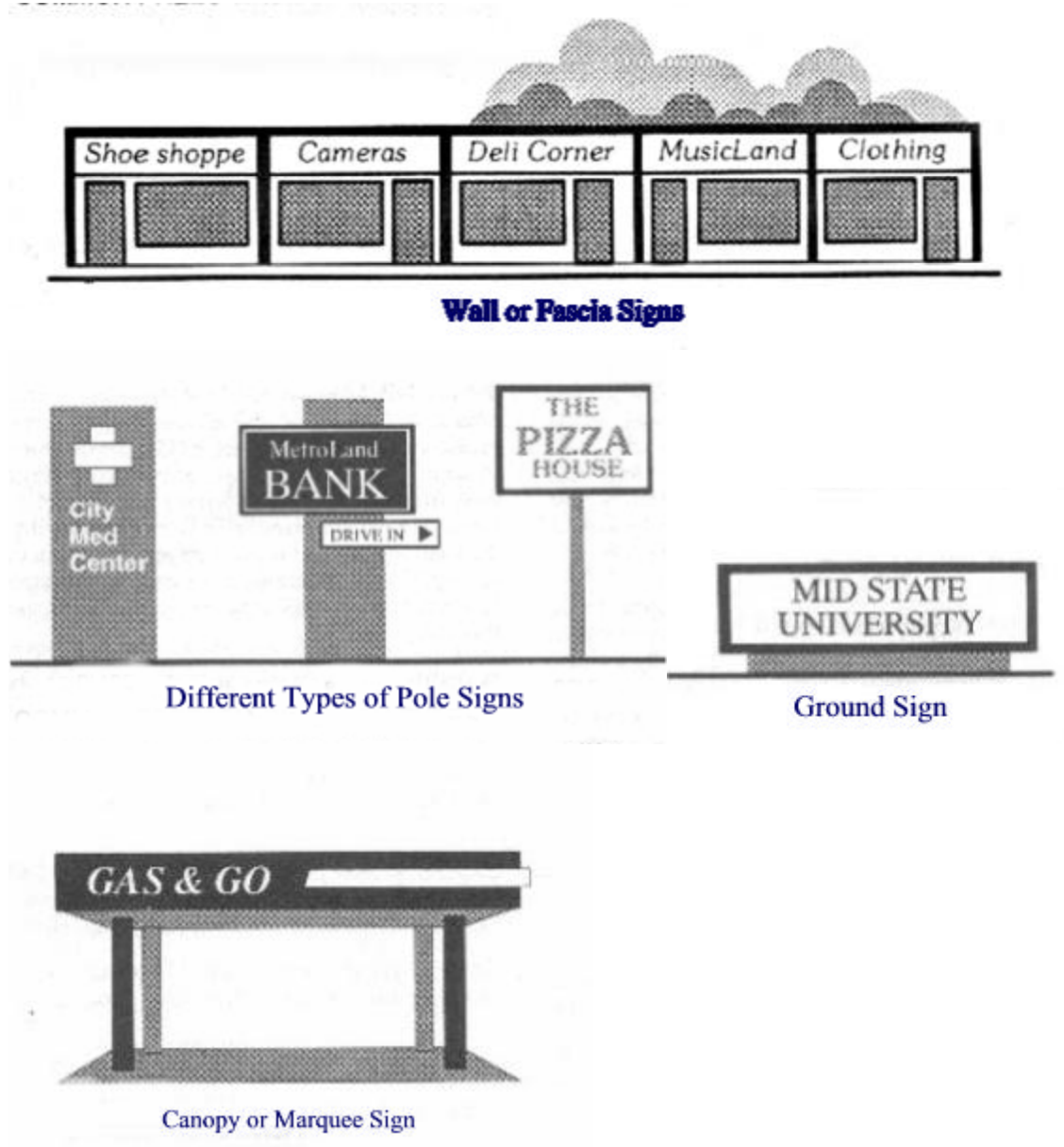
⁵ The percentage here shall mean the percentage of the area of the canopy of which sign is a part of or to which such sign is most nearly parallel.

⁶ The percentage here shall mean the percentage of the area of the wall of which sign is a part or to which such sign is most nearly parallel.

⁷ Meaning any lot that has a plaza of more than one business.

⁸ One square foot of signage per every two feet of building frontage, with a maximum allowed signage area of 75 sq. ft.

803.4: Types of Signs



SECTION 804: SIGN LIGHTING

Signs within the Township may be illuminated using ground mounted, building, and/or structure mounted lights, indirect lighting, backlit illumination, light or neon tubing, and/or interior illumination, according to the following provisions:

1. Illumination of signs shall only be for the purpose of making the sign readable during evening hours, not for the purpose of creating additional light for the property or casting light on other buildings and/or structures;

2. Illumination of signs shall not create any glare onto adjoining properties or public rights-of-way;
3. Lighting of signs shall not attempt to imitate the lighting used by emergency vehicles;
4. All wiring that serves a freestanding sign shall be underground.
5. No sign lighting shall flash, rotate, be animated, or have the appearance of moving, except signs which depict the time, temperature, current weather, or news shall be permitted.

SECTION 805: SIGN PERMITS

All proposals for the erection, construction, or placement of signs within Wolf Creek Township, except those noted in Section 803.1: Signs Exempt from Permits and Fees, shall comply with the following:

1. An application for a zoning permit shall be filed with the Zoning Officer;
2. The application shall be accompanied by a Master Signage Plan, as defined in Section 805.1: Master Signage Plan;
3. The application shall be accompanied by the fee, as described in Section 806: Fees.

805.1: Master Signage Plan

As a means of determining whether the erection, construction, or placement of a sign meets the provisions of this Article, a Master Signage Plan shall be submitted with the application to include the following:

1. Name, address, phone number and signature of the property owner or the person responsible for the sign;
2. Location of the property, showing:
 - a. The location and names of adjacent streets;
 - b. The existing land use and zoning classification of the property;
 - c. Existing land uses and zoning classifications of all adjacent properties;
 - d. The size (length, width, height, and total square footage) and location of existing buildings and/or structures on the property.
3. The proposed location of every sign to be erected, constructed, or placed on the property;

4. An elevation drawing of the sign, showing, with dimensions:
 - a. The size of the sign, ornamental features, and all supporting structures;
 - b. The height of the sign, ornamental features, and all supporting structures;
 - c. The colors and materials of the sign, ornamental features, and all supporting structures;
 - d. If the sign is to be attached to the building, the location and attachment method of the sign on the building shall be shown;
 - e. The proposed lighting of the sign, ornamental features, and all supporting structures;
 - f. Wording to be placed on each sign face.

SECTION 806: FEES

1. The fee amount for any erection, construction, or placement of a sign shall be an amount as set annually by the Township Supervisors to cover the costs of application review and administration of permits.
2. Any sign erected, constructed, or placed in the Township prior to application approval, except for signs identified in Section 803.1, Signs Exempt from Permits and Fees, shall be subject to a fine, as set by the Township Supervisors, for each 30 days of non-compliance with the permit requirements.
3. The Township Supervisors shall also set a fine for failure to remove a sign or safely maintain a sign.

SECTION 807: NON-CONFORMING SIGNS

Any sign erected, constructed, or placed prior to the enactment of this Zoning Ordinance shall be considered a lawfully existing non-conforming sign, and shall be allowed to continue to exist provided:

1. The business that the sign is advertising shall not cease operation for more than six months;
2. The size, shape, location, materials, and/or lighting of the sign is not changed or altered in any way;
3. There are no structural alterations to the sign or its supporting structures;
4. The business type, name, or symbol is not changed.

If any of the above changes or alterations are made to a non-conforming sign, the sign shall no longer be considered a non-conforming sign and should follow the process outlined in this Article to gain a zoning permit.

ARTICLE IX SUPPLEMENTARY REGULATIONS

SECTION 900: SUPPLEMENTARY LOT & YARD REGULATIONS

900.1: Number of Principal Structures on a Lot- Not more than one principal structure shall be located on a lot except in the case of planned developments associated with permitted uses, for example, a cemetery, church, college, multi-family dwelling development, farms, governmental or governmental authority facility, hospital, nursing home, public utility, school, or planned commercial or industrial development.

A plot plan showing the location and arrangement of multiple structures in planned developments shall be submitted with the zoning permit application. Building arrangements and spacing within such developments shall comply with any additional regulations specified elsewhere in this Ordinance.

900.2: Projection Into and Occupancy of Yards or Other Open Spaces-

The following building attachments shall be permitted to project into and/or occupy required yards or other open spaces provided the projection into the yard shall not exceed four feet:

1. Steps, stoop, window sill, awning, belt course, similar architectural features, rain leader, and/or chimney;
2. Exterior stairway, fire tower, balcony, fire escape, or other required means of egress.

900.3: Porches, Carports, and Similar Open or Enclosed Attached Accessory Buildings- Shall be located in compliance with minimum yard and setback requirements.

900.4: Determination of Yards on Irregularly Shaped Lots- On an irregularly shaped lot, no point of a building shall be located closer to a lot line than the minimum yard or setback distance.

900.5: Subdivision of Lot- Any lot shall not be subdivided, if by such action the Zoning Ordinance or Mercer County Subdivision and Land Development Ordinance would be violated.

900.6: Yards on Contiguous Lots of Same Ownership- Where there exist more than one contiguous lots of same ownership, said lots shall be treated as one single lot for the application of minimum side and rear yard requirements contained in this Ordinance and minimum side and rear yard requirements shall be applied to boundary lines of properties of different ownership.

900.7: Fences- The yard and setback requirements of this Ordinance shall not be deemed to restrict any otherwise lawful fence provided that:

1. In any residential zoning district or for any residential use, no fence shall exceed eight feet in height in any yard;
2. In any residential zoning district or for any residential use, no solid fence shall exceed a height of three feet in any front yard area.
3. No fence shall be located within the right-of-way of any public street or road.
4. Farms, as defined by this ordinance, shall be exempt from all fencing regulations.

900.8: Use of Yard Areas for Driveways and Parking for Residential Uses

1. Yard areas may contain a driveway and a turnaround area.
2. Front yards shall be kept free of parking, except in permitted driveways, and parking shall be related to the use of the lot and not for service to other lots.

900.9: Visibility at Intersections and Driveways- On a corner lot in any district, no structure, sign, solid fence or wall, hedge, or other planting shall be erected, placed, or maintained at a height of more than three feet above the cartway edge within the triangle formed by the road cartway edges and a straight line joining said cartway edges at points which are 30 feet distant from their point of intersection.

SECTION 901: SUPPLEMENTARY HEIGHT REGULATIONS

901.1: Exceptions to Height Regulations- The maximum height limitations for this section shall not apply to:

1. The following appurtenances attached to or part of a principal or accessory structure: church spire, belfry, cupola, dome, monument, smoke-stack, derrick, conveyor, flag pole, mast, aerial, roof tank, ventilating air conditioning and similar building service equipment, roof structure, chimney and/or parapet wall, provided it shall be set back in conformance with the setback and yard requirements plus one foot horizontally for each two feet in which it exceeds the maximum height permitted in the zoning district in which it is located.
2. Existing Designed Structures- The vertical extension of a structure existing at the effective date of the Zoning Ordinance may be erected to such height as the original drawings of said building indicated, provided the building was actually designed and constructed to support the additional stories necessary for such height.

SECTION 902: LANDSCAPING & BUFFER REGULATIONS

902.1: Purpose- The purpose of this section is to ensure that all uses that would cause any adverse effects to the neighboring properties be shielded to prevent such conflicts, and to use landscaping to form both attractive views and an attractive gateway to Wolf Creek Township.

902.2: Landscaping- Landscaping shall be required, and shown on any plan or application for a zoning permit, for the following uses:

1. Establishments for the Storage and/or Sale of Junk- A solid fence or wall, a minimum of six feet in height and maintained in good condition, must be used to enclose all junk and all other materials stored or kept on the property on all sides, except for an entrance or exit of not more than 25 feet in width. As an alternative, an open fence at least six feet in height and surrounded, except for an entrance or exit described above, by evergreens at least six feet in height and planted no further than six feet apart as to form a solid screen may be used.
2. Dumpsters- All dumpsters that are used for multi-family residential, commercial, or industrial purposes shall have, on three sides of the dumpster, one of the following buffers:
 - a. A rock wall or solid fence, no less than six feet and no more than eight feet in height; or
 - b. A dense screening of trees and shrubs that, at time of planting, will completely screen the dumpster on those three sides.
3. Commercial Recreation Facilities- Shall be landscaped as required in Section 605.
4. Parking Lots- Shall be landscaped as required in Section 703.
5. Utility Substations and/or Facilities- If the zoning officer does not determine that the proposed substation and/or facility is constructed to match the character and design of the surrounding neighborhood, the following landscaping shall be required:
 - a. A solid fence or wall, no less than six feet in height;
 - b. A row of evergreens, no less than six feet in height at time of planting, spaced no more than ten feet apart, shall be planted between the fence line and the property lines. Another species of tree may be used, as long as a continuous screen will be provided.

902.3: Buffering- Buffering shall be required for the following areas:

1. Non-Residential Uses in the B-1 or I Zoning Districts- shall have a buffer area, consisting of 10 coniferous or deciduous trees per 100 lineal feet, shall be planted in any yard setback area that abuts a residential zoning district. All trees shall be at least six feet in height at time of planting.

ARTICLE X NON-CONFORMITIES

SECTION 1000: INTENT AND STANDARDS

Within the zoning districts established by this Ordinance or amendments that may later be adopted, there exist lots, structures, and uses of land and structures that were lawful before this Ordinance was passed or amended, but that would be prohibited under the terms of this Ordinance or future amendment.

1000.1: Intent- It is the intent of this Ordinance to permit these non-conformities to continue until they are removed or abandoned. Such uses are declared by this Ordinance to be incompatible with permitted uses in the zoning districts involved.

1000.2: Standard- A non-conforming use of a structure, a non-conforming use of land, or a non-conforming structure and land shall not be extended or enlarged after passage of this ordinance by attachment of additional signs to a building, or the placement of additional signs or display devices on the land outside the building, nor shall there be a change to or addition of a use prohibited in the particular zoning district. Non-conformities may be enlarged, expanded, changed, or added to only by variance granted by the Zoning Hearing Board. Any such enlargement, expansion, changed use, or added use shall meet all conditions and provisions specified for that type of use in this Zoning Ordinance.

1000.3: Construction in Progress- Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be diligently carried on until the completion of the building involved.

SECTION 1001: NON-CONFORMING LOTS OF RECORD

In any district in which single-family dwellings are permitted, notwithstanding limitation imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of lot shall conform to the regulations for the district

in which such lot is located. Variance of yard requirements and other requirements not involving area and/or width of lot shall be obtained only through action of the Zoning Hearing Board.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements for lot width and area in the respective district, the lands involved shall be considered to be an undivided parcel for the purpose of this Ordinance, and no said portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

SECTION 1002: NON-CONFORMING USES OF LAND

Where, at the effective date of adoption or amendment of this Ordinance, lawful use of land exists that is made no longer permissible under the terms of this Ordinance, as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance, except as specified.
2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.
3. If any such non-conforming use of land is abandoned by discontinuance for any reason for a period of more than 12 consecutive months, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the zoning district in which such land is located.

SECTION 1003: NON-CONFORMING USE OF STRUCTURES

If a lawful use of a structure, or of a structure and premises in combination, exists at the effective date of adoption or amendment of this Ordinance, that would be allowed in the zoning district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. An existing structure devoted to a use not permitted by this Ordinance in the zoning district in which it is located may not be enlarged, extended, constructed, reconstructed, or structurally altered, except as specified.
2. A non-conforming use may be extended throughout any parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.

3. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the zoning district than the existing non-conforming use. In permitting such change, the Zoning Hearing Board may require appropriate conditions and safeguards in accord with provisions of this Ordinance.
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the zoning district in which such structure is located, and the non-conforming use may not thereafter be resumed.
5. When a non-conforming use of a structure, or structure and premises in combination, is abandoned by discontinuance for 12 months, the structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located.

SECTION 1004: NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on areas, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. A structure may be enlarged or altered only in a way that such enlargement or alteration does not result in a new structural non-conformity or increase an existing structural non-conformity. Any other enlargement or alteration must be approved by a variance, granted by the Zoning Hearing Board.
2. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after moved.

SECTION 1005: DAMAGE OR DESTRUCTION OF NON-CONFORMITIES

Any non-conforming building, structure, or use that is damaged or destroyed by fire or any other means beyond the control of the property owner may be reconstructed and used as before, if such reconstruction is commenced within one year of the date of said damage or destruction. The reconstructed building and use may cover no greater area and contain no greater cubic content than the building and use prior to damage or destruction and must conform to lot, yard, and height requirements of the zoning district and provide required off-street loading and parking spaces for the intended use(s), unless a variance is granted by the Zoning Hearing Board.

SECTION 1006: REPAIRS AND MAINTENANCE

On any building, devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a variance.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 1007: SPECIAL EXCEPTIONS & CONDITIONAL USES NOT NON-CONFORMING USES

Any use for which a special exception or conditional use is authorized, as provided in this Ordinance, shall not be deemed a non-conforming use, but shall without further action be deemed a conforming use in such zoning district.

SECTION 1008: NON-CONFORMING SINGLE-FAMILY RESIDENTIAL USE

Where single-family residences exist as non-conforming uses according to this Ordinance, the following shall apply:

1. Notwithstanding any other provisions pertaining to non-conforming uses in this ordinance, an existing non-conforming single family residential dwelling destroyed in whole or in part by fire, flood, explosion, or any other casualty beyond the control of the property owner, may be reconstructed and used as before said casualty, provided: 1.) the reconstructed principal residential structure and accessory structures (not including any agricultural structures) in combination shall not have a floor area of greater than 125% of that of the original principal residential structure and accessory structures (not including any agricultural structures) in combination, and 2.) the reconstructed principal and accessory structures shall meet applicable lot, yard, and height requirements of the zoning district.
2. Notwithstanding any other provisions pertaining to non-conforming uses in this ordinance, an existing non-conforming single-family residential dwelling or any of its customarily accessory structure may be expanded in floor area up to an additional 25% each of the existing floor area, provided: 1.) the landowner is residing in the principal structure when expansion is requested and completed, 2.) the expansion does not include the addition of a residential dwelling unit or business unless such are otherwise permitted in the zoning district, and 3.) only one such expansion per principal or accessory structure shall be permitted.

ARTICLE XI ADMINISTRATION AND ENFORCEMENT

SECTION 1100: OFFICE OF ZONING OFFICER

1100.1: Creation of Office- The Office of Zoning Officer is hereby created.

1100.2: Appointment- The Zoning Officer shall be appointed by the Township Board of Supervisors as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended). The Township Board of Supervisors shall establish qualifications for the position of Zoning Officer that require candidates to demonstrate a working knowledge of municipal zoning to the satisfaction of the Township.

1100.3: Official Records- An official record shall be kept of all business of the Zoning Officer and shall be open to public inspection at all appropriate times.

1100.4: Compensation of the Zoning Officer- The compensation of the Zoning Officer shall be as determined by the Township Board of Supervisors.

SECTION 1101: DUTIES & POWERS OF THE ZONING OFFICER

The Zoning Officer shall interpret and enforce all provisions of the Zoning Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to the Zoning Ordinance.

1101.1: Zoning Permits and Certificates of Use and Occupancy- The Zoning Officer shall issue zoning permits and certificates of use and occupancy. Zoning permits and certificates of use and occupancy for construction and uses that are permitted as a conditional use shall only be issued only upon approval of the Township Board of Supervisors. Zoning permits and certificates of use and occupancy for construction and uses that are permitted as a special exception or variance shall be issued only upon approval of the Zoning Hearing Board.

1101.2: Annual Report- The Zoning Officer shall annually submit to the Township Board of Supervisors a report of all permits and certificates of use and occupancy, notices issued, and orders.

1101.3: Inspections- The Zoning Officer may examine or cause to be examined all structures and/or land for which an *active or pending* application for a permit and/or certificate of use and occupancy has been filed for purposes of enforcing this Zoning Ordinance. Such inspections may be made from time to time during construction. Before entering, he shall provide proper identification.

SECTION 1102: APPLICATION FOR ZONING PERMIT & CERTIFICATE OF USE AND OCCUPANCY

1102.1: When a Zoning Permit is Required- A zoning permit shall be required for any of the following (except where otherwise indicated in this Ordinance):

1. Commencing a use, changing the use or intensity of use, or extending or displacing the use of any building, structure, or land in the Township; or
2. Construction, erection, enlargement, reconstruction, or structural alteration of any building, structure, and/or sign, including placement of a mobile home on a property.

An application for a zoning permit must be submitted in writing to the Zoning Officer. A fine in an amount prescribed by resolution of the Township Board of Supervisors shall be added to the cost of the zoning permit for failure to obtain a zoning permit before commencing/changing a use or construction, etc.

1102.2: When a Certificate of Use and Occupancy is Required- It shall be unlawful to use and/or occupy any building, other structure, and/or land for which a zoning permit is required until a certificate of use and occupancy for such building, other structure, and/or land has been issued by the Zoning Officer. The purpose of the certificate is to confirm that the work or development described in the zoning permit application has been completed in compliance with this Ordinance. The application for issuance of a certificate of use and occupancy shall be made at the same time an application for a permit is filed with the Zoning Officer and may be on the same form.

1102.3: Forms of Application- The application for a zoning permit and a certificate of use and occupancy shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee as prescribed in Section 1104.

1102.4: Plot Diagram- Applications shall be accompanied by a plot plan diagram in duplicate. The plot plan shall be drawn to a suitable scale and shall clearly and accurately show dimensions of buildings and lots, north arrow and scale, and other information that the Zoning Officer may require to make a decision on the zoning permit. One copy shall be returned to the applicant indicating approval or disapproval, and one copy shall be retained by the Zoning Officer.

1102.5: Additional Application Requirements for Uses Specified in Article VI

An application for a use specified in Article VI- Additional Use Criteria shall be accompanied by additional information and drawings as appropriate to demonstrate how the proposed use and the design of the use will comply with those conditions, criteria, and standards specified for that use in Article VI. If such use is a conditional use or special exception, further information and drawings may be required by the Township Board of Supervisors or Zoning Hearing Board, respectively, to address compliance with any other conditions imposed.

1102.6: Amendments to a Zoning Permit- Amendments to a zoning permit or other records accompanying it may be filed at anytime before completion of the work. The Zoning Officer shall approve all such amendments except for those to zoning permits that have been authorized by the Township Board of Supervisors or the Zoning Hearing Board, in which case the Supervisors or the Board respectively shall approve any amendments. Amendments shall be deemed part of the original application.

1102.7: Expiration of Zoning Permits- If work described in any zoning permit has not begun within 180 days from the date of issuance, the permit shall expire. A written notice shall be given by the Zoning Officer to the persons affected. If permitted work has not been substantially completed within one year of issuance, the permit shall expire. A written notice shall be given by the Zoning Officer to the persons affected. Upon expiration of a zoning permit, work may not continue until either a permit extension or a new permit has been obtained. The Zoning Officer may issue a zoning permit extension when the proposed activities, information, and conditions contained in the original permit application will be continued without change. The zoning permit extension shall include limitations on time not to exceed one year allowed for substantial completion of the work. The Zoning Officer may require the provision of a reasonable performance bond to ensure completion with the time limit specified in the permit extension.

SECTION 1103: ACTION ON ZONING PERMITS & CERTIFICATES OF USE AND OCCUPANCY

1103.1: Action on Zoning Permit Application- The Zoning Officer shall act on all applications for zoning permits and amendments thereto within ten days after filing unless otherwise indicated. He/she shall conduct a preliminary inspection of all structures and/or land for which an application has been filed for a zoning permit. If the application and preliminary inspection indicate compliance with the Zoning Ordinance, a zoning permit shall be issued. Disapproval of a zoning permit shall be in writing to the applicant.

1103.2: Posting of Zoning Permit- The zoning permit issued by the Zoning Officer shall be posted at the work site and be visible from the street until the completion of the permitted work.

1103.3: Revoking a Zoning Permit- The Zoning Officer may revoke an issued zoning permit in case of any false statement in the application for the permit.

1103.4: Action upon Completion- Upon completion of the permitted work and prior to use and occupancy, the holder of the permit shall notify the Zoning Officer of such completion. After receiving notice of completion, the Zoning Officer shall conduct a final inspection of all permitted structures and/or land. All violations of the approved permit and plans shall be recorded and presented in writing to the holder of the permit.

If the Zoning Officer is satisfied that the completed work conforms with the issued zoning permit and complies with the Zoning Ordinance, he/she shall issue a certificate of use and occupancy for the use indicated in the zoning permit.

The Zoning Officer shall conduct the final inspection and issue either a written record of violations or an approved certification of use and occupancy within 10 days after receiving notice.

SECTION 1104: FEES

1104.1: Payment of Fees- No zoning permit of certificate of use and occupancy shall be issued until the fees prescribed by resolution of the Township Board of Supervisors have been paid.

1104.2: Exemptions - Any accessory structure used solely for agricultural purposes or any building less than 100 square feet in floor area shall be exempt from fees.

SECTION 1105: ENFORCEMENT NOTICE

Where the Zoning Officer finds that any provisions of this Ordinance are being violated, he shall initiate enforcement proceedings by sending an enforcement notice to appropriate parties in accordance with Article VI of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended). As specified in the Planning Code, the enforcement notice shall state the nature of the violation, the actions, and deadline dates for achieving compliance, possible enforcement proceedings, and other information.

SECTION 1106: PROSECUTION OF VIOLATION

If the enforcement notice is not complied with, the Zoning Officer shall request the Township Board of Supervisors to authorize the Township Solicitor to institute appropriate proceedings to prosecute such violations. Such proceedings are provided for and shall be in accordance with Article VI of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended)

ARTICLE XII ZONING HEARING BOARD

SECTION 1200: CREATION, MEMBERSHIP, & ORGANIZATION

A Zoning Hearing Board shall be created for the purpose of considering applications for special exceptions and/or variances to the Zoning Ordinance and making decisions on appeals and challenges within the legal jurisdiction granted to Zoning Hearing Boards by the Commonwealth of Pennsylvania. It shall be created and maintained in accordance with the applicable provisions of Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) and this Ordinance. Its membership, organization, and rules and procedures shall be as prescribed in the Planning Code.

SECTION 1201: JURISDICTION AND FUNCTIONS

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render decisions on applications for variances and special exceptions, and certain challenges and appeals in accordance with Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

SECTION 1202: HEARINGS

In consideration of challenges, appeals, and applications for variances and special exceptions, the Zoning Hearing Board shall conduct hearings and make decisions in accordance with all applicable requirements of Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

SECTION 1203: TERMINATION AND MODIFICATION OF PERMIT

Where a decision of the Zoning Hearing Board authorizes issuance of a zoning permit, the following shall apply:

1. Termination of Permits: If after a permit has been authorized by the Board, such permit is not applied for within a period of six months from the date of authorization, then such authorization shall be null and void and no permit shall be issued thereunder.
2. Modification of a Permit: Any permit so issued shall not be modified except by action of the Board.

SECTION 1204: PARTIES APPELLANT BEFORE THE BOARD

Appeals and challenges within the jurisdiction of the Zoning Hearing Board as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) may be filed with the Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Applications for variance or special exception may be filed with the Board by any landowner or tenant with the permission of the landowner.

SECTION 1205: APPLICATIONS AND FEES

Requests for a hearing and action for appeals, challenges, variances, or special exceptions shall be accompanied by an application in such form as shall be required by the Zoning Hearing Board and submitted to the Zoning Officer. Such application shall include payment of a reasonable fee based upon cost to be established by resolution of the Township Board of Supervisors and in accordance with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended)

SECTION 1206: SPECIAL EXCEPTIONS

Upon application in accordance with the provisions of the Zoning Ordinance and the rules of the Zoning Hearing Board, the Board shall determine the reasonableness and propriety in particular cases of any below-listed special exceptions to the zoning district regulations of the Zoning Ordinance. The proposed use shall also conform with all the provisions for the use in the particular zoning district in which it is to be located, and all other pertinent provisions of this Zoning Ordinance, except as wherein prescribed in this Article. The Board shall consider, explain and record its finding and determination in conformity with the spirit of the Zoning Ordinance and may authorize the issuance of a permit for the following:

1. Other Principal Uses Not Explicitly Within a Zoning District: A use that is not explicitly listed as a permitted principal use within the regulations of a zoning district may be permitted provided that the use is similar to and not more objectionable to the general welfare than the permitted uses listed in that zoning district. Such uses shall be permitted as a special exception only upon the judgment and approval of the Zoning Hearing Board, which may also require compliance with such conditions as may be necessary to protect and promote the general welfare of the Township.

ARTICLE XIII AMENDMENT

SECTION 1300: PROCEDURE FOR AMENDMENTS

The Zoning Ordinance or parts thereof may be amended or repealed by the Township Board of Supervisors in accordance with the provisions of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) and with the following procedures:

1. Initiation- Any amendment or repeal may be initiated by:
 - a. The Township Board of Supervisors;
 - b. The Township Planning Commission; or
 - c. A notarized petition to the Township Board of Supervisors by the owner of the property involved or by a party having interest within.

2. Public Hearing- Before voting on the enactment of an amendment, the Township Board of Supervisors shall provide opportunity for public review and input in accord with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended). At a minimum, such shall include:
 - a. A public hearing on the proposed amendment;
 - b. Public notice of the proposed amendment and public hearing published in a newspaper of general circulation and posted on the affected tract of land;
 - c. Referral of the proposed amendment to the Township Planning Commission and the Mercer County Regional Planning Commission at least 30 days prior to enactment for review and comment.

3. Application Form- An application for amendment shall be submitted in a form prescribed by the Township Board of Supervisors containing the following minimum information:
 - a. Name, address, and phone number of the applicant or his agent;
 - b. The applicant's legal interest in the affected property(ies);
 - c. A map showing the location of the affected property(ies), the present and proposed zoning classification and boundaries, and a perimeter sketch of the affected property(ies) showing dimension and size.

4. Fee- Any application for amendment to the Zoning Ordinance shall be accompanied by a reasonable fee set by resolution of the Township Board of Supervisors.

ARTICLE XIV APPEALS

SECTION 1400: ZONING APPEALS

The review or appeal of any provision of this Ordinance or decision, determination, order or finding of the Township Board of Supervisors or its agencies or officers shall follow the procedures set forth in Article X-A "Appeals to Court" of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

ARTICLE XV DEFINITIONS

SECTION 1500: GENERAL INTERPRETATION

For the purposes of the Zoning Ordinance, certain terms, phrases, and words shall have the meaning given herein. Words used in the present tense include the future; the singular includes the plural; the word "used" shall be construed as though followed by the words "or intended or designated to be used"; the words "building", "structure", and "land" or "premises" shall be construed as though followed by the words "or any portion thereof"; and the word "structure" includes the word "building". The word "shall" is always mandatory and not merely directory.

SECTION 1501: DEFINITION OF TERMS

Abutting: Having property or district lines in common, or being separated from such a common border by a right-of-way or easement.

Access: A means of approach, entry to, or exit from a property.

Accessory Apartment: A separate, complete housekeeping unit that is contained on the same lot or within the same structure of a single-family dwelling.

Accessory Building: A detached, subordinate building, the use of which is incidental and subordinate to that of the principal building, and which is located on the same lot as the principal building.

Accessory Structure: A subordinate structure, the use of which is incidental and subordinate to that of the principal structure, and which is located on the same lot as a principal structure.

Accessory Use: A building, structure, or use is accessory if it 1.) is subordinate to and serves a principal building, structure, or use; 2.) is subordinate in area, extent, or purpose to the principal building, structure or use served; 3.) contributes to the comfort, convenience, or necessity of the occupants of the principal building, structure, or use; and 4.) is located within the same zoning district as the permitted principal building, structure, or use.

Acre: A land area of 43,560 square feet.

Addition: Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Adjacent: All contiguous properties, buildings, structures, uses, or zoning districts, with the assumption that railroads, right-of-ways, easements, driveways and roads, except limited access highways, do not exist.

Adverse Impact: A negative consequence for the physical, social, or economic environment resulting from an action or project.

Agent of Owner: Any person who can show written proof that he/she has the authority to act on behalf of the property owner.

Agricultural Activity/ Operation: The use of land for purposes of farming, harvesting, seeding, dairying, pasturage agriculture, horticulture, floriculture, viticulture, silviculture, aquaculture, livestock, animal and poultry husbandry, and the necessary accessory uses for storing the products and equipment. Forestry and tree harvesting shall not be included as an agricultural activity.

Alteration: A change, enlargement, reduction, rearrangement, addition and/or relocation of any building and/or structure.

Applicant: The party applying for approvals and/or permits.

Attached Building: A building where all or some sides are commonly shared party walls.

Attached Dwelling Unit: A building and/or structure containing two or more dwelling units within the same building and/or structure.

Awning: A temporary structure, attached to and supported by a permanent building and/or structure, providing cover for a driveway, sidewalk, road, public right-of-way, yard, window, entrance or other outdoor space, including covers that may be retracted, folded, or collapsed to be stored.

Banner: A sign that is applied to cloth, paper, fabric, flexible plastic, or other type of flexible material with only such material used as the background.

Basement: A portion of a building partly underground, having at least one-half of the floor to ceiling height below the average grade of the adjoining ground.

Bed & Breakfast: An owner occupied single-family residential dwelling providing, for pay, overnight or short-term lodging, not to exceed 20 days, and meals for no more than eight transient guests at one time.

Billboard: Any sign that is greater than 75 square feet in area.

Block: The length of a street between two street intersections; or a piece of land bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as bodies of water, and not traversed by a through street.

Boarding House (also Lodging House or Rooming House): A single-family residential dwelling where no more than six rooms are provided for lodging for individuals whom are not members of the proprietor's family for definite periods of times. There is one common kitchen facility and meals may or may not be provided, but not to outside guests.

Buffer: A strip of land, fence, wall, landscaping, trees, etc., used to separated one building, structure, land use, or zoning district from another intended to reduce negative impacts each building, structure, land use, or zoning district may have on the other.

Building: An enclosed building and/or structure built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and protection of persons, animals, or property of any kind.

Building Sign: Any sign supported by, affixed, attached, or displayed on a building.

Campground: Temporary or permanent buildings, tents, or other structures established or maintained as a temporary living quarter.

Canopy: Any structure, other than an awning, supported by the ground, providing cover for a driveway, sidewalk, road, public right-of-way, yard, entrance or other outdoor space, including covers that may be retracted, folded, or collapsed to be stored.

Carport: An accessory, roofed structure having two or more open sides used primarily as a shelter for automotive vehicles or recreational equipment.

Cartway: The surface of a street (usually the paved area) within which vehicles are permitted including travel lanes and parking lanes, but not including shoulders, curbs, sidewalks, or swales. When there are curbs, the cartway shall mean the portion between the curbs.

Centerline: The line located at the middle of a road cartway, equidistant from both edges of the cartway or curbs, if they exist.

Certificate of Use and Occupancy: A statement, based on an inspection and signed by the Zoning Officer, indicating that a building, structure and/or land conforms with the provisions prescribed in the Zoning Ordinance and may lawfully be occupied or used for a specified use or uses.

Child Care Facility: Any place operated by a person, society, agency, corporation, institution, or any other group that is licensed by the state where children, fifteen years old or younger receive care for consecutive periods of time less than twenty-four hours.

This Ordinance identifies three levels of childcare facilities consistent with current regulations of the Commonwealth of Pennsylvania:

Family Day Care Home: A state certified family residence with one caregiver providing care for four, five, or six children unrelated to the caregiver.

Group Day Care Home: A state certified facility providing care for no more than twelve children where the childcare area is a family residence.

Day Care Center: A state certified facility providing care for seven or more children where the childcare area is not a family residence.

Church: A building and/or structure used for the purpose of worship and related activities.

Clubs, Lodges and Fraternal Organizations: An establishment operated for social, recreational, or educational purposes, and open daily only to members and their guests, but not to the general public.

Co-Location: The use of a single mount by more than one carrier and/or several mounts on an existing building by more than one carrier. Clustering communications towers and antennas or locating one mount directly next to one another will not be considered co-location by this definition.

Commercial Recreation: A facility that offers various indoor or outdoor recreational facilities for its patrons including games, performances, and opportunities or participation in games or sports. All Commercial Recreation shall be classified as Indoor, Low-Impact, or High-Impact, depending upon the activities offered and the impact on the surrounding properties.

Commercial Recreation, Indoor: A facility which offers only indoor recreational opportunities, such as arcade or video games, billiards, bowling, swimming, or similar pursuits.

Commercial Recreation, Low-Impact: A facility that offers only outdoor recreational activities and spectator opportunities, such as playing fields for team sports (such as baseball, football, or soccer), outdoor swimming pools or lakes, miniature golf, tennis, camps and clinics for sport instruction and similar pursuits. This category does not include playing or recreation fields accessory to churches, schools, or community-based non-profit organizations.

Commercial Recreation, High-Impact: A facility that offers outdoor recreational activities which are considered to have a larger impact on the surrounding properties due to excessive noise, such as noise from speakers, guns, or motors, or other considerations. Examples include go-cart raceways, automobile raceways, outdoor concert venues, paintball, and outdoor firing ranges. This category does not include annual or seasonal festivals held by non-profit community organizations or businesses, which may include occasional accessory or incidental outdoor performances.

Communications Antenna: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. The definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

Communications Equipment Building: An unmanned building or cabinet containing communications equipment required for the operation of Communications Antennas.

Conditional Use: A permission or approval granted by the Township Supervisors to use land in a zoning district for a purpose other than that permitted outright in that district. Conditional uses are specified in the Zoning Ordinance and may be approved or denied by the Township Supervisors only in accordance with the express standards and conditions set forth herein. The Township Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed herein, as it may deem necessary to implement the purposes of the Zoning Ordinance in accord with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

Construction: The erection, fabrication, installation, addition, alteration, relocation, demolition, or removal of any building and/or structure including the placement of manufactured and/or mobile homes.

Convalescent Home: A building where nursing services and custodial care are provided on a twenty-four hour basis for three or more unrelated individuals whom for reasons of illness, injury, physical infirmity, or advanced aged require such services.

Corner Lot: A lot abutting two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five degrees. The point of intersection of the street lot lines is the "corner".

Courtyard: An uncovered area, partly or wholly enclosed by buildings, structures, walls, or landscaping and typically containing landscaping and/or grass and pedestrian facilities.

Covenant: A private legal restriction on the use of land contained in the deed to the property or otherwise formally recorded.

Curb: A stone, concrete, or asphalt boundary marking the edge of the cartway.

Dedication: The transfer of private property to public ownership.

Deed Restriction: See covenant.

Detached Building: A building that does not contain any commonly shared party walls.

Detached Dwelling Unit: A building and/or structure containing no more than one dwelling unit.

Detention Area: An area that is designated and designed to capture and store stormwater on a temporary basis to avoid flooding.

Developer: Any landowner, agent of owner, or tenant with the permission of such landowner, who makes or causes to be made a development.

Development: Any man-made change to improved or unimproved real estate, including but not limited to, buildings and/or structures, the subdivision of land, the placement of manufactured and/or mobile homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

Double Frontage Lot: A lot abutting two or more non-intersecting streets, as distinguished from a corner lot.

Driveway: A private roadway providing vehicular access to a street, highway, or parking area, or providing for interior vehicular movement on the lot or within a development.

Dumpster: Any container that temporarily holds garbage, junk, recycles, or other waste items until emptied into a truck and taken off site.

Dwelling: A building or part of a building arranged and used for residential occupancy, and containing living, sleeping, housekeeping and sanitary facilities for one or more families.

Dwelling Unit: A building or portion thereof providing complete living, sleeping, housekeeping and sanitary facilities for one family. The term shall include all buildings and/or structures designed and used for living purposes such as manufactured and/or mobile homes and other portable buildings and/or structures.

Easement: A right given by a property owner to another party for a specific limited use of that land.

Enlargement: A construction activity that increases the size of a building and/or other structure.

Essential Services: The erection, construction, alteration, or maintenance, by public utilities, municipal, or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals,

hydrants and other similar equipment, accessories and their essential buildings, excluding communications antennas and communications towers, as herein defined.

Facade: The exterior area of a building wall, exposed to public view, extending from the roof or parapet to the ground, not including any structural or nonstructural elements that extend beyond the roof or parapet of the building.

Family: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

Farm: A lot, parcel, or tract of land used for agricultural activities/ operations on which the principal building and/or structure(s) shall be the agricultural related buildings and/or structures and farm house(s).

Fence: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

Fence, Open: A fence, including any gates in said fence, which permits direct vision through the fence surface area.

Fence, Solid: A fence, including any gates in said fence, through which no visual images may be seen.

Flag: Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

Flagpole: A freestanding structure or a structure attached to a building used for the sole purpose of displaying a flag.

Forestry: The management of forests and timberlands when practiced in accordance with accepted silvicultural principals, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

Fraternal Organization: A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals and formal written membership requirements.

Front Lot Line: The line separating the lot from a street right-of-way.

Frontage: The frontage, or front of a lot, is the side nearest the street. For the purposes of determining yard and setback requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards and setbacks shall be provided as indicated in this Ordinance.

Garage: A building and/or structure or part thereof used or designed to be used for the parking and storage of vehicles.

Glare: The effect produced by bright lights sufficient to cause annoyance, discomfort, or loss of visual performance and visibility.

Grade: The mean curb level, or when the curb level has not been established or all the walls of the building are more than fifteen feet from street lot lines, grade means the mean elevation of the ground adjoining the structure on all sides.

Gross Floor Area: The total area of all floors of a building as measured to the outside surface of exterior walls, including halls, stairways, elevator shafts, attached garages, porches and balconies.

Ground Floor: The first floor of a building and/or structure, excluding the cellar or basement.

Group Home: A single dwelling unit that is occupied, on a permanent basis, by a group of unrelated individuals with some sort of disability in a family-like environment and which may be occupied by paid professional support staff provided by a sponsoring agency.

Height of a Building: The vertical distance from the grade to the highest point on a building.

Height of a Sign: The vertical distance from the grade to the highest point on a sign, including ornamental and/or decorative features.

Height of a Telecommunications Tower: The vertical distance measured from the ground level to the highest point on a Telecommunications Tower, including antennas on the tower.

Home Based Business: A business or professional use conducted within a dwelling or its accessory structure(s) that is conducted in whole or part by the occupant(s) of the dwelling unit and that remains subordinate and incidental to the residential use, and that does not alter the appearance or character of the residential use, or have signs, parking, traffic, lighting, odors, noise, etc., uncharacteristic of a residential use.

Hotel, Motel, Inn: A building, or group of buildings on the same lot, in which lodging is provided and offered to the public for compensation, and which is open to transient guests, not including a boarding house, bed & breakfast or group home.

Household: A family living together in a single dwelling unit with common access to, and common use of, all living and eating facilities.

Interior Lot: A lot whose side lot lines do not abut a street.

Junk: Any worn, cast off, or discarded articles or material that has been collected or stored for sale, resale, salvage, destruction, or conversion to some other use. Any article or material that, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new.

Junk Dealer: Any person who buys, sells, exchanges, collects, or stores and article or material of junk, as defined.

Junkyard: A lot, or any portion thereof, used for the exterior collection, storage, display, keeping, or sale of junk. Three or more unregistered and inoperable vehicles stored, displayed, kept, or put for sale on a lot shall be considered a junkyard.

Kennel: Any lot used for the commercial business purpose of raising, storing, boarding, training, showing, treating, grooming, keeping, breeding, or selling four or more domestic animals for a fee. This definition shall not include horse stables or lots where the animals are used in agricultural processes.

Land: The solid portion of the Earth's surface that is capable of being used or occupied.

Landscaping: Changing, rearranging, or adding to the original vegetation, grade or scenery of land to produce an aesthetically pleasing effect appropriate for the character and use of the land.

Land Use: A description of how land is occupied and/or utilized.

Loading Space: An off street space on the same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other means of access to a public right-of-way.

Lot: A contiguous piece of land in identical ownership with fixed boundaries to be used for buildings, structures or other land uses permitted by this Ordinance.

Lot Area: The computed area of a lot contained within the lot lines and measured at grade on a horizontal plane, exclusive of any area in a public right-of-way.

Lot Coverage: The percentage of the lot area occupied or covered by principal and accessory buildings and/or structures.

Lot Depth: The mean horizontal distance between the front lot line and the rear lot line, or the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot Lines: The property lines bounding the lot.

Lot of Record: A lot that is part of a recorded subdivision or a parcel of land that has been recorded or registered in the Office of the Recorder of Deeds of Mercer County, Pennsylvania.

Lot Width: The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth.

Major Recreational Equipment: For purposes of this Ordinance, includes travel trailers, pickup campers or coaches, motor homes, camper/tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment, whether or not occupied by such equipment. Specific definitions include:

Travel Trailer: A vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation purposes permanently identified as a travel trailer by the manufacturer of the trailer.

Pickup Camper or Coach: A structure designed primarily to be mounted on a pickup truck or truck chassis with sufficient support and facilities to render it suitable for use as a temporary dwelling for travel, recreational, or vacation purposes.

Motor Home: A portable dwelling designed and constructed as an integral part of a self-propelled vehicle. It can either be a converted truck, bus, or a custom-built unit.

Camping/Tent Trailer: Usually consists of a foldout tent mounted completely on a low trailer.

Manufactured Home: A factory built, dwelling that is manufactured under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act of 1974 and is transportable in one or more sections, is built on a permanent chassis and is used as a place of non-transient human habilitation.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, but not extending the full width of the structure, generally designed and constructed to provide protection from the weather.

Mineral Excavation: The excavation or extraction of any earth products of natural mineral deposit, including but not limited to limestone and dolomite, sand and gravel, rock and stone, salt, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas, except where such excavation is for purposes of grading for a building lot or roadway.

Mobile Home: A transportable, self-contained, dwelling designed for occupancy by one family and designed to be transported on its own wheels or on a flatbed or other trailer or detachable wheels and that may be temporarily or permanently affixed to land, and used for non-transient residential purposes.

Mobile Home Lot: A parcel of land within a mobile home park for the placement of a single mobile home and the exclusive use of its occupants.

Mobile Home Park: A parcel of land under single ownership that has been specifically planned and improved for the long-term placement of two or more mobile

homes for non-transient use, as regulated by the Mercer County Subdivision and Land Development Ordinance.

Modular Home: A manufactured home that requires extensive finishing (other than placement on a foundation and connection of utilities) and/or assembly, of which when finished, cannot be unassembled and is intended to become a permanent dwelling.

Multi-Family Dwelling: A building having two or more dwelling units and designed to be used or occupied as a residence by two or more families, each unit containing its own living, sleeping, housekeeping and sanitary facilities and each with its own exterior entrance door or own entrance door from an interior hallway.

No-Impact Home Based Business: A business or commercial activity administered or conducted as an accessory use that is clearly secondary to the use as a residential dwelling and that involves no customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises, in excess of those normally associated with a residential use.

Non-Agricultural Commercial Vehicle: For purposes of this Ordinance shall mean one licensed truck-tractor or one licensed trailer or a combination of one licensed truck trailer and one (1) licensed trailer that: a) has a gross weight of over twenty-six thousand (26,000) pounds (including combined weight if towed unit weighs over ten thousand (10,000) pounds); b) is designed to transport sixteen (16) or more persons including the driver; or c) is used to transport hazardous materials.

Non-Commercial Recreation: Recreational facilities operated as a non-profit enterprise by the Borough, and any other governmental entity, or any non-profit organization that are open to the general public.

Non-Conforming Building and/or Structure: A building and/or structure lawfully existing at the effective date of this Zoning Ordinance or by subsequent amendment thereto that does not completely conform with the area, height, and/or setback regulations and other provisions prescribed for the zoning district in which the lot is located.

Non-Conforming Lot: A lot lawfully existing at the effective date of this Zoning Ordinance or by subsequent amendment thereto that does not completely conform with the area regulations and other provisions prescribed for the zoning district in which the lot is located.

Non-Conforming Use: A use lawfully existing at the effective date of this Zoning Ordinance or by subsequent amendment thereto that does not meet the provisions, or is not a permitted use in the zoning district in which the use is located.

Nursery: An establishment that conducts the growth, display, trade, retail and/or wholesale of plants as well as accessory equipment used for planting and landscaping.

Nursing Home: A profit or nonprofit facility licensed by the Commonwealth of Pennsylvania providing long-term skilled nursing care and/or intermediate nursing care to the aged, ill, or disabled.

Owner: The duly authorized agent, attorney, purchaser, devisee, fiduciary, or any person having vested or contingent interest in the lot, building, or structure in question.

Parapet: The portion of a wall that extends above the roofline.

Parking Area: An off-street area, used to service a principal use on the same lot, for the temporary, daily, or overnight storage of vehicles.

Parking Lot: A facility providing off-street parking space for five or more vehicles.

Parking Space: A space, whether outside or inside a building and/or structure, to be used exclusively as a parking stall for one motor vehicle.

Party Wall: A wall common to but dividing contiguous buildings. Such wall shall contain no openings and extend from its footing below the finished grade to the roof.

Pennsylvania Municipalities Planning Code: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, as further amended by Act 209 of 1990, Act 131 of 1992, Act 67 and 68 of 2000, Act 43 of 2002, and including any further amendments.

Personal Care Home: A profit or nonprofit facility licensed by the Commonwealth of Pennsylvania providing lodging, food and some support services to the aged, ill, or disabled.

Personal Storage Unit: A building and/or structure or group of buildings and/or structures containing storage units or spaces intended to be rented or leased individually to persons and/or businesses for storage of their belongings and/or vehicles. A commercial/industrial warehouse containing storage space not generally available to the public for rent or lease shall not be considered a personal storage unit.

Plat: A map, plan, or chart of a section or subdivision of the Borough indicating the location and boundaries of individual lots.

Plot: A parcel of land consisting of one or more lots or portions thereof that is described by reference to a recorded plat or by metes and bounds.

Porch: A roofed over structure projecting from the front, side, or rear wall of a building and/or structure. A porch is considered a part of the principal building and/or structure and is not permitted to extend beyond any side or rear setback lines but may extend beyond the front setback line by no more than five feet.

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

Principal Building: A building in which is conducted the principal use of the lot on which it is located.

Principal Structure: A structure in which is conducted, or acting as the principal use of the lot on which it is located.

Principal Use: The main or primary purpose for which a building, other structure, and/or land is designed, arranged, or intended, or for which it may be used, occupied, or maintained under the Zoning Ordinance. All other uses on the same lot and incidental or supplemental thereto and permitted under this Zoning Ordinance, shall be considered accessory uses.

Rear Lot Line: The lot line opposite and most distant from the front lot line.

Recreational Vehicle: Any building, structure and/or vehicle designed and/or used for living, sleeping, and/or recreational purposes and equipped with wheels to facilitate movement from place to place.

Recreational Vehicle Park: A plot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes, as regulated by the Mercer County Subdivision and Land Development Ordinance.

Residential Floor Area: The total area of all floors of a building devoted solely to residential use as measured between interior faces of walls, and excluding entranceways, porches, breezeways, cellars, basements, garages and roofed terraces, whether enclosed or not.

Road: Any street, highway, or other public roadway that is dedicated to public use by governmental authority.

Roadside Stand: A temporary structure not permanently affixed to the ground or a building and/or structure and is readily removable in its entirety that is used for the display and sale of agricultural products and home made crafts.

Screening: A method of visually shielding or obscuring abutting or nearby buildings, structures or uses from another by fencing, walls, or densely planted vegetation.

Setback: The required distance that must be maintained between the road centerline and the nearest principal and/or accessory structure.

Sign: Any building, structure, object, device or display including, but not limited to, paintings, letters, words, numerals, symbols, pictures, images, figures, emblems, or any part or combination used to identify, advertise, and/or attract attention to a business, product, service, organization, event, or location.

Sign Face: The area or display surface used to display a sign.

Single-Family Dwelling: A building designed for and used exclusively for occupancy by one family.

Site: A plot of land intended or suitable for development.

Site Plan: A plan, drawn to scale, showing buildings, structures and uses both existing and proposed for a parcel of land.

Special Exception: A provision that permits, under specified terms and conditions, particular uses to locate in a zoning district without detriment to the routine and orderly development as provided for that zoning district. Special Exceptions are granted by the Zoning Hearing Board.

Story: A part of a building comprised between a floor and a floor or roof next above.

Street: Same as Road.

Structural Alteration: Any change in the supporting members of a building and/or structure, such as bearing walls, columns, beams and/or girders (other than incidental repairs) that would prolong the life of the building and/or structure.

Structure: Anything placed, erected, or constructed that requires locations on the ground or supported by, attached, or affixed to something having location on the ground.

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

Telecommunications Stealth Tower/Antenna: Telecommunications towers and antennas disguised to appear unrecognizable as an antenna or tower, be completely unseen, or located on a building (not an antenna structure) and aesthetically painted, constructed, or applied with material so that it is incorporated into the pattern, style, and material of the structure to effectively render the antenna unnoticeable. In the latter case, a new structure may be constructed to hold or house the antenna or equipment; however,

the structure must be consistent with the overall architectural features of the primary buildings.

Telecommunications Tower: A structure other than a building, such as a monopole, self-supporting, lattice or guyed tower, designed and used to support Communications Antennas, which shall not exceed 200 feet in height.

Township: Wolf Creek Township, unless otherwise stated.

Trailer: Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

Transient: Any individual residing or stopping in the municipality for less than 30 days at one time.

Utility (Public or Private): Any agency that, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar service; or, a closely regulated private enterprise with an exclusive franchise for providing a public service.

Variance: Relief granted by the Zoning Hearing Board, upon application in specific cases, from certain regulations and provisions of this Ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of the zoning regulations will result in unnecessary hardship, and so that the spirit of the zoning regulations will be observed and substantial justice done.

Veterinary Hospital: A building and/or structure designed or converted for the care and/or treatment of sick or injured domestic animals.

Visual Obstruction: Any building, structure, trailer, vegetation, or vehicle, or a combination thereof that limits visibility.

Written Notice: Shall have been served if delivered in person to the person intended or if delivered or sent by certified mail to the last known address of the person intended.

Yard: An unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Yard Sign: Any sign not supported by, affixed, attached or display on a building, and placed elsewhere on the lot.

Zoning Permit: A license issued by the Zoning Officer that permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Officer.

**ARTICLE XVI
EFFECTIVE DATE & ADOPTION**

SECTION 1600: EFFECTIVE DATE

This Zoning Ordinance shall take effect 30 days after the date of adoption by the Township Supervisors of Wolf Creek Township, Mercer County, Pennsylvania.

SECTION 1601: ADOPTION

We hereby certify that the Wolf Creek Township Zoning Ordinance was adopted by the Township Supervisors of Wolf Creek Township, Mercer County, Pennsylvania this _____ day of _____, A.D., _____.

Township of Wolf Creek, Mercer County, Pennsylvania

(SEAL)

CHAIRMAN- BOARD OF
SUPERVISORS

ATTEST:

MEMBER- BOARD OF SUPERVISORS

TOWNSHIP SECRETARY

MEMBER- BOARD OF SUPERVISORS

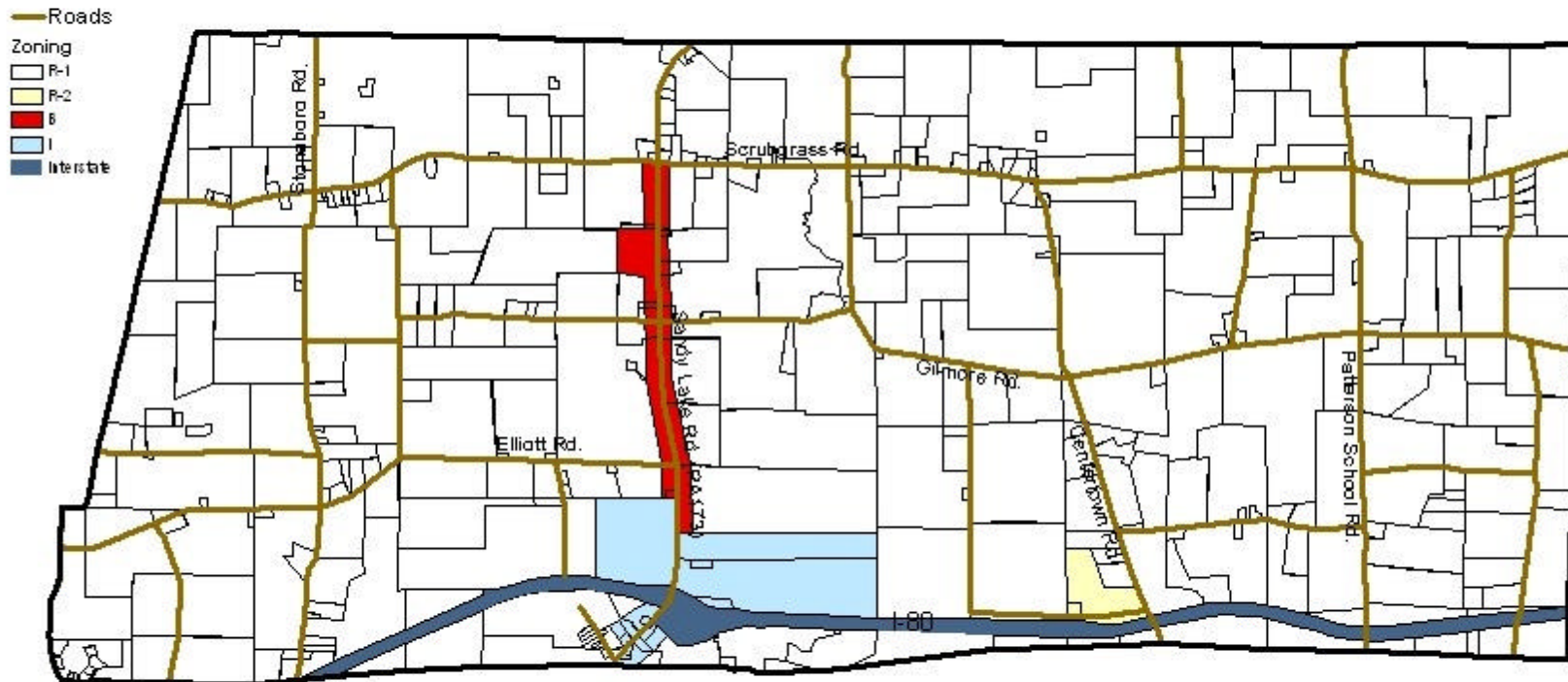
**ARTICLE XVII
CERTIFICATION**

SECTION 1700: CERTIFICATION

I do hereby certify that the foregoing is a true copy of Ordinance Number ____ - _____,
adopted by the Township Supervisors of Wolf Creek Township, Mercer County,
Pennsylvania, on _____, A.D., _____.

TOWNSHIP SECRETARY

Wolf Creek Township Zoning Map



June 2004
Source: MCRPC

Along Sandy Lake Road (Route 173), if the zoning district does not follow a property line, the depth of any "B" district shall be 300 feet and any "I" district 500 feet, measured from the road centerline

