

**TOWNSHIP OF HANOVER
DRAFT ZONING ORDINANCE**

Table of Contents

ARTICLE I TITLE, PURPOSE AND INTERPRETATION	6
§ 27-101 Short Title.	6
§ 27-102 Purpose.	6
§ 27-103 Zoning Permit and Occupancy Permit Required Prior to Land Use or Building Construction.	6
§ 27-104 Interpretation.	6
§ 27-105 Separability.	7
§ 27-106 Life of Permit.	7
ARTICLE II ZONING DEFINITIONS	8
§ 27-200 General.	8
§ 27-201 Specific Terms Defined.	8
ARTICLE III ZONING DISTRICTS	28
§ 27-300 Establishment of Districts.	28
§ 27-301 Classes of Districts.	28
§ 27-302 Zoning Map.	28
§ 27-303 Interpretation of District Boundaries.	28
§ 27-304 Uses Permitted in Zoning District.	29
§ 27-305 New Annexed Areas.	29
§ 27-306 Statement of Community Development Objectives and Legislative Intent.	29
ARTICLE IV DISTRICT USE, DIMENSION & OTHER RELATED REQUIREMENTS	31
§ 27-400 Designation of Allowable Uses.	31
§ 27-401 General Dimensional Requirements.	31
§ 27-402 Land Use and Dimensional Requirements.	31
§ 27-403 Exceptions to Minimum Lot Sizes.	31
§ 27-404 Lot Area or Yard Required.	32
§ 27-405 Front Yard Reduction.	32
§ 27-406 Yards on Corner Lots.	32
§ 27-407 Accessory Buildings.	32
§ 27-408 Permitted Projections Into Required Yards.	32
§ 27-409 Height Regulations; Fire Protection.	33
§ 27-410 Flood Hazard (FH) District Regulations.	33
ARTICLE V SUPPLEMENTAL REQUIREMENTS	34
§ 27-500 Traffic Visibility at Corners.	34
§ 27-501 Fences, Walls and Hedges.	34

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

§ 27-502 Public Swimming Pool.	34
§ 27-503 Private Swimming Pool.	34
§ 27-504 Noise Control.	35
§ 27-505 Control of Smoke, Dust and Dirt, Fumes, Vapors, Gases and Odors.	37
§ 27-506 Storage of Materials.	37
§ 27-507 Glare and Heat Control.	38
§ 27-508 Vibration Control.	38
§ 27-509 Radiation or Electrical Emissions, Radioactivity or Electrical Disturbance.	38
§ 27-510 Electric, Diesel, Gas or other Power.	38
§ 27-511 Wastes and Sewage.	38
§ 27-512 Buffer Yards.	38
§ 27-513 Highway Frontage Development.	39
§ 27-514 Alluvial Soil Area and Major Drainage Swale Area Regulations.	40
§ 27-515 Highway Safety Shelters.	41
§ 27-516. Screening in PUD, PIO and PC Districts.	42
§ 27-517. Storm Water Detention or Retention Ponds.	42
§ 27-518. Bird Hazards.	42
§ 27-519. Solar Energy Systems.	42
§ 27-520. Vehicle Repair Garages.	44
§ 27-521. Wireless Communications Facilities.	44
§ 27-522. Permanent Outdoor Storage of Materials and Equipment.	54
ARTICLE VI OFF-STREET PARKING AND LOADING	55
§ 27-600. Required Off-Street Parking Space.	55
§ 27-601. General Regulations Applying Required Off-Street Parking Facilities.	56
§ 27-602. Design Standards.	57
§ 27-602. Off-Street Loading.	58
§ 27-604. Design and Layout Off-Street Loading Facilities.	59
ARTICLE VII SIGNS	60
§ 27-700. Purpose.	60
§ 27-701. Permit Requirements for Signs.	60
§ 27-702. Signs Prohibited in All Districts	60
§ 27-703. Non-Conforming Signs.	61
§ 27-704. Area of Signs.	61
§ 27-705. General Sign Regulations.	62
§ 27-706. Signs Permitted In LU, FH and MR Districts.	63
§ 27-707. Signs Permitted in the PC and PUD Districts.	64

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

§ 27-708. Signs Permitted In PIO and AI Districts.	66
§ 27-709. Summary of Sign Area Regulations.	67
§ 27-710. Signs Adjacent to Expressways.	69
§ 27-711. Electronic Message Signs.	70
ARTICLE VIII PLANNED RESIDENTIAL DEVELOPMENT (PRD)	71
§ 27-800. Purposes.	71
§ 27-801. Eligibility Requirements.	71
§ 27-802. Land Use Control and Land Use Density Requirements.	72
§ 27-803. Site, Market and Impact Analysis.	75
§ 27-804. Site Design Requirements.	76
§ 27-805. Other Site Design Provisions.	79
§ 27-806. Ownership, Maintenance and Preservation of Common Open Space.	79
§ 27-807. Development Staging.	80
§ 27-808. Procedural Requirements.	80
§ 27-809. Enforcement and Modification of Provisions of the Plan.	87
ARTICLE IX PLANNED COMMERCE UNIT DEVELOPMENT	89
§ 27-900. Purpose.	89
§ 27-901. General Requirements.	89
§ 27-902. Plan Requirements.	89
§ 27-903. Function and Use Regulations.	90
§ 27-904. Area Regulations.	91
§ 27-905. Height Requirements.	92
§ 27-906. Off-Street Parking and Loading Requirements.	92
§ 27-907. Time Limit On Construction Permit.	93
§ 27-908. Development Plan Changes During Construction.	94
ARTICLE X PLANNED NEIGHBORHOOD CONVENIENCE CENTER	95
§ 27-1000. Authorization and Conditions.	95
ARTICLE XI SPECIAL EXCEPTION USE AND CONDITIONAL USE CONDITIONS	97
§ 27-1100. Purpose.	97
§ 27-1101. Procedure.	97
§ 27-1102. Conditions for Special Exception Uses or Conditional Uses.	98
§ 27-1103. Additional Conditions.	98
§ 27-1104. Specific Requirements for Special Exception Uses.	98
§ 27-1105. Specific Requirements for Conditional Uses.	114
ARTICLE XII NON-COMFORMITIES	116
§ 27-1200. Definitions.	116

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

§ 27-1201. Continuation.	116
§ 27-1202. Alteration or Extension.	116
§ 27-1203. Restoration.	116
§ 27-1204. Abandonment.	117
§ 27-1205. Changes.	117
§ 27-1206. District Changes.	117
§ 27-1207. Non-Conformities Constituting Airport Hazards.	117
ARTICLE XIII ADMINISTRATION	118
§ 27-1300. Zoning Officer - Duties and Powers.	118
§ 27-1301. Application Requirements for Zoning Permits.	119
§ 27-1302. Fees.	120
§ 27-1303. Life of a Permit.	120
ARTICLE XIV ZONING HEARING BOARD	121
§ 27-1400. Establishment of Board.	121
§ 27-1401. Organization of Board.	121
§ 27-1402. Public Hearings.	121
§ 27-1403. Jurisdiction.	123
§ 27-1404. Board Functions.	124
§ 27-1405. Rules and Procedures for Application to the Zoning Hearing Board.	126
§ 27-1406. Council Functions.	127
§ 27-1407. Validity of Ordinance; Substantive Questions; Landowner Curative Amendments.	127
§ 27-1408. Procedure to Obtain Preliminary Opinion.	130
ARTICLE XV AMENDMENTS, REMEDIES AND PENALTIES	131
§ 27-1500. Power of Amendment.	131
§ 27-1501. Initiation.	131
§ 27-1502. Notice of Hearings.	132
§ 27-1503. Vote on Amendment or Change.	132
§ 27-1504. Enforcement Notice.	132
§ 27-1505. Causes of Action.	133
§ 27-1506. Enforcement Penalties.	133
§ 27-1507. Complaints of Violations.	134
§ 27-1508. Repealer.	134
ARTICLE XVI	135
APPENDIX I ZONING MAP AMENDMENTS	135
APPENDIX II AIRPORT RELATED REGULATIONS (UPDATED)	137
§ 101 Authority; purposes.	137

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

§ 102 Definitions.	137
§ 103 Airport surface zones.	139
§ 104 Airport surface zone height limitations.	140
§ 105 Airport zoning requirements.	141
§ 106 Airport approach permits and variances.	141
§ 107 Enforcement; notification of variance.	142
§ 108 Acquisition of air rights.	143

**ARTICLE I
TITLE, PURPOSE AND INTERPRETATION**

§ 27-101 Short Title.

1. This Chapter shall be known as and may be cited as the Hanover Township Zoning Ordinance.
2. The word "Ordinance" when used in this Chapter shall be construed to mean this Chapter 27 unless the intent is clearly otherwise.

§ 27-102 Purpose.

The purpose of this Chapter is to promote public health, safety, morals or the general welfare of the present and future inhabitants of Hanover Township.

- A. Encouraging the most appropriate use of land.
- B. Preventing the overcrowding of land.
- C. Limiting population density
- D. Conserving the value of land and buildings.
- E. Lessening the congestion of traffic on the roads and highways.
- F. Providing for adequate light and air.
- G. Securing safety from fire, panic, flood or other dangers.
- H. Facilitating the adequate provision of transportation, vehicular parking, deliveries and loading space, water, sewerage, schools, parks and other public grounds and facilities.
- I. Giving reasonable consideration, among other things, to the character of all areas of the Township and their particular suitability for particular land uses.
- J. Giving effect to the policies, proposals and the statement of community development objectives contained in the Township Comprehensive Plan. The statement of community development goals and objectives is incorporated herein by reference to the goals, objectives and recommendations in the Township Comprehensive Plan.
- K. Promoting small business development and fostering a business-friendly environment in the Township.

§ 27-103 Zoning Permit and Occupancy Permit Required Prior to Land Use or Building Construction.

1. Hereafter, there shall be no use or development of any land, construction, erection, alteration, or addition of any building or part of a building, or land or construction or erection of any stationary sign unless a zoning permit has been approved and acquired from the Township Zoning Officer. Failure to obtain a zoning permit shall constitute a violation of this section.
2. Hereafter, there shall be no use of land or of any building or part of a building unless an occupancy permit has been approved by and acquired from the Township Zoning Officer. Failure to obtain an occupancy permit shall constitute a violation of this section.

§ 27-104 Interpretation.

In applying and interpreting the provisions of this section, they shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare. Where the provisions of any statute, ordinance or regulation impose greater restrictions than this section, the provisions of such statute, ordinance or regulation shall be controlling.

§ 27-105 Separability.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Chapter to be unconstitutional or invalid, such decision shall not affect the validity of the Chapter as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

§ 27-106 Life of Permit.

1. After the issuance of a zoning permit by the Zoning Officer, for Special Exception Use, Conditional use or Variance, any erection, construction, reconstruction, alteration, or moving of a building or other structure including a sign authorized by a permit, shall begin and be actively pursued, within 1 year after the date of issuance of the permit, and work shall be substantially completed within two years of the date of issuance of the permit.
2. Upon expiration of the time limits established in Section 27-106.1 herein, the approval by the Township shall expire and become null and void. The Applicant shall be required to apply for a new application, hearing, decision and or permit inclusive of the associated fees. Upon reapplication, the applicant shall be bound by the zoning regulations in effect at the time of reapplication and shall not have any vested rights in the pre-existing ordinances for improvements to the lot not yet started under the provision of the original permit.

**ARTICLE II
ZONING DEFINITIONS**

§ 27-200 General.

For the purpose of this Chapter, unless otherwise expressly stated, certain words and terms used herein shall be interpreted as follows:

- A. Words used in the present tense include the future.
- B. The Singular number includes the plural, and the plural number includes the singular.
- C. The word "person" includes a corporation, partnership, trust, organization, or association as well as an individual.
- D. The word "lot" includes the word "plot" or "parcel".
- E. The word "shall" is always mandatory, the word "may" is permissive.
- F. The word "structure" includes the word "building".
- G. The words "used" or "occupied" include the words "intended, arranged, or designed to be used or occupied".
- H. The word "Township" means Hanover Township, Lehigh County, Pennsylvania.
- I. The term "Township Council" means the Council of said Township.
- J. The term "Planning Commission" means the Planning Commission of said Township.
- K. The term "Board" means the Zoning Hearing Board of said Township unless otherwise stipulated.
- L. Any word or term not defined herein shall be used with a meaning of standard usage.

§ 27-201 Specific Terms Defined.

Any term or word not specifically defined in this Ordinance shall be interpreted according to its ordinary and customary meaning as found in *Merriam-Webster's Collegiate Dictionary*, latest edition, unless the context clearly indicates otherwise.

ACCESSORY BUILDING, STRUCTURE OR USE— A use or structure located on the same lot as the principal use and customarily incidental and subordinate to the principal use permitted in the zoning district. Accessory uses are clearly related to, and supportive of, the primary use of the property, and do not alter the character of the principal use or the property as a whole. This use shall not include additional dwelling units on a property with a dwelling as a principal use.

AGRIVOLTAICS - The dual use of land for agriculture and solar energy systems. This may include, but not be limited to, grazing, crops, livestock husbandry or other appropriate agricultural activities.

ALLEY—A public thoroughfare having a right-of-way width of 20 feet or less regardless of how named.

ALTERATION OF BUILDING—As applied to a building or structure, a change or rearrangement in the load-bearing and non-load-bearing members, resulting in the extension of any side or the increase in height. The moving of the building or structure from one location or position to another or the conversion of one use to another by virtue of interior change shall also constitute an alteration of building.

AUTOMOTIVE SERVICE STATION— An area where gasoline is dispensed into motor vehicles, and where no repairs are conducted, except work that may be conducted that is closely similar in character to the following: sale and installation of oil, lubricants, batteries and belts and similar accessories and safety and emission inspections, and sale of prepackaged propane. This use may include a convenience store, provided that all of the requirements for such use are also met. A business that maintains an accessory use of providing motor fuel only for use by vehicles operated by that business shall not, by itself, be considered to be an auto service station.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

AUTOMOBILE REPAIR GARAGES AND AUTO BODY SHOPS WITH ALL WORK PERFORMED IN AN ENCLOSED BUILDING—A facility where automobile repairs, maintenance, and bodywork are conducted entirely within an enclosed building. All mechanical, painting, welding, and related activities occur indoors, with no outdoor storage or work areas visible from adjacent properties or public rights-of-way.

AUTOMOBILE, TRUCK, MOBILE HOMES, BOAT OR RECREATIONAL VEHICLE SALES ESTABLISHMENTS COMPLETELY ENCLOSED IN BUILDINGS—Building used for indoor display, sale or rental of one or more of the following in operable condition: motor vehicles, recreation vehicles, boat trailers, farm machinery, motorcycles, trucks, utility trailers, construction vehicles, boats, or transportable mobile/manufactured homes in a livable condition. This use may include an auto repair garage as an accessory use provided that all requirements of such use are complied with.

AUTOMOBILE, TRUCK, MOBILE HOMES, BOAT OR RECREATIONAL VEHICLE SALES ESTABLISHMENTS—An area, other than a street, used for the outdoor or indoor display, sale or rental of one or more of the following in operable condition: motor vehicles, recreation vehicles, boat trailers, farm machinery, motorcycles, trucks, utility trailers, construction vehicles, boats, or transportable mobile/manufactured homes in a livable condition. This use may include an auto repair garage as an accessory use provided that all requirements of such use are complied with.

BANKS OR OTHER FINANCIAL INSTITUTIONS—An establishment engaged in providing financial services to the public, including but not limited to banks, savings and loan associations, credit unions, investment firms, and similar institutions. Such uses may offer services such as deposit banking, lending, financial advising, and safe deposit box rental. Drive-in or drive-through service may be permitted if specifically allowed in the zoning district.

BASEMENT—A story partly underground but having one-half or more of its height (measured from floor to ceiling) above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement or determining square footage, only if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or is used for business or as a dwelling unit.

BETTING PARLOR—An indoor establishment in which legal betting activities are conducted, including pari-mutuel wagering activities but excluding "games of chance" under the Local Option Small Games of Chance Act, 10 Pa. Stat. Ann. § 311 et seq. The term shall specifically include "non-primary locations" as defined in the Racehorse Industry Reform Act, as amended, 35 Pa. Stat. Ann. § 325.101 et seq.

BOARDING HOUSE—A building containing a single dwelling unit where lodging is provided with or without meals for three or more persons, who are not members of the operator's family, and by prearrangement for definite periods of time and for compensation, whether direct or indirect, but not to include rest homes or homes for the aged.

BUFFER STRIP—A row of plant materials or fencing providing a barrier to visibility, air borne particles, glare, noise or other potential adverse influences on or from adjacent areas.

BUFFER YARD—A yard area intended to provide separation between specified zoning districts at their boundaries, and consisting of grass, sod, ground cover and a buffer strip.

BUILDING—Any structure having a roof supported by columns, piers, or walls, including storage sheds, or having other support and any unroofed platform, terrace or porch having a vertical face higher than three feet above the level of the ground from which the height of the building is measured.

BUILDING AREA—The aggregate of the floor area of all enclosed and roofed spaces of the principal building and all accessory buildings. Such areas shall be computed by using outside building dimensions measured on a horizontal plane at ground level.

BUILDING COVERAGE—The percentage of the lot area covered by the ground level of a building.

BUILDING MATERIAL SALES YARD, INCLUDING THE SALES OF ROCK, SAND, GRAVEL AND THE LIKE AS AN INCIDENTAL PART OF THE MAIN BUSINESS; AND CONTRACTORS' EQUIPMENT STORAGE YARD OR PLANT—A facility where building and construction materials, such as rock, sand, gravel, lumber, and similar items, are stored and sold, with the sale of bulk materials permitted as an incidental part of the principal business. This use may also include the outdoor storage of construction equipment, machinery, and vehicles used by contractors, as well as a plant for the maintenance and preparation of such equipment and materials.

BULK STORAGE OF CHEMICALS, PETROLEUM PRODUCTS AND OTHER FLAMMABLE, EXPLOSIVE OR NOXIOUS MATERIALS—The storage of large quantities of chemicals, petroleum products, and other materials that are flammable, explosive, toxic, corrosive, or otherwise hazardous or noxious, typically in tanks, silos, or similar containers, whether above or below ground. Such storage facilities are subject to all applicable federal, state, and local safety, environmental, and fire protection regulations.

BUSINESS, ADMINISTRATIVE AND CORPORATE OFFICES—Establishments primarily engaged in the management, administration, and coordination of business operations, which may include executive, financial, marketing, human resources, and other administrative functions. Such offices are typically used for conducting business activities that do not involve on-site retail sales, manufacturing, or warehousing.

BUSINESS AND PROFESSIONAL SERVICES, INCLUDING BUSINESS OFFICES, REAL ESTATE AGENCIES, LAW, ENGINEERING, ACCOUNTING AND OTHER CONSULTANT OFFICES—Establishments engaged in providing professional, administrative, or consulting services to individuals, businesses, or institutions. This category includes, but is not limited to, business offices, real estate agencies, law firms, engineering firms, accounting offices, architectural services, and other similar professional or consulting practices. Such uses typically involve office-based operations with limited on-site client visits and no on-site retail sales or industrial activities.

CAR WASH— An area of land and/or structure equipped with hand-operated or automated facilities used primarily for cleaning, washing, polishing, or waxing motor vehicles, whether self-service or operated by attendants. This includes drive-through, automated, and manual washing facilities.

CASE-IN-CHIEF—The part of a public hearing in which the applicant presents evidence to support his claim or defense.

CELLAR—Part of a story, partly underground, and having more than one-half of its height (measured from floor to ceiling) below the average level of the adjoining ground. A cellar shall not be considered a story in determining the permissible number of units.

CEMETERIES—An area of land or buildings used for the burial of deceased humans, but not animals. The internment or scattering or remains of properly cremated humans is not regulated by this chapter.

CENTRALIZED SEWAGE DISPOSAL SYSTEM—A publicly-owned or privately owned utility system designed to collect, centrally treat and dispose of sewage from customers in compliance with the Pennsylvania Department of Environmental Protection's and Pennsylvania Public Utility Commission's regulations.

CENTRALIZED WATER SUPPLY SYSTEM—A publicly-owned or privately-owned utility system designed to transmit water from a common source(s) to customers in compliance with the Pennsylvania Department of Environmental Protection's and Pennsylvania Public Utility Commission's regulations.

CIVIC BUILDINGS, INCLUDING TOWNSHIP ADMINISTRATION BUILDING, COMMUNITY CENTERS, MUSEUMS, POST OFFICES, LIBRARIES, FIRE STATIONS, AND THE LIKE—Buildings and facilities owned or operated by a governmental entity or nonprofit organization and used to provide public services or cultural, educational, or community functions. Such uses include, but are not limited to, Township administration buildings, community centers, museums, post offices, libraries, fire stations, and similar facilities serving the general public.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

CLUB, LODGE OR SOCIAL BUILDING—A building to house a club or social organization not conducted for private profit and which is not an adjunct to or operated by or in connection with a public tavern, cafe or other public place.

COMMERCIAL MOTOR VEHICLE—Any vehicle other than a passenger car, station wagon, motorcycle or similar vehicle, and other than a pick-up or other truck with a gross vehicle weight of 10,000 pounds or less. Construction or other similar vehicles or equipment not designed and intended for passenger use or for on-the-road hauling shall be deemed commercial motor vehicles.

COMMERCIAL OUTDOOR RECREATION FACILITIES—Outdoor areas or structures, operated by private non-profit or private commercial entities, open to the public, which may contain entertainment and amusement devices or attractions, including but not limited to miniature golf, driving ranges, swimming pools, tennis courts and the like.

COMMERCIAL SOLAR ENERGY SYSTEM—A solar energy system designed to generate electricity for sale or other distribution beyond the lot on which it is generated. It is recognized that solar energy systems are designed to meet peak electricity requirements of the structures on the lot on which the system is located and, therefore, may have excess generating capacity beyond on-lot needs during non-peak hours. A system designed to meet reasonably anticipated peak electricity requirements of the structures on the lot shall not be considered a commercial generating system and excess energy generated by such system may be sold or otherwise diverted to off-site use; provided, that in no case can the excess energy generated annually exceed the annual total energy consumption of all uses on the lot on which the system is located.

COMPREHENSIVE PLAN—The official River Central Multi-Municipal Comprehensive Plan including recommendations for land use, transportation and community facilities.

CONDITIONAL USE—A use for which the Hanover Township Council may grant permission following a review and report of the Planning Commission, a public hearing and findings of fact consistent with the provisions of this Chapter, and provided that use complies with the specified conditions and standards outlined in this Chapter.

CONSTRUCTION—The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.

CONVERSION OF A SINGLE-FAMILY DWELLING OR OTHER BUILDING (into not more than two dwelling units)—One or two new dwelling units created within an existing single-family dwelling which does not change the exterior appearance of an already existing structural shell and does not extend the sides or increase the height of an existing structure.

CONVALESCENT AND NURSING HOMES—Facilities licensed by the state that provide housing and continuous nursing care, personal care, and rehabilitative services for individuals recovering from illness, injury, surgery, or those requiring long-term care. Such facilities typically offer 24-hour supervision, skilled nursing services, and assistance with daily living activities for three or more residents who are unable to care for themselves independently.

CORNER LOT—A lot which has an interior angle of less than 135 degrees at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at the points beginning with the lot or at the points of intersection of the side lot lines with the street right-of-way lines intersect at an interior angle of less than 135 degrees.

COUNTY PLANNING COMMISSION—The Joint Planning Commission of Lehigh and Northampton Counties also known as Lehigh Valley Planning Commission (LVPC).

COURT—An unobstructed open area, bounded on three or more sides by the walls of a building or buildings. It does not include any such area with no windows opening upon it.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

CREMATORY—A facility accessory to a funeral home or mortuary that contains properly installed and certified equipment designed and operated for the cremation of the deceased. Such equipment reduces remains to ashes through controlled burning, in compliance with all applicable health, safety, and environmental regulations.

DAY CARE HOMES AND CENTERS, AND NURSERY SCHOOLS—Facilities providing non-residential care, supervision, and educational or recreational activities for children under the age of 16 for part of a day, typically less than 18 hours per child during the average day. This category includes:

- 1) Day Care Homes: Small-scale childcare provided in a private residence, typically for a limited number of children, as regulated by Commonwealth of Pennsylvania licensing requirements.^{1,3}
- 2) Day Care Centers: Larger facilities, not located in a residence, designed and operated for the care and supervision of groups of children, as regulated by Commonwealth of Pennsylvania licensing requirements.²
- 3) Nursery Schools: Facilities providing early childhood education programs, which may or may not include child care services, such as preschools and Head Start programs.

DECORATIVE LIGHTING SES—A solar energy system providing power exclusively for a light to which it is attached, together not more than 2 feet in height, providing illumination for driveways, sidewalks and landscaping decor.

DEVELOPER—Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

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

DRIVE-IN SERVICE PLACES—An establishment or activity where patrons are served with food, soft drinks, ice cream and similar confections or where patrons are provided professional or personal services for consumption outside the confines of the principal building or in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided for the patrons. Drive-in theaters shall not be included.

DRY CLEANING PLANTS—A facility where clothing and other fabrics are professionally cleaned using chemical solvents rather than water. This use includes the cleaning, pressing, and finishing of garments and textiles and may involve on-site processing of items collected from retail dry cleaning drop-off locations. Environmental, health, and safety regulations apply to the operation and disposal of cleaning solvents.

DWELLING UNIT—A room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family or group of unrelated people who need supervised living arrangements or care.

DWELLING UNIT IN CONJUNCTION WITH A PRINCIPAL NON-RESIDENTIAL USE—A dwelling unit located on the same lot and within the same structure or complex as a principal non-residential use, and occupied by the owner, operator, caretaker, or employee of the principal use, where the dwelling is clearly incidental and subordinate to the primary non-residential function of the property.

¹ Pa. Code, Chapter 3280: Group Child Care Homes

² Pa. Code, Chapter 3270: Child Care Centers

³ Pa. Code, Chapter 3290: Family Child Care Homes

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

EARLY SUPPRESSION FAST RESPONSE (ESFR) SPRINKLER SYSTEM—As defined in the National Fire Protection Association Standard for the Installation of Sprinkler Systems (2019 Edition and as amended).

EATING AND DRINKING PLACES, NOT INCLUDING DRIVE-IN SERVICE—Establishments primarily engaged in the preparation and sale of food and beverages for on-premises consumption or take-out, including restaurants, cafés, coffee shops, bars, and similar uses. This definition excludes establishments with drive-in or drive-through service where customers are served while remaining in their vehicles.

EATING AND DRINKING PLACES WITH DRIVE-IN SERVICE—Establishments primarily engaged in the preparation and sale of food and beverages for on-premises consumption, take-out, or consumption off-site, which include drive-in or drive-through service facilities allowing customers to order and receive products while remaining in their vehicles. This category includes fast-food restaurants, coffee shops, and similar establishments offering drive-in service.

ELECTRONIC MESSAGE SIGN (EMS)—Any sign, display, device or portion thereof with messages, images or symbols created by lights, light emitting diodes, liquid crystal components, neon or plasma light segments, or similar devices or various combinations of the same that change at intermittent intervals by electronic process or remote control. Electronic Message Sign (EMS) does not include instructional or other messages of letters less than one inch in height displayed on fuel pumps, drive-through facilities or other outdoor appliances. A sign that changes no more than one time in any 24-hour period shall not be considered an electronic message sign.

ESSENTIAL SERVICES—Utility or municipal uses that are necessary for the preservation of the public health and safety and that are routine, customary and appropriate to the character of the area in which they are to be located. Essential services shall not include a central sewage treatment plant, a solid waste disposal area or facility, commercial communications towers, a power generating station, septic or sludge disposal, offices, storage of trucks or equipment or bulk storage of materials.

EXPRESSWAY—A limited access highway with no intersections or other cross streets or direct access from abutting lots.

FACADE—The total wall surface, including door and window area, of a building's principal face. In the case of corner buildings which front on more than one street, only one face shall be used to calculate facade area.

FAMILY— One or more people occupy a single dwelling unit and living together as a single housekeeping unit, sharing common living, cooking, and eating facilities. Such persons may be related by blood, marriage, adoption, foster arrangement, or other recognized domestic bond, or may be a group of no more than three (3) unrelated persons living together in a manner similar to a traditional family. This use shall also include any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C. 3601 e.t seq., as now or hereafter amended) living together in a group living arrangement with supervision, provided those persons do not have a criminal record. Family shall not include persons living together in a group home, assisted living facility, or nursing home, as defined herein, or any other supervised group living arrangement for persons other than those protected by the Fair Housing Act.

FENCE—An artificially constructed barrier of wood, masonry, stone, wire, metal or other manufactured material or combination of materials erected other than an absorptive sound mitigation barrier or other structure erected in accordance with Section 22-504.

FLOOD—A temporary inundation of normally dry land areas.

FLOWER AND VEGETABLE GARDENING, OUTDOOR PLANT NURSERIES WITH NO BUILDINGS OR STRUCTURES—A land use involving the outdoor cultivation and sale of plants, shrubs, and trees for transplantation, where all activities, including retail sales, are conducted without permanent buildings or enclosed structures. Temporary structures such as shade cloths, hoop houses, or tents may be permitted as incidental to the primary use.

FOOD MARKETS AND NEIGHBORHOOD GROCERY STORES—Retail establishments primarily engaged in the sale of food and household items for off-site consumption or use. This category includes supermarkets, food markets, and small-scale neighborhood grocery stores offering a range of products such as fresh produce, dairy, baked goods, packaged foods, beverages, and household essentials. Such uses may also include accessory sales of prepared foods for take-out consumption.

FOOD PROCESSING, PREPARATION, PACKAGING AND RELATED DISTRIBUTION—A food processing business combining elements associated with the handling, storage, packaging, labeling, preserving, preparation and processing of food and beverages, assembly of raw or cooked food products for packaged meals or specialty products, with ancillary distribution activities for wholesale sale, prepared or processed food order fulfillment, or contract processing. No retail sales or food consumption is permitted on the premises. Storage and distribution shall be only for the types of activities referenced herein. These facilities do not include slaughtering activities.

FORESTRY EXCLUDING BUILDINGS, STRUCTURES AND OPEN STORAGE—The management and cultivation of forest land for the production of timber and other forest products, including the conservation and maintenance of wooded areas, but excluding buildings, structures, processing facilities, and open storage of materials or equipment.

FIRING RANGE—A firing range operated as an accessory or necessary facility for manufacturers of firearms or munitions components, used for testing, quality control, or product development. Such ranges are typically located within or adjacent to manufacturing facilities and must comply with all applicable safety, noise, and environmental regulations.

1. **INDOOR FIRING RANGE**—A firing range located entirely within an enclosed building, designed to prevent projectiles from leaving the structure and to control noise, lead dust, and other emissions. Such facilities typically include soundproofing, ventilation systems, and ballistic containment. Indoor firing ranges are permitted only where explicitly allowed and must comply with all applicable federal, state, and local safety and environmental regulations.
2. **OUTDOOR FIRING RANGE**—A firing range that is not fully enclosed within a building and is typically open to the elements. Outdoor firing ranges include areas for target practice, skeet shooting, trap shooting, or similar activities. Such facilities must include safety berms, backstops, noise mitigation measures, and be located at a minimum distance from residential uses or other sensitive areas as prescribed by ordinance.

FUNERAL HOMES, MORTUARIES—A facility licensed by the appropriate state authority where professional services related to the care, preparation, viewing, and funeral rites of the deceased are conducted. Such establishments may provide embalming, cremation, and arrangement services, and may include chapels or gathering spaces for funeral ceremonies.

GOVERNMENTAL USES—Municipal, County, State or Federal government buildings or facilities designed and intended to be occupied by the government or designed and intended for public use sponsored by such governments.

GROSS HABITABLE FLOOR AREA—The sum of the gross horizontal areas of the floor or floors of a building which are enclosed and usable for human occupancy. Said areas shall be measured between the inside face of exterior walls.

GROUND-MOUNTED SOLAR ENERGY SYSTEM—A solar energy system which is supported in whole or part by anything other than a primary building or accessory building, such as a solar energy system mounted on the ground, parking lot, tree, signpost. etc., not including a pole-mounted solar panel.

HANDICAP—A physical or mental impairment which substantially limits one or more of such person's major life activities, a record of having such an impairment or being regarded as having such an impairment, but such term does not include illegal use of or addition to a controlled substance.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

HEIGHT OF BUILDING OR STRUCTURE—The vertical distance derived from the average finished grade at the foundation corners of the building or structure, to the highest point of the building or structure excluding a chimney or other similar structure.

HELICOPTER—A rotorcraft that, for its horizontal motion, depends on its engine-driven rotors.

HELIPORT—An area of land, water or a structural surface which is designed, used or intended to be used for the landing and take-off of helicopters.

1. **PUBLIC USE HELIPORT**—Any heliport open to the general public and not requiring prior permission of the owner and/or operator to land.
2. **PRIVATE USE HELIPORT**—Any heliport that restricts usage to the owner and/or operator or to persons authorized by the owner and/or operator.
3. **PERSONAL USE HELIPORT**—Any heliport used exclusively by the owner and/or operator.

HOME OCCUPATION— Any use, not otherwise defined as a No-Impact Home-Based Business, that is customarily conducted entirely within a dwelling provided the use is clearly incidental and secondary to the residential use of the dwelling, the exterior appearance of the structure and premises is maintained in a manner consistent with a residential dwelling, and no goods are publicly displayed on the premises except for a permitted sign in accordance with this Ordinance.

HOSPITAL—A building used for the diagnosis, treatment or other care of human ailments, unless otherwise specified. A hospital shall be deemed to include a sanitarium, clinic, convalescent home, nursing home, rest home, or other building with an equivalent appellation.

HOTEL, MOTEL, MOTOR INN—A building containing 10 or more guest rooms, or a group of such buildings especially designed for the temporary lodging of transient guests, provided that no room shall have cooking facilities of any kind. Such establishment shall furnish to the occupants customary hotel services such as maid service, and the furnishing and laundering of linen. Eating and drinking facilities may be accessory to the hotel or motel.

HOUSEHOLD PETS—Domestic animals normally considered to be kept in or in conjunction with a dwelling unit for the pleasures of the resident family, such as dogs, cats, small birds, gerbils and other similar pets normally sold by retail pet stores.

INDOOR RECREATION FACILITIES, INCLUDING, BUT NOT LIMITED TO, BOWLING ALLEYS, THEATERS, SKATING RINKS, TENNIS COURTS AND THE LIKE—Indoor areas or structures, operated by private non-profit or private commercial entities, open to the public, which may contain entertainment and amusement devices including games of skill or games of chance or attractions, including but not limited to bowling alleys, theaters, skating rinks, tennis courts and the like.

INDOOR WHOLESALE AND WAREHOUSE ACTIVITIES INVOLVING PRODUCTS AND SERVICES OF OTHER ALLOWABLE USES IN THE DISTRICT—Indoor facilities used for the storage, handling, and wholesale distribution of products and materials associated with other uses permitted in the zoning district. These activities are conducted entirely within a building and do not include retail sales directly to the public unless otherwise allowed.

INTENSE OFFICE USES—General business offices in which the highest number of employees during any shift exceeds one employee for every 200 square feet of gross floor area of the office.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

LANDOWNER—The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LIGHT METAL PROCESSING—Industrial operations involving the machining, finishing, grinding, polishing, stamping, or extrusion of metals to produce small-scale or light metal products. Typical products include costume jewelry, kitchen utensils, hand tools, bolts, nuts, and similar hardware. Such uses are limited to light manufacturing processes that do not produce significant noise, vibration, emissions, or other impacts beyond the property boundaries.

LOT—A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. (Pa. MPC)

Or

A designated parcel, tract, or area of land established by a plat, subdivision, or otherwise legally described and recorded in the Office of the Recorder of Deeds, which is intended to be separately owned, used, developed, or built upon as a single unit. A lot shall have frontage on a public street or on an approved private street and shall meet the minimum dimensional requirements of this Ordinance

LOT AREA—An area of land which is determined by the limits of the property lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a street right-of-way or other public easement or right-of-way shall not be included in calculating lot area.

LOT COVERAGE—That percentage of the lot area which may be covered by impervious material including buildings, driveways, parking areas, walks, and any other surface that prohibits the absorption of stormwater and ground-mounted solar energy systems (“SES”). An SES shall be that area within the perimeter of a solar panel array, not the individual solar panels.

LOT DEPTH—The distance along a straight line drawn from the midpoint of the front lot line to the mid-point of the rear lot line.

LOT FRONTAGE—A property line or portion thereof which is co-existent with a street line. In the case of a street of undefined width, said property line shall be assumed to parallel the center line of the street at a distance not less than 28.5 feet therefrom.

LOT, INTERIOR—A lot other than a corner lot.

LOT LINE—A line forming the front, rear or sides of lots or parcels of property as described in the recorded title.

LOT LINE, FRONT—The street line at the front of a lot. In the case of a corner or a through lot, the owner may designate either street line as the front lot line; the lot line opposite the front lot line shall be considered the rear lot line

LOT LINE, REAR—Any lot line which is parallel to or within 45 degrees of being parallel to, and which is farthest from a street line, **LOT LINE, SIDE**—any lot line not a front lot line nor a rear lot line.

LOT, WIDTH—The distance between straight lines connecting the ends of the front and rear lot lines measured at the required building setback lines.

LOW-RISE APARTMENTS—A residential structure (not including single family attached dwellings) with a maximum height of three stories or 35 feet, with three or more dwelling units for rent or sale.

MANUFACTURE OF CERAMIC PRODUCTS AND BUILDING MATERIALS USING ONLY PREVIOUSLY PULVERIZED CLAY AND KILNS FIRED BY ELECTRICITY OR GAS—The manufacturing of ceramic products and building materials using only previously pulverized clay and kilns fueled exclusively by electricity or gas. This use is limited to processes that do not involve large-scale extraction, crushing, or processing of raw clay or the use of coal or oil-fired kilns, thereby minimizing emissions, dust, and industrial impacts on surrounding properties.

MANUFACTURING OR ASSEMBLING PREPARED MATERIALS—Manufacturing or assembling products from prepared materials, including but not limited to musical instruments, clocks or watches, toys, novelties, electrical appliances, electronic devices, office equipment, light sheet metal products, machine tools, and machinery. Such operations do not involve the use of punch presses exceeding 100 tons rated capacity or drop hammers and are limited to light industrial processes that minimize noise, vibration, and environmental impacts.

MANUFACTURING, COMPOUNDING OR ASSEMBLING OF ARTICLES—Facilities engaged in the manufacturing, compounding, or assembling of articles from prepared materials such as bone or shell; cellophane; fur; glass; leather; plastics; precious or semi-precious metals or stones; rubber; textiles or cloth products; tobacco; and wood or wood products. These operations use pre-processed raw materials and are generally limited to light manufacturing processes with minimal environmental impact.

MANUFACTURING, COMPOUNDING, PROCESSING, OR PACKAGING—Facilities engaged in the manufacturing, compounding, processing, or packaging of food products, cosmetics, toiletries, and pharmaceuticals. This definition excludes operations involving fish and meat products, vinegar, yeast production, and the rendering or refining of fats and oils. Such uses typically involve the use of prepared raw materials and are subject to applicable health and safety regulations.

MEDICAL OR DENTAL OFFICES OR CLINICS FOR OUTPATIENT TREATMENT, INCLUDING ACCESSORY LABORATORY FACILITIES—Facilities providing outpatient medical or dental services, including diagnosis, treatment, and consultation by licensed practitioners. Such offices or clinics may include accessory laboratory facilities necessary for the provision of diagnostic or therapeutic services but do not provide overnight or inpatient care.

MINIMUM HABITABLE FLOOR AREA—The minimum required floor area of a dwelling unit which is enclosed and usable for human occupancy. Said areas shall be measured from the inside face of all walls and shall not include areas not normally used as dwelling spaces such as cellars and garages, air shafts, plumbing shafts and mechanical equipment rooms.

MOBILE HOME—A single family detached dwelling unit manufactured in one complete section, designed for long-term occupancy containing sleeping accommodations, a flush toilet, a bath or shower, kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; and designed to be transported, after fabrication, on its own wheels, or on flatbed or other trailers; arriving at the site where it is to be occupied as a complete dwelling, which may include major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations. For purposes of this Part, modular and sectional dwelling units and travel trailers are not considered as mobile homes, except in those portions of this Chapter dealing with flood plain hazards and management.

MOBILE HOME PARKS—A parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for non transient residential use.

MODULAR OR SECTIONAL DWELLING UNIT—A single family detached dwelling unit manufactured in two or more sections designed for permanent occupancy and transported to a building site in sections which are fastened together and mounted on a permanent foundation ready for occupancy except for minor and incidental unpacking and assembly operation. For purposes of this Chapter, modular or sectional dwelling units include pre-fabricated and other similar types, but mobile homes and travel trailers are not considered as modular or sectional dwelling units. For purposes of this

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

Chapter, modular or sectional dwelling units may be single family detached, single family attached or multi-family dwellings.

MULTI-FAMILY DWELLING—A dwelling unit in a building or group of buildings containing three or more dwelling units as in low-rise apartments.

NO-IMPACT HOME BASED BUSINESS—A business or commercial activity administered or conducted as an accessory use, which is clearly secondary to the use as a residential dwelling and which involves neither customer, client, or patient traffic, nor pickup, delivery, or removal functions in excess of those normally associated with residential use. Business or commercial activity must satisfy each of the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses;
- (2) The business shall employ no employees other than family members residing in the dwelling;
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature;
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights;
- (5) The business activity may not use any equipment or process that creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood;
- (6) The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood;
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area; and
- (8) The business may not involve any illegal activity.

NON-CONFORMING LOT—A lot of record existing at the date of adoption of this Zoning Chapter or due to subsequent zoning amendment, which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NON-CONFORMING SIGN—A sign which does not conform to the controls regulating signs in this Chapter.

NON-CONFORMING STRUCTURE—A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NON-CONFORMING USE—A use whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NURSERIES—The cultivation and growing of flowers, trees, and shrubs on a lot for non-commercial purposes, not involving the sale of plant material on the premises. May include open or temporary structures such as shade frames or cold frames, but excludes permanent buildings and retail sales.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

ONE HUNDRED YEAR. FLOOD—A flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1% chance of occurring each year, although the flood may occur in any year).

OPEN LOT—An unoccupied area open to the sky, usually in a natural state, but including squares, plazas and formal gardens. Also the unoccupied area open to the sky on the same lot with a principal and/or accessory building.

PARKS, RECREATION AREAS, HISTORIC AREAS AND CONSERVATION AREAS—Publicly or privately owned and operated areas designated for recreation, historic preservation, or natural resource conservation, which may include open spaces, open structures and enclosed structures. Such areas may contain amenities or facilities such as open-air structures (including but not limited to pavilions, gazebos, amphitheaters, picnic shelters, observation decks, and pergolas) or enclosed structures (including but not limited to visitor centers, museums, historic buildings, restrooms, maintenance facilities, greenhouses, or similar enclosed structures) that support the primary recreational, educational, cultural, or conservation purposes of the site.

PARKING SPACE—A stall or berth used for parking motor vehicles, the area of which is not less than 180 square feet exclusive of a street or alley and to which there is access from a street or alley.

PARKING STRUCTURES—Structures designed and used for the temporary parking of motor vehicles. Such facilities may be accessory to a principal use on the same lot or operated as a principal use providing parking for the general public or specific users.

PAVED SURFACE PARKING LOTS—An area of land improved with a hard, durable surface such as asphalt or concrete and designed for the temporary parking of motor vehicles. Such lots may serve as either a principal use or an accessory use to a permitted principal use on the same lot.

PERMANENT OUTDOOR STORAGE OF MATERIALS AND EQUIPMENT—The long-term or continuous keeping of materials, equipment, merchandise, or similar items in an unroofed area as part of a principal or accessory use. Such storage is subject to the applicable standards and additional requirements of this Ordinance, including but not limited to screening, location, surfacing, and maintenance provisions.

PERMIT—Permit means a zoning permit issued pursuant to this section unless some other type of permit is indicated from the context of the section.

PERSONAL SERVICE ESTABLISHMENTS—Places primarily providing services, which do not involve retail sales or professional advisory services, oriented to serving personal needs such as barber and beauty shops, shoe repair shops, household appliance repair shops, dry cleaning and laundry pick-ups, shoeshine parlors and other similar establishments.

PERSONAL SERVICES AND CONVENIENCE RETAIL STORES—Establishments providing services and retail sales that cater to everyday personal needs and convenience shopping. This category includes beauty salons, barber shops, shoe repair shops, watch repair, small appliance repairs, dry cleaning and laundry services, tailoring, and similar businesses. Such uses typically involve direct customer interaction and do not include large-scale retail operations.

PLACE OF ASSEMBLY—A building or property operated by a recognized community organization or open to the public where community members or the general public may gather for activities, social support, information, or exhibits of a cultural interest, such as a museum, art gallery, nature study area and other purposes.

PLACES OF WORSHIP—Buildings and sites such as churches, synagogues, temples, mosques, shrines, monasteries, seminaries, religious retreats, or similar places, used primarily for religious and/or spiritual worship, instruction, or fellowship, and operated for nonprofit and noncommercial purposes. Accessory uses may include meeting rooms, classrooms, and fellowship halls. Religious uses that are primarily residential in nature, including but not limited to rectories, parsonages, convents or similar types of religious based housing, shall be regulated under the applicable dwelling unit type.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

PLAN (CERTIFIED)—A plan prepared by a registered professional engineer, registered architect, registered landscape architect or registered professional land surveyor.

PLANNED AIRPORT DEVELOPMENT—A totally planned development necessary and appropriate for the function of an airport, combined in a single, unified development project including such uses as air passenger terminals, passenger services, general aviation sales and services, corporate aircraft facilities, and other activities which are functionally dependent upon or related to air transportation.

PLANNED BUSINESS CENTER DEVELOPMENT—A business and shopping area of integrated design and development and including, but not limited to, such uses as retail shops, personal service establishments, professional and business offices, banks, post office, restaurants, theaters and auditoriums, and housed in an enclosed building or buildings and utilizing such common facilities as customer parking, pedestrian walks, loading and unloading space, utilities and sanitary facilities.

PLANNED COMMERCE UNIT DEVELOPMENT—A planned commerce-business area where multiple yet distinct land uses are combined into a single unified development project, to encourage a planned arrangement of individually owned and operated uses within complementary functional categories, including professional and business offices, retail sales and commercial services, lodging, recreation/leisure time and specialized commercial business.

PLANNED INDUSTRIAL PARKS—A deliberately designed and developed tract of land intended for industrial uses, incorporating multiple industrial buildings and facilities as part of a coordinated development plan. Planned industrial parks typically include shared infrastructure such as roadways, utilities, landscaping, parking, and stormwater management, and are designed to accommodate manufacturing, warehousing, distribution, and related industrial activities while minimizing adverse impacts on surrounding areas.

PLANNED NEIGHBORHOOD CONVENIENCE CENTER—A totally planned commercial development on contiguous land under single ownership or control intended and planned to primarily serve the daily and convenient shopping and personal needs of nearby residential developments.

PLANNED RESIDENTIAL DEVELOPMENT—A contiguous area of land, controlled by a “landowner” to be developed as a comprehensively planned entity for a number of dwelling units, the plan for which does not necessarily correspond in lot size, bulk, or type of dwelling, density, lot coverage or required open space to the regulations in any one residential district established by any article of this Zoning Chapter. In the above definitions, “landowner” shall mean the legal or beneficial owner or owners of all the land proposed to be included in a Planned Residential Development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than 40 years, or other person having an enforceable proprietary interest in such land, shall be deemed to be a landowner.

POLE BUILDING—A structure resting on point footers (non-contiguous footers) at supporting columns without a supporting foundation under the perimeter walls of the structure.

POLE-MOUNTED SOLAR PANEL—A solar panel or panels mounted on a pole with a total area of not more than 8 square feet, for the exclusive purpose of providing energy to - i) heating for a pool, or ii) power for a system of outdoor lights, or iii) any phone, camera, lighting fixture or similar device mounted on such pole.

PRINCIPAL BUILDING, STRUCTURE OR USE—A structure or use in which is conducted the main or principal use of the lot on which said structure or use is located.

PRIVATE COMMERCIAL EDUCATION INSTITUTIONS INCLUDING SCHOOLS FOR DANCE, MUSIC, ART AND DRAMA—Facilities operated as private, for-profit businesses that provide specialized instruction in areas such as dance, music, art, drama, and similar disciplines. These institutions are not accredited primary or secondary schools but offer enrichment or skill-based education to individuals or groups, typically on a part-time basis.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

PRIVATE OR MEMBERSHIP CLUBS OR LODGES NOT OPERATED COMMERCIALY OR CONDUCTED PRIMARILY AS A BUSINESS ENTERPRISE—An establishment operated by a private organization or membership group, not conducted primarily as a business enterprise or for commercial profit, and intended for the exclusive use of members and their guests. Such facilities may include meeting rooms, dining areas, recreational amenities, or similar spaces for social, cultural, educational, or recreational activities.

PROFESSIONAL OFFICES—Offices of members of a recognized profession maintained for the conduct of such professions. Such professions shall be limited to those of medicine (but not veterinary medicine), law, architecture, city planning, engineering, real estate, insurance, accounting, art, music, religion and other professions which require a similar degree of training and experience.

PROTECTED CLASS—Includes handicapped or disabled persons.

PUBLIC HEARING—A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

PUBLIC MEETING—A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, NO. 84), as amended, known as the “Sunshine Act.”

PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH OR HIGH SCHOOL—A public or private educational institution offering instruction at the elementary, middle, junior high, or high school level, as defined by applicable state education regulations. Such schools provide a curriculum of basic academic instruction and may include related facilities such as playgrounds, athletic fields, auditoriums, and administrative offices.

PUBLIC NOTICE—Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication of the notice shall be no more than 30 days and the second publication shall be not less than 7 days from the date of the hearing.

PUBLIC UTILITY FACILITY—Buildings, structures, and facilities used for the generation, transmission, distribution, or regulation of utility services furnished to the public, including but not limited to water supply, sewage treatment, electricity, natural gas, telephone, telecommunications, cable television, and similar services. This definition excludes administrative offices and does not include wireless communication towers unless otherwise specified.

PUBLIC UTILITY INSTALLATION—Hydroelectric and electric lines, power plants and electric sub-stations, pumping and boosting stations, pipelines, sewage treatment plants, water plants, telephone service and other similar facilities necessary to serve demonstrated public needs.

RAILROAD FACILITIES—Properties, structures, and equipment used for the operation, maintenance, and support of railroad transportation. This includes railroad tracks, yards, switching stations, depots, terminals, maintenance shops, freight handling and storage areas, and related infrastructure necessary for the movement of passengers and freight by rail.

RESEARCH, EXPERIMENTAL OR TESTING LABORATORIES—Facilities dedicated to scientific research, experimentation, analysis, and testing activities. Such laboratories may conduct research in fields such as biology, chemistry, physics, engineering, or technology, and may include prototype development and product testing. Operations are typically conducted indoors and are designed to minimize noise, emissions, and other environmental impacts on surrounding properties.

REAR DWELLING—A dwelling located on the same lot and to the rear of the principal building for which the lot is used.

RECREATION FACILITIES INTENDED PRIMARILY TO SERVE RESIDENTS OF A RESIDENTIAL DEVELOPMENT—Recreation areas and amenities intended primarily for the use and enjoyment of residents of a specific residential development and their guests. Such facilities may include, but are not limited to, playgrounds, sports courts, swimming pools, clubhouses, trails, and picnic areas, and are accessory to the residential use of the development.

RECREATIONAL VEHICLE OR UNIT—A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure time or recreational use. Recreational vehicles or units include travel trailers, truck-mounted campers, motor homes, folding tent campers and autos, buses or trucks adapted for vacation use and other vehicles not suitable for daily conventional family transportation, snowmobiles, mini-bikes, all-terrain vehicles, go-carts and boat trailers are also deemed to be recreational vehicles.

REGULATORY FLOOD ELEVATION—The 100-year flood elevation plus a freeboard safety factor of 1 1/2 feet.

RETAIL STORES FOR HARDWARE, DAIRY PRODUCTS, DRUGS, MEAT, CLOTHING FURNITURE AND THE LIKE—Retail establishments primarily engaged in the sale of specific categories of goods such as hardware, dairy products, pharmaceuticals, fresh and processed meats, clothing, furniture, and comparable merchandise. These stores serve the general public and may vary in size from small neighborhood shops to larger specialty stores.

SELF STORAGE—A facility consisting of a building or group of buildings divided into individual units available for rent or lease to the general public for the storage of personal, household, or business items. Access to storage units is typically provided directly to tenants, with limited on-site business operations.

SETBACK LINE—A line which, between it and the street or lot line, no building, structure or use or portion thereof, except as provided in this Zoning Chapter may be erected or occupied above or below grade. The setback line is considered to be a vertical surface intersecting the ground along such line.

SINGLE FAMILY ATTACHED DWELLING—A building, commonly known as a townhouse, designed for and occupied exclusively as a residence for only one family and having i) only one dwelling unit from ground to roof, ii) independent outside access, iii) at least two other dwellings built in conjunction therewith and iv) any portion of two walls in common with an adjoining building.

SINGLE FAMILY DETACHED DWELLING—A building, commonly known as a single family house, designed for and occupied exclusively as a residence having i) only one dwelling unit from ground to roof, ii) independent outside access and iii) open space on all sides. Where a private garage is structurally attached to such a dwelling, it shall be considered as a part thereof.

SINGLE FAMILY SEMI-DETACHED SIDE-BY-SIDE—A residential building designed for and occupied exclusively as a residence for one family, which: i) contains only one dwelling unit extending from ground to roof; ii) has independent exterior access; iii) shares one common wall with one other dwelling unit located on an abutting lot; and iv) is located side-by-side with the adjoining unit, each on its own separate lot with open space on the remaining sides.

BILLBOARD — A large outdoor sign, structure, or surface, typically located on private or public property, used primarily for the display of commercial advertising or promotional messages visible from public rights-of-way or adjoining properties, often designed to attract the attention of passing motorists or pedestrians.

SIGN—Any permanent or temporary structure or part thereof, or any device attached, painted or represented directly or indirectly on a structure or other surface that shall display or include any letter, word, insignia, flag, or representation used, as, or which is the nature of, an advertisement, announcement, visual communication, direction, or is designed to attract the eye, or bring the subject to the attention of the public. Flags of any governmental unit or branch of any charitable or religious organization, interior signs not visible from a public right-of-way or adjoining property, and cornerstones built into or attached to a wall of a building are excluded.

1. BUSINESS OR IDENTIFICATION SIGN—A sign which directs attention to a business, profession, product, service, activity or entertainment sold or offered upon the premises where such sign is located.
2. COMMERCIAL ADVERTISING SIGN (BILLBOARD)—A board, panel or tablet used for the display of printed or painted advertising matter which directs attention to a business, product, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such a sign is located.
3. DIRECTIONAL SIGN—An advertising sign or device intended to direct or point toward a place, or object, or one that points out the way to either an unfamiliar or a known place or object that obviously could not be easily located without such a sign or device.
4. FLASHING SIGN—A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. Illuminated signs which indicate the time, temperature, date or other similar information shall not be considered flashing signs.
5. FREE-STANDING SIGN—A sign supported by, or suspended from, a freestanding column or other support located in or upon the ground surface.
6. ILLUMINATED SIGN (DIRECTLY)—A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including but not limited to neon and exposed lamp signs. Festoon lighting shall be deemed a directly illuminated sign comprised of either a group of incandescent light bulbs hung or strung overhead or on a building or structure, or light bulbs not shaded or hooded or otherwise screened to prevent the direct rays of the light from shining on an adjacent property or right-of-way.
7. ILLUMINATED SIGN (INDIRECTLY)—An illuminated, non-flashing sign with illumination derived from an external artificial source and so arranged that no direct rays of light are projected from such artificial source to areas other than the sign being illuminated.
8. NAME PLATE SIGN—A sign which states the name or address or both of the occupant of the lot where the sign is located.
9. PARALLEL SIGN—A sign which is mounted parallel to a wall or other vertical building surface not extending beyond the edge of any wall or other surface to which it is mounted and not projecting more than 15 inches from the wall surface.
10. PROJECTING SIGN—A sign which is attached directly to the structure wall and which extends more than 15 inches from the face of such wall.
11. ROOF SIGN—A sign erected upon or above the roof or parapet of a building.
12. WINDOW SIGN—A temporary or permanent sign which is oriented to the public right-of-way, is legible to persons in vehicles, and is located on the outside or inside of a window to direct attention to an activity conducted on the same lot.
13. DIGITAL DISPLAY SIGN—A sign that uses electronic or digital technology to display text, images, graphics, or video messages that can be changed or updated electronically, including but not limited to LED, LCD, or plasma screens. Such signs may be static or animated and are designed to convey information or advertising to the public.

SIGN OFF-PREMISES—A sign which directs attention to a person, business, profession, product, home occupation or activity not conducted on the same lot.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

SIGN, ON-PREMISES—A sign which direct attention to a person, business, profession, home occupation or activity conducted on the same lot.

SOLAR ENERGY—Radiant energy, direct, diffuse or reflected, received from the sun.

SOLAR ENERGY SYSTEM—Any collector of solar energy, photoelectric cell or other solar energy device or any structural design feature, together with all related equipment, mounted on a structure or the ground, which converts solar energy to usable thermal, mechanical, chemical or electrical energy.

SOLAR PANEL—A structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy, heat, water, produce hot air or perform any other similar function by way of a solar energy system.

SPECIAL EXCEPTION USE—A use for which the Zoning Hearing Board may grant permission following a review and report of the Planning Commission, a public hearing and findings of fact consistent with the provisions of this Chapter, and provided the use complies with specified conditions and standards outlined in this Chapter.

STONE CUTTING AND MONUMENT MANUFACTURE AND SALES, SOAP AND SODIUM COMPOUNDS MANUFACTURE—Facilities engaged in the cutting, shaping, and fabrication of stone materials for monuments, memorials, and related products, including on-site sales of finished monuments. This category also includes the manufacturing of soap and sodium compounds. Such operations may involve specialized machinery and processes and must comply with applicable environmental and safety regulations.

STORY—That part of a structure included between any floor and the floor or roof next above. When applied to the permissible height of buildings, the term “story” shall not include a basement if the basement is not designated for living quarters or commercial use and if the floor thereof is more than four feet below the average ground level.

STREET—Any road, highway, avenue, street, parkways, lane or other way, public or private, set aside and commonly used by the public for street purposes, and shown upon the Official Map or upon a filed plat. An alley which provides the primary means of access to two or more dwellings shall be considered a street

STREET LINE—A street line is the right-of-way or established property line of a street as indicated by dedication or by a deed of record. In all subdivision or land development plans the street line shall be considered as the future right-of-way line as indicated by the Township “Subdivision and Land Development Chapter” and “Comprehensive Plan,” and all setbacks shall be measured from the future line.

STRUCTURE—Anything constructed or erected, which requires its permanent location on or below the ground, or which is permanently attached to something having permanent location upon the ground, excepting fixed and movable awnings. A building shall be construed to be a structure.

SWIMMING POOL, PRIVATE—Any receptacle or artificially constructed container for water, whether erected above or below ground level, having a wall depth of two feet or more at any point within its perimeter, intended or adapted for the purposes of immersion or partial immersion of human beings therein, used in connection with dwelling units, available only to the family of the dwelling unit holder and their private guests, not open to the public, and not otherwise regulated by any statutes or by rules and regulations other than those of the Township and the State of Pennsylvania.

SWIMMING POOL, PUBLIC OR SEMI-PUBLIC—Any swimming pool other than a private swimming pool, including publicly and privately owned pools open to the general public and pools owned and operated in conjunction with membership organizations, motels, hotels, and other similar uses.

TEMPORARY OUTDOOR STORAGE OF MATERIALS AND EQUIPMENT—Temporary keeping of materials, equipment, merchandise, or similar items in an unroofed area as part of a principal or accessory use. Such storage is

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

subject to the applicable standards and additional requirements of this Ordinance, including but not limited to screening, location, surfacing, and maintenance provisions.

THEATER(ENCLOSED)—A building or portion thereof, completely enclosed by walls and a roof, used for the presentation of motion pictures, live performances, concerts, or other forms of entertainment to an audience, and which may include accessory uses such as lobby areas, refreshment stands, and ticket sales, provided all activities are conducted within the enclosed structure.

THROUGH LOT—A lot which has frontage on two parallel and opposite street lines. Also known as a double-frontage lot.

TRAVEL TRAILER—A vehicular non-powered, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation, vacation, and other short-term uses.

TRAVEL TRAILER, BOAT OR OTHER SIMILAR RECREATIONAL VEHICLE STORAGE—Outdoor or enclosed storage facilities or areas used for the parking or keeping of travel trailers, boats, campers, motorhomes, and other similar recreational vehicles, either as an accessory use to a principal use or as a principal use. Such storage areas are intended to provide secure, organized, and orderly storage and may be subject to screening and setback requirements.

TILLING OF THE SOIL—The agricultural practice of mechanically turning, loosening, or breaking up soil to prepare land for planting crops, managing weeds, or improving soil conditions. This may include plowing, harrowing, disking, or similar soil preparation activities.

TWO-FAMILY DETACHED DWELLING—Any building under one roof and on one lot designed or arranged for occupancy by two households living as families and with individual and separate complete living facilities and not exceeding three stories in height.

USE—The specific purpose for which land or a building is designed, arranged, or intended, or for which it is or may be occupied or maintained.

VARIANCE—A granting of permission to use or alter land or structures which requires a variation or adaptation from the strict application of the Zoning Chapter requirements. Variances are granted only in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions whereby strict application of regulations would result in practical difficulty and unnecessary hardship not self-imposed. Variances are granted only if specific requirements are met. A variance may not be granted to permit a use which is not permitted in the Zoning District involved.

VETERINARY OFFICE—A facility where licensed veterinarians provide medical, surgical, and preventive care services for animals. This use typically includes examination rooms, treatment areas, and administrative offices. Boarding, grooming, or large-scale animal kenneling may be subject to separate regulations. Such use shall not be construed as a home occupation or a professional office under the definitions and terms of this Chapter.

VOCATIONAL AND TRADE SCHOOLS—An educational institution offering post-secondary instruction and practical training designed to prepare students for specific occupations, trades, or technical careers. Such schools typically provide vocational education in fields such as automotive repair, cosmetology, construction, culinary arts, information technology, welding, or other skilled trades and specialized professions.

WAREHOUSES AND SIMILAR NON-PROCESSING STORAGE AND DISTRIBUTION—Facilities used for the storage, handling, and wholesale distribution of products and materials associated with other uses permitted in the zoning district. These activities are conducted entirely within a building and do not include retail sales directly to the public unless otherwise allowed.

WIRELESS COMMUNICATION FACILITY (WCF)—Has the meaning as set forth in §27-521.

YARD, FRONT (REQUIRED)—An area extending along the full length of a front lot line wholly between side lot lines and back to a line drawn parallel to the front lot line at a distance therefrom equal to the depth of the required front setback of the zone wherein the lot is located.

YARD, REAR (REQUIRED)—An area extending along the full length of a rear lot line wholly between side lot lines and back to a line drawn parallel to the rear lot line at a distance therefrom equal to the depth of the required rear setback of the zone wherein the lot is located.

YARD, SIDE (REQUIRED)—An area extending from the front setback line to the rear setback line along a line drawn parallel to the side lot line at a distance therefrom equal to the width of the required side setback of the zone wherein the lot is located and excluding any area encompassed within a required front or rear yard.

ZONING OFFICER—The duly authorized and designated official of the Township responsible for administering and enforcing the Zoning Chapter of the Township.

AIRPORT RELATED USES

1. AIR PASSENGER TERMINAL AND SUPPORTING PASSENGER SERVICES, INCLUDING PUBLIC USE HELIPORT—A facility designed for the arrival, departure, and processing of air passengers, including ticketing, baggage handling, waiting areas, and related customer services. This category includes terminals serving commercial airlines and may encompass public use heliports and associated ground transportation facilities.
2. AIRLINE CATERING BUSINESS—A commercial establishment engaged in the preparation, packaging, and delivery of food and beverage services specifically for airlines. Operations may include kitchen facilities, food storage, and logistics to supply meals and related items to aircraft.
3. AUTOMOTIVE SERVICE STATIONS—A facility located on or near airport property primarily engaged in the retail sale of automotive fuels, lubricants, and minor vehicle maintenance services for vehicles used by airport customers, employees, or tenants. Such stations may also provide convenience retail sales and vehicle washing services, accessory to the principal use and are intended to support airport operations and travelers.
4. CHARTER AIRCRAFT AND PILOT INSTRUCTION FACILITIES, INCLUDING PUBLIC AND PRIVATE USE HELIPORT—Facilities providing charter air transportation services and flight training, including associated operations such as aircraft storage, maintenance, and administrative offices. This use may include both public and private use heliports to support helicopter operations.
5. CORPORATE AIRCRAFT OFFICE, STORAGE AND SERVICE FACILITIES, INCLUDING PUBLIC AND PRIVATE USE HELIPORT—Facilities dedicated to the administration, storage, maintenance, and servicing of corporate aircraft. These facilities may include office spaces, hangars, maintenance shops, and support services, and may incorporate both public and private use heliports to accommodate helicopter operations.
6. GENERAL AVIATION SALES AND SERVICES—Establishments engaged in the sale, lease, rental, fueling, maintenance, storage, and repair of general aviation aircraft and related equipment. This category may also include flight instruction, aircraft charter services, avionics sales and repair, and aircraft parts sales, as well as administrative offices and customer service areas supporting these activities.
7. HOTEL, MOTEL—A facility providing temporary lodging accommodations to travelers, airline crews, and airport visitors, located on or in proximity to airport property. Such establishments may include accessory uses such as

restaurants, meeting rooms, fitness centers, and shuttle services to and from the airport, and are intended to support airport operations and the needs of air travelers.

8. INDUSTRIAL AND OFFICE USES ALLOWED IN THE PIO DISTRICT PROVIDED IT IS DEMONSTRATED THAT SUCH USES ARE DIRECTLY RELATED TO THE FUNCTION AND ACTIVITIES OF THE AIRPORT OR THAT SUCH USES ARE HIGHLY DEPENDENT UPON AIR PASSENGER AND/OR AIR FREIGHT TRANSPORTATION—Industrial and office uses permitted in the Planned Industrial/Office (PIO) District, provided that it is demonstrated such uses are directly related to the operation, function, or activities of the airport, or are highly dependent upon air passenger and/or air freight transportation. These uses may include, but are not limited to, air cargo logistics, aircraft component manufacturing, aviation-related technology services, and corporate offices with significant air travel needs.

9. PLANNED AIRPORT DEVELOPMENT—A totally planned development necessary and appropriate for the function of an airport, combined in a single, unified development project including such uses as air passenger terminals, passenger services, general aviation sales and services, corporate aircraft facilities, and other activities which are functionally dependent upon or related to air transportation.

10. PUBLIC, PRIVATE OR PERSONAL USE HELIPORT—HELIPORT—An area of land, water or a structural surface which is designed, used or intended to be used for the landing and take-off of helicopters.

PUBLIC USE HELIPORT—Any heliport open to the general public and not requiring prior permission of the owner and/or operator to land.

PRIVATE USE HELIPORT—Any heliport that restricts usage to the owner and/or operator or to persons authorized by the owner and/or operator.

PERSONAL USE HELIPORT—Any heliport used exclusively by the owner and/or operator.

**ARTICLE III
ZONING DISTRICTS**

§ 27-300 Establishment of Districts.

Hanover Township is hereby divided into districts of different types, each type being of such number, shape, kind and area, and of such common unity of purpose and adaptability of use that are deemed most suitable to carry out the objectives of this Chapter.

Every parcel of land and every building or other structure in the Township, except as otherwise provided by law or by the Chapter, shall be subject to the regulations, restrictions, and requirements specified for the district in which it is located.

§ 27-301 Classes of Districts.

For the purposes of this Chapter, Hanover Township is hereby divided into eight classes of districts which shall be designated as follows:

RESIDENTIAL DISTRICTS:

MR Medium Density Residential

NON-RESIDENTIAL DISTRICTS:

PC Planned Commercial

PIO Planned Industrial-Office

PUD Planned Unit Development

AI Airport-Industrial

OTHER DISTRICTS:

LU Limited Use

FH Flood Hazard

§ 27-302 Zoning Map.

Districts are bounded and defined as shown on the map entitled "Zoning Map of Hanover Township, Lehigh County" that accompanies and which, with all explanatory matters thereon, is hereby made a part of this Chapter.

§ 27-303 Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries between districts as indicated on the Zoning Map, the Zoning Officer shall render his decision consistent with the following rules:

- A. Where district boundaries are indicated as approximately coinciding with the center lines of streets or railroad rights-of-way, such center lines shall be construed to be such boundaries.
- B. Where district boundaries are so indicated that they approximately coincide with the lot lines, such lot lines shall be construed to be said boundaries.

- C. Where district boundaries are so indicated that they are approximately parallel to street or railroad rights-of-way, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map.
- D. Where district boundaries divide a lot, the location of such boundaries shall be determined by the use of the scale shown on the Zoning Map unless the boundaries are indicated by dimensions.

§ 27-304 Uses Permitted in Zoning District.

- 1. Unless otherwise provided by law or specifically in this Chapter, no land or building or structure shall be used or occupied except for a use allowed as specified in this Section, in the zoning district with which the land or building or structure is located.
- 2. No use shall be permitted except in compliance with the laws of the State, County and Township, regarding water supply and waste disposal. The Township Sewage Enforcement Officer shall inspect every system.
- 3. A use listed in Part 4 of this Chapter is permitted by right in any zoning district under which it is denoted by the letter P, provided that such use shall be subject to the conditions and requirements specified elsewhere in this Chapter. Such uses permitted by right shall be principal uses within the meaning of this Chapter, unless otherwise specified.
- 4. A use listed in Part 4 shall not be permitted in any zoning district under which it is denoted by the letter N. Such uses lawfully existing at the effective date of this Chapter shall be construed as nonconforming uses subject to the provisions of Part 12.
- 5. A use listed in Part 4 may be permitted as a special exception in any zoning district under which it is denoted by the letters SE, provided that approval for said use has been granted by the Zoning Hearing Board, pursuant to Part 14, and further provided that said use shall be subject to the conditions and requirements specified in Part 11 and elsewhere in this Chapter, and to such further requirements as the Zoning Hearing Board may establish in granting the special exception.
- 6. Any use lawfully existing on the effective date of this Chapter which is classified as requiring a special exception in the zoning district in which it is located shall be deemed to have been granted a special exception. Any change in the character and extent of operations or structure existing on the effective date of this Chapter shall require a special exception granted by the Zoning Hearing Board, pursuant to Parts 11 and 14.
- 7. The maximum lot coverage of 50% which was applicable to the Subdivision Plan of Lehigh Valley Industrial Park III, approved by the Board of Supervisors on June 12, 1974, shall continue to apply to LVIP III.

§ 27-305 New Annexed Areas.

All areas annexed to the Township after the effective date of this Chapter shall automatically be classified in the LU - Limited Use District, provided that the Hanover Township may, after public notice and hearing, provide for the classification of such annexed areas or part thereof in another zoning district or districts.

§ 27-306 Statement of Community Development Objectives and Legislative Intent.

- 1. As an aid in interpreting the provisions of this Chapter, the purposes for which the various zoning districts are established, the types of uses which should be permitted to further the goals and objectives of the adopted Township Comprehensive Plan are stated as follows:
 - A. Limited Use District (LU) - The purpose of this district is to designate and protect areas along streams and areas containing major drainage channels; areas which are part of highway interchange rights-of-way and critical access points to expressways; areas for recreation and open space; and areas which, by reason of steep slope, geologic condition or natural character warrant preservation through limited usage.

- B. Medium Density Residential District (MR) - The purpose of this district is to protect and enhance the characteristics of existing residential areas of the Township while permitting remaining, relatively small undeveloped areas to be feasibly developed for residential and related uses.
- C. Planned Commercial District (PC) - The purpose of this district is to provide business areas to meet the needs of highway users and to help provide for convenient shopping, personal service and entertainment of Township residents.
- D. Planned Industrial-Office District (PIO) - The purpose of this district is to encourage well planned modern industrial and office development in the most suitable and accessible areas of the Township, while protecting residential areas of the Township through the use of industrial development and performance standards.
- E. Planned Unit Development District (PUD) - The purpose of this district is to provide for orderly use and development of those sections of the Township which exhibit a variety of existing uses and/ or represent diversified potential for future land use. The planned unit development concept is utilized to encourage totally planned residential developments, and non- residential complexes planned and developed as a single functional unit.
- F. Airport-Industrial District (AI) - The purpose of this district is to provide for a totally planned and diversified airport facility and functionally related uses, while protecting other areas in the Township.
- G. Flood Hazard District (FH) - The purpose of this district is to minimize flood losses by restricting uses dangerous to health, safety, or property in times of flood and uses causing increased flood heights or velocities. It is also the purpose to protect the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas.

**ARTICLE IV
DISTRICT USE, DIMENSION & OTHER RELATED REQUIREMENTS**

§ 27-400 Designation of Allowable Uses.

The tables in § 27-402 designate the land uses allowed in each zoning district. The allowance of the uses is identified by the type of approval required:

P = Permitted Uses (permitted by right as approved by the zoning officer, or as otherwise specified by the Chapter, except that such permission shall not supersede any deed restriction, covenant, or agreement restricting the use of land, nor any master deed, by-law, or other document applicable to a common interest ownership community.)

SE = Special Exception Uses (permitted by the Zoning Hearing Board following review and recommendation of the Planning Commission and following a public hearing)

§ 27-401 General Dimensional Requirements.

1. The regulations for each District pertaining to minimum land or lot area, minimum lot area per dwelling unit, minimum lot width and minimum required yards shall be as specified in § 27-402, subject to any further applicable dimensional requirements or exemptions specified elsewhere in the Chapter.
2. The minimum lot area specified in § 27-402 is based upon the availability of a centralized water supply system and a centralized sewage disposal system. If these systems are not available to serve a proposed use, the applicable standards of the Pennsylvania Department of Environmental Protection shall be used in determining lot size.
3. Measurements of minimum land area and yards pursuant to §27-402 shall not include any land within the right-of-way of any existing or proposed street.
4. A lot in any particular zoning district may be used for more than one use, provided that the uses are permitted uses in that district. In such case, the greatest minimum lot or land area; lot width, yard requirements, and the smallest maximum building coverage and maximum lot coverage applicable to any of the uses shall apply to the entire lot. Parking requirements shall be cumulative. Total signs allowed shall be no more than the maximum allowed for any one of the uses on the premises; provided, however, where the size of a sign is restricted by the area of the face of a building, the total area may be considered notwithstanding its occupancy by more than one use. No requirement of the zoning ordinance shall become less restrictive for any use of a lot by reason of another use being upon the same lot.

§ 27-402 Land Use and Dimensional Requirements.

The following tables specify the land use and dimensional requirements by district.

For any land use not otherwise identified as permitted by right, by condition, or by special exception in the Hanover Township Zoning Ordinance, an Applicant shall reference and submit said use to another participating River Central Multi-Municipal Comprehensive Plan municipality where said land use is identified as permissible in the Zoning Ordinance, as in effect, of the applicable municipality.

Attached Table A- Hanover Township land Use Table

Attached Table B – Hanover Township Dimensional Criteria

§ 27-403 Exceptions to Minimum Lot Sizes.

A building may be constructed, provided the yard requirements are observed, on any lot which was lawful when created, even if it does not meet the prevailing minimum lot area or width requirements, and which, prior to the effective date of this Chapter, was in separate ownership duly recorded by plan or deed. If there is single ownership of two or more contiguous lots each of which does not conform to the dimensional requirements of § 27-402 at or subsequent to the effective date of this Chapter, this exception shall not apply and the landowner shall be required to

treat those two or more contiguous lots as one lot for purposes of these dimensional requirements, even if a re-parceling or replotting could create one or more lots which would conform to § 27-402.

§ 27-404 Lot Area or Yard Required.

The lot or yard areas required for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this Chapter. No required lot or area shall include any property, the ownership of which has been transferred after the effective date of this Chapter, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

§ 27-405 Front Yard Reduction.

When there is an existing building on each of the lots adjoining the lot on which a building is proposed to be erected, and where each such existing building lies within 100 feet of such proposed building and lies nearer to the street line than the required front yard depth elsewhere specified in this Chapter, then the average of the existing front yard depths of such adjoining lots shall be the minimum required front yard depth for the lot on which the proposed building is to be erected.

§ 27-406 Yards on Corner Lots.

All yards adjoining public streets, except yards adjoining alleys, shall be deemed front yards.

§ 27-407 Accessory Buildings.

1. Completely detached accessory buildings may occupy the required side and rear yards but shall not be located closer than 5 feet to any side or rear property line.
2. Accessory buildings for storage on a lot with a primary residential single family attached dwelling shall be permitted in PUD zones without limitations relating to lot size or building coverage provided:
 - A. The building shall be no larger than 8 feet by 10 feet and shall have a maximum height of 9 feet, including pad.
 - B. Such building shall be located only in the rear yard of any lot, excluding setback restrictions.
3. No pole building on a lot in a MR or PUD zoning district may exceed a height of 9 feet, including pad.
4. Accessory buildings in a MR, or PUD zoning district shall have vertical walls at least 5 feet in height.

§ 27-408 Permitted Projections Into Required Yards.

1. Subject to § 27-500, the provisions of § 27-402 shall not apply to walls which are less than 6 feet high above the natural grade nor to terraces, steps, uncovered porches and associated steps to grade level, nor other similar features not over 3 feet high above the floor level of the ground story.
2. Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves, and ladders may extend into any required yard not more than 4 feet; provided, that such projections (excepting eaves) are not over 10 feet in length.
3. The yard requirements of § 27-402 shall not apply to off-street parking areas or to accessory signs, except as expressly provided in Parts 6 and 7, and except as provided in § 27-500.
4. The yard requirements of § 27-402 shall apply to below grade structures or uses, such as footings, basements, foundations, walls, burial graves and/or vaults, but not to below grade utilities which may be routed through the setback area.

§ 27-409 Height Regulations; Fire Protection.

Except as specifically provided elsewhere in this Chapter, such as in Part 8 - Planned Residential Development (PRD) for which those provisions regarding building height shall govern, no principal building or structure shall exceed 35 feet or three stories in height in the PUD, MR, LU and FH Districts and shall not exceed 50 feet in height in the PIO, PC and AI Districts; and no accessory building or structure shall exceed 20 feet in height or have a door or other opening exceeding 8 feet in height; provided, however, that the Hanover Township Council may approve as a conditional use principal buildings or structures with heights not to exceed 65 feet in a PC and PIO District, and attach such reasonable conditions and safeguards to its approval as it may deem necessary to implement the purposes of this Section. In addition, a fire lane at least 15 feet wide shall be provided around the perimeter of any two adjoining sides of a building, except for residential housing types in a Planned Residential Development (PRD) pursuant to Part 8 of this Chapter. Any such building shall meet all fire lane requirements required by Township ordinances.

Where the provisions of the Allentown-Bethlehem-Easton Airport Zoning Map of Height Limitations impose more restrictive height limitations than imposed by this Chapter, such provisions shall govern.

Notwithstanding the foregoing, for any building in the PIO District, certified by the applicant to include an Early Suppression Fast Response (ESFR) sprinkler system or similar automatic fire extinguishing system, the maximum distance for such fire lanes to begin shall be increased to 140 feet from the building provided that (i) the property includes marked fire access drives beginning within such 140 foot area, and (ii) there exist at least two (2) twenty-four (24) foot wide points of direct access to each of two (2) different sides of the building at locations to be approved by the Township fire official.

§ 27-410 Flood Hazard (FH) District Regulations.

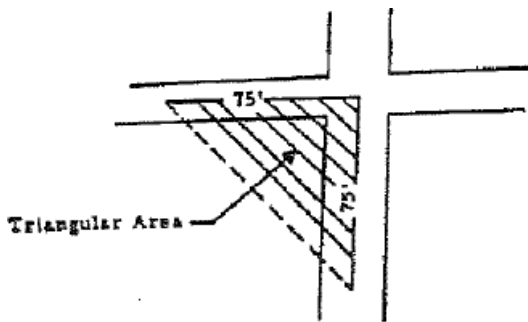
1. Statement of Purpose. It is the purpose of this Section to promote the public health, safety and general welfare and to minimize flood losses by provisions designed to:
 - A. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or cause increased flood heights or velocities.
 - B. Protect the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas.
 - C. Provide areas for the deposition of flood borne sediment.
 - D. Require uses vulnerable to floods, including public facilities, be constructed so as to be protected against flood damage.
 - E. Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.
2. General Provisions:
 - A. The Flood Hazard Area is that land as shown on the Official Zoning Map, and the Flood Hazard District consists of all land in the Flood Hazard Area. The Flood Hazard Area is that area defined as an indicated floodplain area in the Hanover Township Floodplain Ordinance (Chapter 8) of the Statutory Code of Hanover Township. The Section applies to all land within the Flood Hazard District.
 - B. The boundaries of the Flood Hazard Area shall be determined by scaling distances off the zoning map. Where interpretation is needed as to the exact location of the boundaries of the district as shown on the Zoning map.

**ARTICLE V
SUPPLEMENTAL REQUIREMENTS**

In addition to complying with the provisions of the district in which a use is allowed, each use shall comply with the following standards or requirements, where applicable.

§ 27-500 Traffic Visibility at Corners.

On every corner lot, abutting the intersection of two streets, a triangular area within the lot shall remain clear of any structure, wall, fence, planting or other visual obstruction which might cause danger to traffic by obscuring the view across the lot between the height of 2 feet and 10 feet above the level of the intersecting streets above the outside edge of street pavement; such triangular area shall be bounded by the street center lines and a straight line drawn between points on each street center line at a distance of 75 feet from the intersection of the street center lines.



§ 27-501 Fences, Walls and Hedges.

1. Subject to § 27-500, fences, walls and hedges may be permitted in required side and rear yards provided that they are placed at least 1 foot from the property line and that the height shall not exceed 6 feet above the natural grade; fences, walls and hedges are permitted in the required front yard providing they shall not exceed 48 inches in height and that they are placed at least 1 foot from the property line. Upon written permission from the abutting property owner, a fence, wall or hedge may be placed less than 1 foot from the property line or directly on the property line.
2. In no case shall fences, walls and hedges be located in a street right-of-way or other public right-of-way or easement.

§ 27-502 Public Swimming Pool.

Public swimming pools, including pools for planned residential developments, membership clubs and all other pools not for private residential use as specified by State law, shall be in accordance with the latest standards and the specifications of the Pennsylvania Department of Environmental Protection and Pennsylvania Department of Health, as applicable.

§ 27-503 Private Swimming Pool.

1. All private swimming pools less than 4 feet above grade shall be entirely enclosed with a chain link, wire, wooden or other equivalent fence of not less than 4 feet in height or as otherwise regulated by the Pennsylvania Uniform Construction Code, whichever is stricter.
2. All private swimming pools which are 4 feet or more above grade shall have removable stairs.
3. If the water for such pool is supplied from a private well, there shall be no cross-connection with the public water supply system.
4. If the water for such pool is supplied from the public water supply system, the inlet shall be above the over-flow level of said pool and no hose shall be connected to the inlet without a vacuum breaker or other approved means to prevent

backflow or siphoning into the public water supply system

5. No permit shall be granted for the installation or construction of such swimming pool unless the plans shall meet the minimum construction requirements of the Township and unless the Township Engineer, or a licensed Professional Engineer of the State of Pennsylvania has certified that the drainage of such pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities or with the public streets.
6. No loudspeaker or amplifying device shall be permitted which will project sound beyond the bounds of the property or lot where such pool is located.
7. No lighting or spot lighting shall be permitted which will shine directly beyond the bounds of the property or lot where such pool is located.

§ 27-504 Noise Control.

1. **Definitions.** The following words, terms and phrases when used in this Section shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

A-WEIGHTED SOUND LEVEL — The sound pressure level in decibels as measured on a sound level meter using the A- weighing network. The level so read is designated dB(A).

ABSORPTIVE SOUND MITIGATION BARRIER — A physical barrier, such as a berm, vegetation, wall, building, mechanical equipment mitigation barrier or combination of such barriers, intended to reduce sound level of the sound which would otherwise pass through its location.

CONSTRUCTION OPERATION— The erection, repair, renovation, demolition, or removal of any building or structure; and the excavation, filling, grading and regulation of lots in connection therewith.

DECIBEL (dB) — A unit for measuring the sound pressure level, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro pascals (20 micronewtons per square meter).

EMERGENCY — Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

EXTRANEOUS SOUND — A sound which is neither part of the neighborhood residual sound nor comes from the source under investigation.

IMPULSIVE SOUND — Sound of short duration, usually less than 1 second, with an abrupt onset and rapid decay. Examples of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

NEIGHBORHOOD RESIDUAL SOUND LEVEL — That measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous and transient sounds and the sound from the source of interest.

NOISE — Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

NOISE DISTURBANCE — Any sound which (1) endangers or injures the safety or health of humans or animals, or (2) annoys or disturbs a reasonable person of normal sensitivities, or (3) endangers or injures personal or real property.

PURE TONE — Any sound which can be heard as a single pitch or a set of single pitches.

REAL PROPERTY — All land whether publicly or privately owned, whether improved or not improved, with or without structures, exclusive of any areas devoted to public right-of- way.

REAL PROPERTY BOUNDARY—either (1), the imaginary line, including its vertical extension that separates one parcel of real property from another; or (2), the vertical and horizontal boundaries of a dwelling unit that is one in a

multi- dwelling unit building.

SOUND—an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristics of such sound, including duration, intensity, and frequency.

SOUND LEVEL—the weighted sound pressure level obtained by the use of a sound level meter and frequency weighing network, such as A, B or C.

SOUND LEVEL METER—an instrument used to measure sound level.

SOUND PRESSURE—the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

SOUND PRESSURE LEVEL—the level of a sound measured in dB units with a sound level meter which has a uniform (“flat”) response over the band of frequencies measured.

TRANSIENT SOUND—a sound whose level does not remain constant during measurement.

2. Sound Levels by Receiving Land Use.

- A. **Maximum Permissible Sound Levels by Receiving Land Use.** No person shall operate or cause to be operated on public or private property any source of sound in such a manner as to create a sound level which exceeds the limits set forth in the receiving land use category in Table 27-504-1 when measured at or within the real property boundary of the receiving land use. Any noise source that produces sound in excess of those levels shall constitute a noise disturbance.

Table 27-504-1

Permissible Sound Levels by Receiving Land Use

Receiving Land Use	Sound Level Limit	Sound Level Limit
	7 A.M.–10 P.M.	10 P.M.–7 A.M.
Residential (Zones MR)	57	52
Parks and Institutional Zone LU)	67	62
Business (Zones PUD)	67	62
Industrial (Zones PIO, AI)	77	77

- B. **Excessive Neighborhood Residual Sound Levels.** In the event that the background sound levels in an area of suspected noise disturbance exceed the levels set forth in Table 27-504-1 above, an intrusive noise source which causes a 10 dB(A) increase in sound level above that background level shall constitute a noise disturbance.

- C. **Correction for Character of Sound.** For any source of sound which emits a pure tone or impulsive sound, the maximum sound level limits set forth in subsection (2)(A) shall be reduced 5 dB(A).

3. Exceptions, Variances and Extensions. The provisions of this Section shall not apply to:

- A. **Emergencies.** The emission of sound for the purpose of alerting persons to the existence of an emergency or from the performance of emergency work.
- B. **Municipal and Utility Services.** The emission of sound resulting from the repair or replacement of any municipal or utility installation(s) in or about the public right-of-way.

C. **Places of Religious Worship.** The sounding or permitting the sounding of any stationary bell or chime used in conjunction with places of religious worship.

D. **Aircraft and Airport Operations.** Normal aircraft and airport operations.

E. **Construction Operation.**

Monday through Friday 6:30 a.m. to 7 p.m. Weekends 8 a.m. to 5 p.m.

New Year's Day, Easter, Memorial Day, Thanksgiving, Christmas Day only by permission from Township upon demonstration of special need.

4. **Sound Barrier Mitigation Measures.** Any absorptive sound mitigation barrier constructed to satisfy the requirements of this, or any other ordinance of the Township shall be subject to the following requirements:

A. Such sound barriers shall be designed by a qualified expert acoustic professional in accordance with methods included in the guidelines of the Environmental Protection Agency, Federal Highway Administration, American Association of State Highway and Transportation Officials, and American Society of Heating Refrigerating and Air-Conditioning Engineers, following a sound study of the area.

B. Prior to design the applicant shall conduct a preliminary sound study.

C. The Township Council shall approve the scope of the preliminary sound study before the same is undertaken, the method and type of mitigation measure design prior to sound barrier design and the final sound barrier mitigation design.

D. The mitigation design shall take into account all factors of sound propagation including but not limited to direct, line-of-sight, flanking, ground type, and reflection.

E. A post sound barrier mitigation measure construction sound study will be performed by the property owner immediately after occupancy to ensure that the sound barrier mitigation measure is performing the desired sound mitigation.

F. For any such sound barrier constructed as part of a project requiring approval under Chapter 22 hereof, the Subdivision and Land Development Ordinance, reviews and approvals required by this Section shall be processed as part of the land development approval application.

G. Every effort will be made to minimize any increases in project generated sound levels below the permissible sound levels. The project proponent shall include all reasonable sound mitigation measures. The Township Council shall approve all mitigation measures.

H. An absorptive sound mitigation barrier or other structure erected in accordance with this provision shall not be subject to the restrictions of Section 27-501 pertaining to the height of fences, walls and hedges.

I. An absorptive sound mitigation barrier or other structure erected in accordance with this provision shall satisfy any requirements for a fence pursuant to Section 27-512 of this Chapter.

§ 27-505 Control of Smoke, Dust and Dirt, Fumes, Vapors, Gases and Odors.

The emission of smoke, dust, dirt, fly ash, fumes, vapors, gases or odors shall be controlled by the Pennsylvania Air Pollution Control Act, enacted January 8, 1960 and as amended.

§ 27-506 Storage of Materials.

1. Highly flammable or explosive liquids, solids, or gases shall be stored underground provided such storage is otherwise permitted, except as provided below:

- A. Liquefied petroleum such as propane which is kept by a landowner or tenant for the landowner's private, commercial or industrial purposes may be stored above ground in containers not greater than permitted by State regulation and with no tank to be closer to any other such storage container than permitted by State regulation.
 - B. Aviation fuel in an A.I. Zone may be stored above ground in containers of not greater than 50,000 gallons.
 - C. This Subsection (1) does not apply to portable containers kept for use on the premises.
2. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.
3. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible or otherwise attractive to rodents or insects, shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

§ 27-507 Glare and Heat Control.

No use shall carry on an operation that will produce heat or glare perceptible beyond the property line of the lot on which the operation is situated.

§ 27-508 Vibration Control.

Machines or operations which cause vibration shall be permitted, but in no case shall any such vibration be perceptible along the lot lines of any use without the aid of instruments.

§ 27-509 Radiation or Electrical Emissions, Radioactivity or Electrical Disturbance.

Activities which may emit dangerous radioactivity beyond enclosed areas shall comply with the codes of the Pennsylvania Department of Environmental Protection Division of Radiology. No electrical disturbances (except from domestic household appliances) shall be permitted to affect adversely, at any point, any equipment, other than that of the creator of such disturbance.

§ 27-510 Electric, Diesel, Gas or other Power.

Every use requiring power shall be so operated that any service lines, substations, etc., shall conform to the highest applicable safety requirements, shall be constructed, installed, etc., so that they will be an integral part of the architectural features of the plant, or if visible from abutting residential properties, shall be concealed by evergreen planting.

§ 27-511 Wastes and Sewage.

All methods of sewage and waste treatment and disposal shall be approved by the Pennsylvania Department of Environmental Protection, the Township Sewage Enforcement Officer and the engineering division of the sewer district receiving the effluent and must be in accordance with all applicable regulations pertaining to treatment and disposal of sewage.

§ 27-512 Buffer Yards.

Fifty-foot buffer yards are required in the PIO, PC, AI and PUD Districts adjacent to the MR and LU Districts and 600 foot buffer yards are required for warehouses or warehousing activities in a PUD District adjacent to the MR Districts. Buffer yards shall comply with the following standards:

- A. The buffer yard shall be measured from the district boundary line or from the near street line where a street serves as the district boundary line.

- B. The buffer yard shall be required in the PIO, PC, AI and PUD Districts along the district boundaries between the district and all residential district boundary lines in adjoining municipalities, except where residential uses in a PUD District about residential uses in an adjoining municipality.
- C. The buffer yard may be coterminous with required side, or rear yards and in case of conflict, the larger yard requirements shall apply.
- D. In all buffer yards, the exterior width beyond the fence or planting screen shall be planted with grass seed, sod or ground cover and shall be maintained and kept clean of all debris, rubbish, weeds and grass.
- E. No structure, manufacturing or processing activity, materials or vehicular parking shall be permitted in the buffer yards.
- F. All buffer yards shall include buffer strip(s) consisting of a fence and a dense screen planting of trees, shrubs or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise. Such screen planting shall be in accordance with the following requirements:
 - (1) Plant materials used in the screen planting shall at least consist of such evergreen species and size as will produce, within 3 years, a complete, year-round, visual screen of at least 6 feet in height.
 - (2) The fence shall be not less than 6 feet in height and shall be placed no closer than 30 feet from any street or property line unless by special exception.
 - (3) The screen planting shall be maintained permanently and any plant material which does not survive shall be replaced within one year.
 - (4) The screen planting shall be within 30 feet between the fence and the property line and so placed that at maturity, it will not be closer than 3 feet from any street or property line.
 - (5) Screen planting and fencing shall be located only in accordance with §27-500, Traffic Visibility at Corners.
 - (6) The screen planting and fence shall be broken only at points of vehicular or pedestrian access.

§ 27-513 Highway Frontage Development.

In order to encourage the sound development of highway frontage and to minimize traffic congestion and hazard, along Arterial Highways as designated in the Township Comprehensive Plan, the following special provisions shall apply:

- A. All areas for off-street parking, off-street loading and unloading and the storage or movement of motor vehicles shall be physically separated from the highway or street by a raised curb, planting strip, wall, or other suitable barrier against unchanneled motor vehicle entrance or exit, except for necessary accessways or access roads which supply entrance to and egress from such parking, loading or storage area. All parking areas or lots shall be designed to prohibit vehicles from backing out on the street and the capacity of each lot shall provide adequate storage area and distribution facilities upon the lot to prevent back-up or vehicles on a public street while awaiting entry to the lot.
- B. Each use with less than 100 feet of frontage on a public street shall have not more than one accessway to each such street and no business or other use with 100 feet or more of frontage on a public street shall have more than two accessways to any one street for each 300 feet of frontage. Where practicable, access to parking areas shall be provided by a common service driveway or minor street in order to avoid direct access to a major street.
- C. In the case of a shopping center, group of multiple-family dwellings or similar grouping or buildings on a lot and in any other case where practicable:
 - (1) All buildings shall front upon a marginal street, service road, common parking lot or similar area and not

directly upon a public street.

- (2) All points of vehicular access to and from a public street shall be located not less than 200 feet from the intersection of any public street lines provided that such a point of vehicular access, which in effect, converts a "T" intersection into an intersection of two streets which cross another, shall be permitted.
- (3) Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the center, or other unified development, without undue congestion to, or interference with normal traffic flow within the Township and;
- (4) All streets and accessways shall conform to the specifications determined by the Township Engineer and the requirements of the Township Subdivision Regulations. Provision shall be made for adequate signalization, turn, standby and deceleration lanes and similar facilities where desirable.
- (5) All driveways, aisles, maneuvering spaces, vehicular service areas or spaces between or about buildings, other than those related to a dwelling shall be adequately illuminated during night hours of use at no cost to the Township.

§ 27-514 Alluvial Soil Area and Major Drainage Swale Area Regulations.

1. Purpose.

- A. To regulate development in areas of Hanover Township in which alluvial soils adjacent to streams and in major surface water drainage areas are known to possess characteristics indicative of flooding and/or chronic wetness which, if indiscriminately developed, could pose hazards to the public health, safety and welfare due to flooding and pollution and to regulate development in areas of known flooding in the community.
- B. To reduce the financial burden imposed on the community, its governmental units and its individuals by frequent and periodic floods and overflows on lands.
- C. To permit certain uses which can be appropriately located in such areas and which will not impede the flow of flood waters, or otherwise cause danger to life and property at, above or below their locations along the flooding.
- D. To provide sufficient drainage courses to carry abnormal flows of storm water in periods of heavy precipitation.
- E. To permit and encourage the retention of open land uses which will be so located and designed as to constitute an appropriate part of the physical development of Hanover Township as provided for in the Comprehensive Plan.

2. Alluvial soil area and major drainage swale areas shall be designated as follows:

- A. Areas designated as "alluvial soils" on the Official Zoning Map are based on the soil map prepared by the Soil Conservation Service, U.S. Department of Agriculture and published in the Lehigh County Soil Survey, 1963. These areas contain soil types identified by the Lehigh County Soil Survey as alluvial soils which are water deposited soils and represent areas most often inundated by flood waters.
- B. The areas delineated as "alluvial soils" on the Official Zoning Map shall be used only to determine where the provisions of § 27-514(3) apply. These delineated areas shall not be considered as exact delineations for purposes of applying specific regulations of § 27-514(3)(A)(2).

3. Regulations and Procedures for Areas Designated As Alluvial Soils and Swale Drainage Areas.

- A. Proposed use of alluvial soil and major Official Zoning Map shall be reviewed and approved in accordance with the following procedures and regulations:

- (1) All plans for uses requiring or involving structures and facilities which will be located in or within a distance of 50 feet from areas designated on the Official Zoning Map and all plans for the development of

recreational or utility uses within or adjacent to those areas shall be subject to a detailed, on-site soil and drainage survey to determine the exact extent and nature of areas susceptible to potential problems of flooding, wetness or pollution in such areas, the Zoning Officer shall require that a detailed on-site survey be made by a qualified engineer or soil scientist in accordance with accepted professional survey techniques.

- (2) On any site or portion of a site which is found, based upon detailed investigation pursuant to the provisions of the approval procedure as indicated above, to contain potential hazards due to flooding, chronic wetness, or pollution, the use regulations of the District in which the site is located shall apply except that the following uses shall be prohibited: all permanent residential dwellings and permanent commercial or industrial buildings and their accessory buildings; the filling of marshlands, removal of topsoil or damming or relocation of any watercourse except with the approval of the Commonwealth of Pennsylvania Department of Environmental Protection; and sanitary landfill, dump, junkyard, outdoor storage of vehicles and/or materials, including manure.

§ 27-515 Highway Safety Shelters.

Highway Safety Shelters may be erected and maintained for the convenience and safety of school children and resident commuters in any zoning district of Hanover Township on the following terms and conditions.

- A. Highway Safety Shelters erected for the convenience of resident commuters and/or school children shall be erected only at locations approved by the Township Council of Hanover Township, upon Planning Commission recommendation.
- B. Highway Safety Shelters erected between intersections shall be located at least one foot back from the legal right-of-way line of the street on which the shelter fronts. Highway Safety Shelters erected on street intersection properties shall comply with § 27-500 of this Chapter.
- C. Highway Safety Shelters may bear advertising displays not exceeding 20 square feet on each side of the shelter, without any advertisement permitted on the rear wall or appurtenant thereto, provided, however, that advertisement of intoxicating beverages or tobacco products shall not be displayed on any shelter.
- D. The owner of each Highway Safety Shelter shall cause the same to be covered by liability insurance issued by a reputable insurance company insuring the owner of the shelter, the owner of the land on which the shelter is erected and Hanover Township against any and all liability for personal injury, death or property damage. The limits of coverage for such insurance policies shall be \$250,000 to \$300,000 for each occurrence. Hanover Township shall be furnished a certificate by the company issuing such a policy certifying that such policy has been purchased, that it is in full force and effect and that the same may not be cancelled without Hanover Township first being given 10-day notice of the intention to cancel said policy.
- E. No Highway Safety Shelter shall be erected until the Zoning Officer shall have issued the permit authorizing such erection. Application for such permit shall be made to the Zoning Officer on a form prescribed for him which application form shall be accompanied by: (a) a copy of a written Lease signed by the owners of the ground on which the shelter is to be erected authorizing such erection; (b) a picture or diagram of the proposed shelter indicating the dimensions thereof; (c) a plot plan showing the location of the proposed shelter on the property and indicating the setback of said shelter from the street on which it fronts and from the side street; in the case of shelters erected for the convenience of school children, a certification from the proper school district officials certifying that the proposed location is an official school bus stop.
- F. The Zoning Officer of Hanover Township may order the removal of any shelter which (a) is not properly maintained and kept in repair; (b) is erected or maintained contrary to the terms of this Chapter; (c) is no longer covered by insurance as herein required; and (d) when the location at which the shelter is situated has ceased to be an officially designated bus stop for a period of at least 1 year. In the event that such removal is ordered, the

shelter shall be removed and the premises restored to its original condition within 30 days of said order of removal.

§ 27-516. Screening in PUD, PIO and PC Districts.

Any non-residential use of property in a PUB, PIO, or PC District shall be screened in accordance with the requirements of § 27-512(6) of this Chapter from any existing adjacent residential use.

§ 27-517. Storm Water Detention or Retention Ponds.

No storm water detention or retention pond or part of such pond shall be permitted in a residential zone other than a pond designed primarily for the purpose of controlling storm water originating in the residential zone in which the pond is located.

§ 27-518. Bird Hazards.

Notwithstanding any other provisions of this Chapter, no use may be made of land or water within any zone established by this Chapter in such a manner as to attract birds which would create hazards interfering with the landing, take-off or maneuvering of aircraft intending to use the Allentown-Bethlehem-Easton Airport.

§ 27-519. Solar Energy Systems.

1. Permitted Solar Energy Systems.

- A. Subject to the provisions of this Section, a solar energy system shall be permitted as an accessory use in any zoning district.
- B. A temporary site construction office trailer or job site sales office trailer permitted by Part 7 of the Statutory Code or any mobile home or motor borne in any district shall be permitted to have a solar energy system mounted on its roof.
- C. A pole-mounted solar panel shall be permitted in all zones at such locations where the pole and device powered by the solar panel would otherwise, be permitted.

2. Permit Required. No person shall install, construct or otherwise implement a solar energy system or solar panel with a total area in excess of 8 square feet without first obtaining a permit from the Township. No person shall modify any existing solar panel or solar energy system without first obtaining a permit from the Township if the total area if the total area after modification will be in excess of 8 square feet.

3. Residential Districts. Any solar panel or solar energy system in a residential district (MR) shall be subject to the following regulations:

- A. Ground-mounted solar energy systems shall not be permitted.
- B. Commercial solar energy systems shall not be permitted.

4. Business Districts. Solar energy systems in business district (PC, PIO, PUD) shall be subject to the following regulations:

- A. Ground-mounted commercial solar energy systems shall not be permitted.

5. Airport-Industrial Zone. Solar energy systems in an airport industrial (AI) zone shall be subject to the following regulations:

- A. A commercial solar energy system may be permitted by special exception.

6. **Limited Use Zones.** Solar energy systems in a limited use zone (LU) shall be subject to the following regulations:

A. Ground-mounted solar energy systems shall not be permitted.

7. **General Regulations.** Solar energy systems in all zoning districts shall be subject to the following regulations:

A. Except for pole-mounted solar panels in a non-residential zone or a decorative lighting SES, a solar energy system must be within the building height and building set back provisions of the zone in which it is located.

B. Ground-mounted solar energy systems including a commercial ground-mounted solar energy system, shall not exceed 8 feet in height above the ground on which it is mounted.

C. A solar energy system shall not project vertically above the peak of an angled roof to which it is attached or project vertically more than 6 feet above a flat roof or horizontally beyond the perimeter of the roof to which it is attached and is subject to the restriction of subsection (7)(A).

D. All solar energy systems shall be subject to the Pennsylvania Uniform Construction Code.

E. Solar energy systems are subject to all other provisions of the zoning ordinance, where applicable, and, in particular, a provision of § 27-504, Noise Control, § 27-507, Glare and Heat Control, § 27-508, Vibration Control, § 27-509, Radiation or Electrical Emissions, Radioactivity or Electrical Disturbance, and § 27-510, Electrical, Diesel Gas or Other Power.

F. All wires, pipes, conduit and other such items connecting a ground-mounted solar energy system to a building or other point shall be under ground.

G. Any ground-mounted solar energy system shall be screened by a buffer strip from any adjoining residential district or lot on which a residential building is located.

H. Ground-mounted solar energy systems shall not be situated in a manner which would impede the speedy movement of people away from any building exit.

I. A non-functioning solar energy system shall be repaired or replaced within 3 months of becoming non-functional.

J. A solar energy system shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system, and in no case shall such identification be visible from the property line.

K. Solar energy systems shall not obstruct any public or private street, driveway, sidewalk, walkway or parking area. Such areas, not otherwise required by zoning or subdivision ordinances or approval conditions may be removed for the installation of solar energy systems.

8. **Abandonment and Removal of Solar Energy Systems.**

A. Any component of the solar energy system which has not been in active and continuous service for a period of 1 year shall, within 30 days following the end of said period, be removed from the property to a place of sale and legal disposal and the site shall be cleaned and restored with grass or other vegetative ground cover until other use is established.

B. If the requirements of subsection (8)(A) have not been completed within said 30-day period, then the Township shall give written notice to the owner and/or tenant of the property on which the solar energy system is located, to accomplish the same within 30 days.

- C. If the removal and restoration has not been completed within 30 days of said written notice by Township, then Township may accomplish the same charge the said owner and/or tenant notified pursuant to subsection (8)(B) for all the costs and expenses, including reasonable attorney's fees for collection and place a lien on the property for the same.

§ 27-520. Vehicle Repair Garages.

- 1. No vehicle repair garage may be located closer than 250 feet to a residential zone or within 750 feet of another vehicle repair garage.
- 2. No vehicle repair garage shall operate during the hours from 11 p.m. to 5 a.m. the following day.
- 3. Absorptive sound mitigation barriers shall be constructed on the facility property between the building enclosing a vehicle repair garage and those portions of any residential zone within 750 feet of the facility.
- 4. Exterior doors and windows to repair and body shop areas shall be closed during the hours of 5 a.m. and 7 a.m., except for transit of vehicles, and shall not face any residential district within 300 feet.

§ 27-521. Wireless Communications Facilities.

1. Purposes and Findings of Fact.

- A. The purposes of this § 521 include a desire to establish reliable, uniform standards for the construction, siting, Design, permitting, maintenance, and use of wireless communication facilities in recognition of the federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996); the federal Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act) Pub. L. No. 112-96, 126 Stat. 156 (2012), and FCC regulations promulgated thereunder by the Federal Communications Commission (FCC), including the FCC's Report and Order of October 21, 2014, FCC 14- 153 (rel. Oct. 21, 2014); and the Pennsylvania Wireless Broadband Collocation Act (Act 191), 53 P.S. § 11702.1 et seq. ("WBCA") in the Township. Moreover, the Township desires to plan and accommodate for the managed deployment of infrastructure that is necessary to accommodate the wireless communications needs of the Township's residents, businesses, and emergency service providers. While the Township recognizes the benefit of wireless communication facilities in providing high quality communications service and enhancement to its residents and businesses, the Township also recognizes that it has an obligation to protect public safety and to minimize the adverse visual effects of such facilities through the standards set forth in the following provisions.
- B. By enacting these provisions, the Township intends to:
 - (1) Accommodate the need for wireless communications facilities while regulating their location and number so as to ensure the provision for necessary services;
 - (2) Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both Township residents and wireless carriers in accordance with federal and state laws and regulations;
 - (3) Establish procedures for the design siting, construction, installation, maintenance and removal of both tower-based and non-tower based wireless communications facilities in the Township;
 - (4) Address new wireless technologies, including, but not limited to, distributed antenna systems, data collection units, cable Wi-Fi, and other communications facilities;
 - (5) Minimize the adverse visual effects and the number of such facilities through proper design siting, screening, material, color, and finish and by requiring that competing providers of wireless communications services co-locate their commercial communications antennas and related facilities on existing towers;
 - (6) Promote the health, safety, and welfare of the Township's residents and businesses with respect to wireless communication facilities;

- (7) Protect the Township's residents and businesses from the potential adverse impacts of wireless communication facilities and to preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape; and
- (8) Ensure compliance with federal and state regulation.

2. Definitions. The definitions found herein apply only to wireless communications facilities and the regulations found in this Article.

ACCESSORY EQUIPMENT: Any equipment serving or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar equipment.

ANTENNA: Telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services. An antenna shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment including, without limitation, ham or citizen band radio antennas.

BASE STATION: A structure or equipment at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- (i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services (i.e., Wi-Fi) and fixed wireless services (i.e. point to point microwave transmissions) such as microwave backhaul.
- (ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small-cell networks).
- (iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the Township under this subpart, supports or houses equipment described in sub-paragraphs (i) and (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
- (iv) The term does not include any structure that, at the time the relevant application is filed with the Township under this section, does not support or house equipment described in sub-paragraphs (i) or (ii) of this section.

COLLOCATION: The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

DISTRIBUTED ANTENNA SYSTEM (DAS): A small network of antennas that are connected to a common source that provides coverage in a building or a small geographic area.

ELIGIBLE FACILITIES REQUEST: Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

ELIGIBLE SUPPORT STRUCTURE: Any tower or base station, provided that it is existing at the time the relevant application is filed.

EQUIPMENT COMPOUND: An area surrounding or adjacent to a wireless support structure within which base stations, power supplies or accessory equipment are located.

FT. WORTH ATTACHMENT: A non-freestanding pole which is attached to an electrical transmission tower which is used to support antennas and accessory equipment, and which is anchored to the ground and obtains lateral bracing by direct attachment to the electrical transmission tower.

MINIMUM FUNCTIONAL HEIGHT: Minimum height necessary for a WCF to function satisfactorily.

MODIFICATION: The improvement, upgrade or expansion of existing wireless telecommunications facilities or base stations on an existing wireless support structure or the improvement, upgrade or expansion of the wireless telecommunication facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

MONOPOLE: A tower which consists of a single pole structure without any guy wires, designed and erected on the ground or on top of a structure, to support communications antennas and connect appurtenances.

REPLACEMENT: The replacement of existing wireless telecommunications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height as the wireless telecommunications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

SITE: The current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

STEALTH TECHNOLOGY: State-of-the-art design techniques used to blend objects into the surrounding environment and to minimize the visual impact as much as possible. These design techniques are applied to wireless communications towers, antennas and other facilities which blend the proposed WCF into the existing structure or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, light poles, utility poles or flag poles.

SUBSTANTIAL CHANGE or SUBSTANTIALLY CHANGE: A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (v) it increases the original height of the tower by more than ten percent (10%) or by the height of one (1) additional antenna array with separation from the nearest existing antenna not to exceed twenty feet (20'), whichever is greater; for other existing towers or base stations, it increases the original height of the structure by more than ten percent (10%) or more than ten feet (10'), whichever is greater. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
- (vi) it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet (20'), or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other existing towers or base stations, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet (6');
- (vii) for any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets.
- (viii) it entails any excavation or deployment outside the current site.

TOWER: Any structure that exceeds ten feet (10') in height and is built for the sole or primary purpose of supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, including

structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services (i.e. Wi-Fi) and fixed wireless services (i.e. point to point microwave transmission) such as microwave backhaul, and the associated site. A building, water tower, electrical transmission tower, utility pole, light pole, traffic signal pole, flagpole or other similar structure designed and constructed for a sole or primary purpose other than supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, as well as a Ft. Worth attachment shall not be considered a tower.

TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES (TOWER-BASED WCF): Wireless communications facilities that include the installation of a new tower to support the transmission equipment. A WCF that requires the replacement of an existing structure (i.e. building, water tower, utility pole, light pole, traffic signal pole, flagpole or other similar structure) to support the weight of a WCF is not considered a new tower-based WCF.

TRANSMISSION EQUIPMENT: Equipment that facilitates transmission for any Federal Communications Commission- licensed or authorized wireless communications service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as a microwave backhaul.

WCF ON EXISTING STRUCTURE: Wireless communications facilities located on existing structures such as, but not limited to, buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new tower. This term includes the replacement of an existing structure with a similar structure that is required to support the weight of the proposed WCF.

WIRELESS: Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, personal communications service (PCS), microwave, satellite, or radio signals.

WIRELESS COMMUNICATIONS FACILITY (WCF): The set of equipment and network components including antennas, transmitters, receivers, base stations, cabling and accessory equipment, used to provide wireless data and telecommunication services. The term shall not include the wireless support structure.

WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a guyed or self- supporting monopole or tower, electrical transmission tower, water tower or other structure not classified as a wireless support structure, including but not limited to buildings, light poles, utility poles, traffic signals and other similar structures that could support the placement or installation of wireless telecommunications facilities if approved by the Township.

3. Permitted and Prohibited Zoning Districts for Wireless Communications Facilities (WCF).

Table 3.1.a

Permitted Zoning Districts

	WCF Type	Permitted Zoning Districts	Permitted by Right or SE
A.	Tower-Based WCF where the Tower is Fifty Feet (50') or Less in Height	PC - Planned Commercial PIO - Planned Industrial-Office	SE
B.	WCF on Existing Structures	PC - Planned Commercial PIO - Planned Industrial-Office	SE
C.	Eligible Facilities Request	PC - Planned Commercial PIO - Planned Industrial-Office	By Right

Table 3.1.b

Prohibited Zoning

	WCF Type	Prohibited Zoning Districts
A.	Tower-Based WCF where the Tower is Fifty Feet (50') or Less in Height	MR - Medium Density Residential PUD - Planned Unit Development AI - Airport-Industrial LU - Limited Use FH - Flood Hazard
B.	Tower-Based WCF where the Tower is Greater than Fifty Feet (50') in Height	All Zoning Districts
C.	WCF on Existing Structures	MR - Medium Density Residential PUD - Planned Unit Development AI - Airport-Industrial LU - Limited Use FH - Flood Hazard
D.	Eligible Facilities Request	MR - Medium Density Residential PUD - Planned Unit Development AI - Airport-Industrial LU - Limited Use FH - Flood Hazard

4. **Table 4.1**

Tower-Based WCFs

		WCF
Height		Tower-Based WCFs shall be designed to Minimum Functional Height, not to exceed Fifty Feet (50'). WCF on Existing Structures shall be designed to Minimum Functional Height. The height of the WCF and the Existing Structure, combined, shall not exceed Fifty Feet (50'). Applicants must submit documentation justifying the total height.
Lot Size	Only use on lot:	Subject to underlying zoning district.
	Combined with another use on lot:	Area needed to accommodate the WCF and guy wires (including Setback), Accessory Equipment, and, if required, security fence, landscaping, and screening.
Setbacks	Towers:	Setback from property lines, and all structures other than (1) walls, fences, poles, towers, pipes or (2) generator, condenser, or similar piece of equipment affixed to the ground or (3) any structure entirely at or below ground level, except swimming pools at least One Hundred Ten Percent (110%) of the combined height of the Wireless Support Structure and Antennas, or the applicable minimum building setback in the underlying zoning district, whichever is greater.
	Equipment buildings/cabinets:	Subject to applicable minimum accessory use or structure setback in the underlying zoning district.

5. Design, Construction, and Operations.

- A. All WCFs shall be sited, designed, constructed, operated, inspected, maintained, repaired, modified, removed, and replaced in strict compliance with all current applicable federal and state technical and safety codes including, without limitation, the permitting and inspection requirements of the PA Uniform Construction Code, as adopted by the Township.
- B. Subdivision plan approval shall not be required when a WCF is located on a leased parcel that is less than the entire lot. This provision shall not eliminate any requirement for a land development plan.
- C. All WCFs shall be operated in accordance with all applicable FCC rules regarding interference with public safety communications or the reception of broadband, television, radio or other communications services.
- D. All WCFs shall be operated in a manner so that they do not interfere with public safety communications or the reception of broadband, television, radio, or other communication services enjoyed by occupants of nearby properties. In the event that a WCF causes interference with such services within the Township, the WCF applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected.

- E. Collocation. All tower-based WCFs shall be designed to accommodate both the applicant's antennas and comparable antennas for future users. As a condition of approval for all tower-based WCFs, the applicant shall agree to allow other service providers to collocate antennas on the tower where technically and economically feasible.
- F. Signage. All WCFs shall include a posted sign at the location. Such signage shall include the ownership, contact name and phone number in the event of an emergency and Federal Communications Commission (FCC) registration number (if applicable). Such signage shall not include commercial advertising and is subject to approval by the Township
- G. Lighting. Towers shall not be artificially lighted beyond what is required by law. If lighting is required, the WCF applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under Township, state, and federal regulations.
- H. Noise. All WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards established by the Township. The use of a backup generator in emergency situations and periodic maintenance and testing by the wireless communications provider's technicians shall be permitted, where such noise standards may be exceeded on a temporary basis.
- I. Vehicular Access.
 - (i) An access driveway and one (1) off-street parking space shall be provided to ensure adequate emergency and service access to all tower-based WCFs.
 - (ii) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.
 - (iii) Where possible, access driveway construction shall at all times minimize ground disturbance and the cutting of vegetation.
 - (iv) Access driveway grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.
 - (v) Where applicable, an applicant shall present documentation to the Township that the property owner has granted
 - (vi) An access easement for the proposed WCF facility and maintenance responsibilities.
 - (vii) Any required access easement shall be a minimum of twenty feet (20') in width and the access driveway shall be improved with a dust-free, all weather surface, including gravel, to a width of at least ten feet (10') throughout its entire length.
 - (viii) Vehicular access to all WCFs shall not interfere with the parking or vehicular circulations for a principal use, if located on the lot. However, where appropriate and available, existing parking for the principal or other uses on the lot may be utilized.
- J. Fencing. A security fence with a height of six feet (6') shall be required to surround any tower-based WCF. The requirement for a security fence may be waived by the Township when the tower is a monopole that cannot be climbed or the fence would not be appropriate or feasible. All fencing must be in accordance with the provisions of the Township Zoning Ordinance.

- K. Maintenance. An applicant for a WCF shall describe anticipated maintenance needs, including frequency of service, personnel needs, and equipment needs, and the traffic, safety, and noise impacts of such maintenance.
 - L. Soil report. An applicant for a tower-based WCF shall submit a soil report complying with the standards of geotechnical investigations of the Electronics Industry Association and the Telecommunications Industry Association to the Township Engineer prior to construction to document and verify the design specifications of the foundation for the wireless support structure and anchors for the guy wires, if used.
 - M. Aviation safety. All WCFs must meet or exceed current standards and regulations of the Federal Aviation Administration ("FAA") and any other agency of the State or Federal government with the authority to regulate aviation safety. If such standards and regulations are changed, then the applicant of the WCF governed hereby shall bring such WCF into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring WCF into compliance with such revised standards and regulations shall constitute grounds for removal of the WCF at the applicant's expense.
 - N. Inspections for all WCFs. All WCFs shall be subject to applicable provisions of the building code of Hanover Township, including periodic inspections.
 - O. Equipment Storage. The storage of unused equipment or supplies is prohibited on any WCF site.
 - P. Historic Locations. Wireless communications facilities are not permitted to be located on buildings, structures or sites listed on the National State Register of Historic Places or recognized as historic buildings, structures or sites by resolution of the Hanover Township Council.
6. Aesthetics, Landscaping, and Screening.
- A. Stealth Technology. All WCFs shall employ the most current stealth technology available, where appropriate, in an effort to appropriately blend the proposed WCF into the surrounding environment and minimize aesthetic impact. Equipment buildings and cabinets shall be designed to blend into the environment in which they are situated, to the extent practicable. All proposed tower-based WCFs must provide documentation detailing the proposed stealth technology.
 - B. Landscaping and Screening. An applicant for tower-based shall submit a landscaping and screening design including the following:
 - (i) The applicant shall ensure that the existing vegetation, trees, and shrubs located within proximity to the WCF support structure shall be preserved to the extent practicable. Any vegetation, trees, or shrubs that are disturbed during construction shall be restored to the extent practicable so that the property is in as good as or better condition than it was prior to construction.
 - (ii) Ground mounted equipment may be screened from public view using an evergreen screen, artificial screen, or fencing, as directed by the Township.
 - (iii) Any graffiti on the tower or on any related equipment shall be immediately removed at the sole expense of the WCF owner or the property owner.
7. Replacement, Collocation, or Modification.
- A. Notwithstanding the requirements for all tower-based WCFs and WCFs on existing structures, as set forth in this sub-section, an application for replacement, collocation or modification of a previously approved wireless support structure or WCF shall be reviewed for conformance with the Township building permit requirements, including requirements applicable to the added structural loading of the proposed antennas and accessory

equipment. These previously approved facilities shall not be subject to the issuance of new zoning or land use approvals, provided that there is no substantial change.

- B. Replacement of WCFs on existing wireless support structures or within existing equipment compounds may be performed by the applicant without obtaining building or zoning permits from the Township.
- C. To the extent permissible under applicable state and federal law, any WCF applicant proposing the modification of an existing tower-based WCF resulting in any increase in the overall height of such WCF, monopole, tower, or other wireless support structure shall first obtain all necessary permits and approvals from the Township. Non-routine modifications shall be prohibited without prior approval from the Township.
- D. Mounting. An applicant proposing a WCF on existing structure to be mounted on a building or any other structure shall submit detailed construction and elevation drawings indicating how the WCF on existing structure will be mounted on the existing structure for review by the Township building code official for compliance with the building code.

8. Permit Requirements.

- A. Collocation Analysis. An application for a new tower-based WCF shall not be approved unless the applicant demonstrates that the wireless communications equipment planned for the proposed tower-based WCF cannot be collocated on an existing structure or building within a one (1) mile radius of the proposed tower-based WCF location to achieve the coverage or capacity objectives of the applicant.
- B. Gap in Coverage or Lack of Adequate Capacity. An applicant for a tower-based WCF must demonstrate that a significant gap in wireless coverage exists or lack of adequate capacity is likely to exist within one (1) year of the filing of its application with respect to the applicant in the area.
- C. Authorization. An applicant for a WCF shall submit a copy of the lease or other form of written authorization with the property owner confirming that the applicant has standing to file the application and maintain the proposed WCF on the subject lot.
- D. Licensing and applicable regulations. If the applicant is a commercial wireless communications provider, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with its application copies of all FCC permits and licenses.
- E. Emissions. The applicant shall demonstrate that the proposed WCF will comply with all applicable standards, if any, established by the FCC governing human exposure to electromagnetic emissions.
- F. Insurance. The applicant shall provide a certificate of insurance issued to the owner/operators of the WCF, evidencing that there is or will be adequate current liability insurance in effect.
- G. Engineer Inspection. Prior to the Township's issuance of a permit authorizing construction and erection of a tower-based WCF, a structural engineer registered in Pennsylvania shall issue to the Township a written certification of the proposed WCF's ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the structure. This certification shall be provided during the special exception hearing or, at a minimum, be made as a condition attached to any approval given such that the certification be provided prior to issuance of any building permits.

H. Review timeframes.

Table 8.1
WCF Review Timeframes

		Township shall notify the applicant in writing of any information that may be required to complete application	Township shall approve or deny the application unless a shorter time period is applicable under the MPC
A.	New Tower-Based WCFs	Within thirty (30) calendar days of the date the application was filed with the Township.	Within one hundred fifty (150) days* of submission of a complete application for a WCF.
B.	WCF on Existing Structures	Within thirty (30) calendar days of the date the application was filed with the Township.	Within ninety (90) days* of submission of a complete application for a WCF.
C.	Eligible Facilities Requests** (as defined)	Within thirty (30) calendar days of the date the application was filed with the Township.	Within sixty (60) days* of submission of a complete application for a WCF.
<p>* The time period may be tolled by mutual agreement or in cases where the Township informs the applicant in a timely manner that the application is incomplete. If an application is considered incomplete, the time period begins running again as soon as the applicant makes a supplemental submission, but may be tolled again if the Township provides written notice to the applicant within ten (10) days that the application remains incomplete and specifically delineates which of the deficiencies specified in the original notice of incompleteness have not been addressed.</p>			
<p>**The Township shall only require the applicant to provide documentation that is reasonably related to determining whether the request is for an Eligible Facility.</p>			

I. Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the actual costs in reviewing and processing the application for approval of a WCF. The amount of this fee may not be in excess of the actual reasonable cost to review and process the application.

9. Discontinuation, Abandonment and Removal.

A. Nonconforming WCFs. Any nonconforming WCF which is hereafter damaged or destroyed due to any reason or cause may be repaired and restored at its former location but must otherwise comply with the terms and conditions of this Chapter.

B. Discontinuation. In the event that use of a tower-based WCF is planned to be discontinued, the owner/operator shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

- 1) All unused or abandoned WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the Township.
- 2) If the WCF and/or accessory facility is not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the Township, the WCF and accessory facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.

- C. **Bonding.** A bond in form and amount satisfactory to the Township will be required to guarantee removal of the tower-based WCF, with a face value equal to the estimated cost for the removal of all structures associated with the WCF, plus fifteen percent (15%), as determined by applicant's engineer and confirmed by the Township engineer. Applicant shall submit an updated estimate of the cost to remove all structures associated with the WCF every five (5) years and shall update the face value of the bond accordingly. Applicant must maintain such bond until the tower-based WCF has been removed. At any time, if applicant fails to renew such bond within thirty (30) days of its expiration, the Township may make a claim on such bond in the full amount thereof which amount shall be deposited in a Township account and held for the same purposes as the bond.

§ 27-522. Permanent Outdoor Storage of Materials and Equipment.

1. These uses shall be screened as per § 27-512.F from abutting residential properties and public streets or rights-of-way
2. These uses shall be set back from any property lines and streets or rights-of-way by at least 50 feet.
3. Surfacing shall be composed of a dustless, all weather surface such as gravel, asphalt or concrete.
4. Storage of materials shall be maintained in an orderly and neat fashion and shall not create conditions favorable for vector or pest breeding or stormwater runoff

**ARTICLE VI
OFF-STREET PARKING AND LOADING**

§ 27-600. Required Off-Street Parking Space.

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each building or use which, after the effective date of this Chapter is established, erected, enlarged or altered for use for any of the following purposes in any district; for uses not specifically listed, the requirements for the most similar Use listed shall be followed:

Use	Number of Off-Street Spaces Required
A. Rural - Agricultural	- 1 space for each employee
B. Residential Uses	
1. Single Family Dwelling Unit	- 2 spaces for each dwelling unit
2. Apartments	- 1.5 spaces for each apartment plus 1 space for each employee
3. Mobile Home Parks	- 2 spaces for each dwelling unit
4. Conversions	- 2 spaces for each dwelling unit
5. Rooming Houses	- 1 space for each rental unit plus 2 spaces for each resident dwelling unit
6. Home Occupations	- 2 spaces for each dwelling unit plus 1 space for every 100 S.F. of area used for the home occupation
C. Public or Private Recreation	
1. Private or Membership Clubs or lodges	- 1 space for every 5 members or 4 seats total capacity plus 1 space for each employee
2. Bowling Alleys	- 4 spaces for each lane plus 1 space for every 200 S.F. of the eating area plus 1 space for each employee
3. Theaters, Auditoriums, & Stadiums	- 1 space for every 3 seats of capacity plus 1 space for each employee (20" bench cap. = 1 seat)
4. Golf Courses	- 1 space for every 2 people of capacity on course plus 1 space for each employee
5. Amusement Centers	- 1 space for every 100 S.F. of usable floor area plus 1 space for each employee
6. Skating Rinks	- 1 space for every 50 S.F. of usable skating floor area plus 1 space for every 200 S.F. of eating area plus 1 space for each employee
D. Governmental, Institutional Educational & Utility	
1. Places of Worship	- 1 space for every 4 seats of capacity or 1 space for every 50 S.F. of auditorium plus 1 space for each employee
2. Public or Private Educational Institution	- 1 space for each employee plus 1 space for every 2 classrooms plus 1 space for every 8 students over 16 years of age
3. Public Buildings & Libraries	- 1 space for every 200 S.F. of usable area plus 1 space for each employee
4. Licensed Convalescent or Nursing Homes	- 1 space for every 4 beds plus 1 space for each staff member plus 1 space for each employee on the largest shift
5. Cemeteries	- 1 space for each employee plus 1 space for each salesperson
6. Day Care Homes, Centers & Nursery Schools	- 1 space for each employee plus 1 space for every two classrooms
	- 1 space for each doctor plus 1 space for every 3 employees on the largest

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

7. Life Care Retirement Facilities	shift plus 1 space for every 2 dwelling units
8. Hospitals	- 1 space for every 2 beds plus space for each doctor plus space for every 2 employees on the largest shift
E. Retail, Commercial, Business Professional Service	
1. Vehicle Servicing & Repair	- 3 spaces for each service bay plus 1 space for each employee (necessary spaces shall not include access areas to fuel pumps)
2. Banks & Credit Unions	- 1 space for every 100 S.F. of service area plus 1 space for each employee.
3. Professional Offices, such as Real Estate, Insurance, Consultants	- 1 space for every 150 S.F. of gross floor area
4. Retail Sales & Businesses	- 1 space for every 100 S.F. of usable area plus 1 space for every 2 employees
5. Funeral Homes	- 1 space for every 4 seats of capacity or 1 space for every 50 S.F. of viewing area, plus 1 space for each employee
6. Medical or Dental Offices, Clinics	- 4 spaces for each practitioner plus 1 space for each employee
7. Personal Service Businesses, such as Barber Shops, Beauty Parlors, Photo Shops, Appliance Repair	- 1 space for every 100 S.F. of area serving customers plus 1 space for every 2 employees.
8. General Business Offices	- 1 space for every 200 S.F. of gross floor area, except for Intense Office Uses which shall require 1 space for every 150 S.F. of gross floor area. Parking requirement for Intense Office Uses may be calculated separately from parking requirements for the remainder of the building.
9. Restaurants, Taverns	- 1 space for every 3 seats of capacity plus 1 space for every 2 employees
10. Drive-In Restaurants	- 1 space for every 100 S.F. of take-out service and kitchen area plus 1 space for every 3 seats of capacity plus 1 space for every 2 employees
11. Self-Service Laundromats	- 1 space for every 4 Washing and drying machines plus 1 space for each employee
12. Neighborhood Convenience Centers	- 1 space for every 167 S.F. of retail sales area
13. Shopping Centers	- 5 spaces for every 1,000 S.F. of gross floor area
14. Veterinary Offices	- 3 spaces for each practitioner plus 1 space for each employee
15. Motels & Hotels	- 1 space for each rental unit plus 1 space for each employee on the largest shift. Restaurant facilities of such an establishment must meet restaurant parking requirements. Banquet hall facilities must have 1 space for every 2 seats of maximum seating capacity. Convention hall facilities must have 1 space for every 33 square feet of area.
F. Industrial Uses	
1. All Industrial Uses Except Ware housing	- 1 space for every 2 employees on the largest shift plus 1 space for each company vehicle plus 1 space for every 5 managers
2. Warehousing	- 1 space for every 2 employees plus 1 space for each company vehicle plus 1 space for every 5,000 S.F.

§ 27-601. General Regulations Applying Required Off-Street Parking Facilities.

- Existing Parking. Structures and uses in existence at the date of adoption of this Chapter shall not be subject to the requirements of this Part so long as the kind or extent of use is not changed, provided that any parking facilities now serving such structures or uses shall not in the future be reduced below such requirements.

2. **Change in Requirements.** Whenever there is an alteration of the structure of a change or extension of a use which increases the parking requirements according to the standards of § 27-600, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that Section.
3. **Conflict with Other Uses.** No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.
4. **Continuing Character of Obligation.** All required parking facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced to a total extent after their provision, except when such reduction is in conformity with the requirements of this Part. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the employees of other persons whom the facilities are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, or a hazard, or unreasonable impediment to traffic.
5. **Joint Use.** Two or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total by special exception under Part 14 if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking need for the uses are so different that a lower total will provide adequately for all uses served by the facility.
6. **Fractional Spaces.** Where the computation of required parking space results in a fractional number, only the fraction of one-half more shall be counted as one.
7. **Location of Parking Space.** Required off-street parking areas shall be on the same lot or premises with the principal use served, or, where this requirement cannot be met, within 300 feet of the principal use served within the same district.
8. **Maintenance of Parking Areas.** For parking areas of 3 or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with asphalt or other suitable hard surface material and drained to the satisfaction of the Township Engineer to the extent to prevent dust, erosion, or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked as to indicate their location.
9. **Parking of Commercial Vehicles.** Commercial motor vehicles as defined in Part 2 are not permitted to park in the LU or MR District other than for normal commercial deliveries and services to the residents.

§ 27-602. Design Standards.

The design standards specified below shall be required for all off-street parking facilities with a capacity of 3 or more vehicles built after the effective date of this Chapter.

1. Parking lot dimensions shall be no less than those listed in the following table:

Angle of Parking	Parking Width**	Stall Depth***	Aisle Width	
			One-Way	Two-Way
90	9'	19'*	12'	24'
60	9'	20'	18'	22'
45	9'	20'	15'	20'
30	9'	18'	12'	20'
Parallel	8'	21'	12'	20'

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

* Where parking spaces abut landscaped areas, it shall be permissible to reduce this dimension by 2' to allow for vehicle overhang.

** Narrowest dimension across space.

*** Measured from driveway line to most distant point of space.

2. Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
3. The width of entrance and exit drives shall be:
 - A. A minimum of 12 feet for one-way use only.
 - B. A minimum of 20 feet for two-way use.
 - C. A maximum of 50 feet at the street line.
4. Except as provided in § 27-513(2) in order to service any property held under single and separate ownership, entrance and exit drives crossing the street lot line shall be limited to two along the frontage of any single street and their center lines shall be placed at least 80 feet apart. On all corner properties, they shall be placed a minimum of 60 feet, measured at the curb line, between the center line of any entrance or exit drive and the street line or the street parallel to said access drive.
5. In no case shall parking areas for 3 or more vehicles be designed to require or encourage cars to back into a public street in order to leave a lot.
6. All parking spaces and access drives shall be separated from any property line by a planting strip which shall be at least 10 feet in depth.
7. Except where entrance and exit drives cross street lines, all parking areas for any purpose other than single family residences shall be physically separated from any public street by a concrete curb and by a planting strip which shall be not less than 10 feet in depth. This 10-foot planting strip shall be parallel to the street line and shall be measured from the future right-of-way.
 - A. Parking areas of more than 30,000 S.F. shall be provided with curbing, planting strips, planters or any combination thereof to delineate main driveways and parking areas.
8. All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property.
9. In all single family attached and apartment areas, the following additional requirements shall apply:
 - A. Parking areas shall be arranged to prevent through traffic to other parking areas.
 - B. Parking areas shall be separated from adjacent structures, access roads and traffic arteries, with hedges, dense planting, earth berms, changes in grade or decorative walls. All parking areas shall be a minimum of 20 feet from all structures, access roads and traffic arterials.

§ 27-602. Off-Street Loading.

Off-street loading requirements as specified below shall be provided on any lot on which a building exceeding 8,000 square feet of gross floor area for business or industry is hereafter erected.

1. Every building or structure, lot or land hereafter put to a business or industrial use or existing building or structure enlarged shall provide one off-street truck loading space for the first 10,000 square feet or less of gross floor area, plus a minimum of one additional off-street truck loading area for each additional 40,000 square feet of gross floor area.

§ 27-604. Design and Layout Off-Street Loading Facilities.

1. Off-street loading facilities shall be designed to conform to the following specifications:
 - A. Each required space shall be no less than 12 feet in width, 30 feet in length and 14 feet in height, exclusive of drives and maneuvering space and located entirely on the lot being served.
 - B. There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
 - C. The maximum width of driveways and sidewalk openings measured at the street lot line shall be 35 feet and the minimum width shall be 20 feet.
 - D. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, or a hazard or unreasonable impediment to traffic.

**ARTICLE VII
SIGNS**

§ 27-700. Purpose.

This Part recognizes that signs perform an important function by identifying residences and businesses and that minimum control of signs is necessary to promote the health, safety and general welfare by lessening hazards to pedestrian and vehicular traffic: by preserving property values, by preventing unsightly and detrimental development which has a blighting influence upon residential, business and industrial uses, by preventing signs from reaching such excessive size that they obscure one another to the detriment of all concerned and by securing certain fundamentals of design for the Township.

§ 27-701. Permit Requirements for Signs.

1. All permanent on-premises and off-premises signs, regardless of size shall require the issuance of a Zoning Permit from the Zoning Officer before erection or replacement. All signs must comply with all of the regulations contained herein, regardless of whether a permit is required. However, no permit shall be required to repaint any sign provided there are no changes or alterations whatsoever.
2. Permits are not required for temporary signs to be used within a period of less than twenty (20) days.
3. Permits issued for signs, including the conversion of a nonconforming billboard to an EMS, shall be subject to the provisions of § 27-1303 and construction shall be commenced and completed within six (6) months of issuance or shall automatically expire.

§ 27-702. Signs Prohibited in All Districts

1. Signs which any way simulate official, functional, directional or warning signs erected or maintained by the United States government, the Commonwealth of Pennsylvania, County or Municipality thereof, or by any railroad, or public utility or similar agency concerned with the protection of public health or safety.
2. Banners, spinners, flags, pennants or any moving object used for commercial advertising purposes whether containing a message or not, except where specifically permitted.
3. Flashing, blinking, twinkling, animated, twirling or moving signs of any type, including signs with changing messages or graphics, except those portions of signs which indicate time and temperature changes and except where these signs are permitted by § 27-707(1)(C)(5).
4. No sign shall be erected, containing information on it which states or implies that a property may be used for any purpose not permitted under the provisions of this Chapter in the zone in which the property to which the sign relates is located.
5. On-premises signs advertising a use no longer in existence or a project no longer available shall be removed or changed to advertise the new use or product immediately after cessation of the original use. Signs once removed, shall be replaced only by signs in conformance with this Chapter.
6. No signs except those of a duly constituted governmental body, including traffic signs and similar regulatory notices shall be allowed within street lines unless specifically authorized by other Chapters and regulations of the Township and in compliance with the Commonwealth of Pennsylvania regulations.
7. No vehicle to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the vehicle's primary purpose but becomes a primary purpose in itself.

§ 27-703. Non-Conforming Signs.

1. Only lawful signs existing at the time of passage of this Chapter and which do not conform to the requirements of the Chapter shall be considered nonconforming signs and once removed shall be replaced only with conforming signs; however, lawful, nonconforming signs may be repainted or repaired provided such repainted or repaired sign does not exceed the dimensions of the existing sign. Any sign or billboard destroyed, damaged, or dismantled for any reason whatsoever may only be rebuilt on its previous location in strict conformity with the regulations of the district in which it is located. Notwithstanding the foregoing, a nonconforming sign or billboard may be converted by the owner of such nonconforming sign or billboard to an EMS, including the structural reinforcement thereof for purposes of supporting said EMS, provided that the converted EMS shall not exceed the dimensions of the existing sign or billboard, shall not be relocated, and shall otherwise meet all of the requirements for an EMS including, but not limited to, the distance requirements set forth in § 27-711.4.
2. Every lawful sign, billboard and other outdoor advertising media erected in the Township prior to the adoption of this Chapter, may continue to be maintained in spite of their lack of conformity with all of the provisions of this Chapter, for a period of 7 years after the adoption hereof, after which the owner of every such sign, at his own expense, shall cause the same to be brought into strict conformity with all the requirements of this Chapter, or shall remove the same. The work of bringing such sign into conformity with such requirements shall constitute either repair, alteration or relocation and therefore, shall require the owner of such sign, to obtain a permit. Provided, the Zoning Hearing Board may permit the owner of the sign to continue to maintain such sign without conforming to the requirements of this Chapter where to require cessation of use would in the opinion of the Zoning Hearing Board, impair the property rights of any person to such an extent as to be an unconstitutional taking of property.
3. Every unlawful sign must conform to the provisions of Part 12. All signs erected prior to the adoption of this Chapter which do not have a Zoning Permit but do conform to the provisions of this Part, shall be required to apply for a Zoning Permit within 60 days of the official adoption of this Chapter.

§ 27-704. Area of Signs.

1. The size of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contains advertising copy. In the case of signs that have no definable edges, such as raised letters attached to a building facade, the sign size shall be that area within a single continuous perimeter enclosing the extreme limits of the actual message or copy area.
2. The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed but not including any supporting framework and bracing which are incidental to the display itself.
3. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
4. In computing square foot area of a double-face sign, only one side shall be considered provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than 45 degrees, then both sides of such sign shall be considered in calculating the sign area and it shall be considered as a parallel sign.
5. If an establishment has walls fronting on two or more streets, the sign area for each fronting street may be computed and used. Each sign shall be placed on the frontage used in the computation. When a freestanding sign is used only one wall sign shall be allowed.

§ 27-705. General Sign Regulations.

The following requirements shall apply to all specifically designated signs:

1. All signs except temporary signs shall be constructed of durable material and kept in good condition and repair. Electrical signs shall be subject to the performance criteria of the Underwriters Laboratory, Incorporated, or to applicable Township Codes, whichever is more stringent.
2. All sign provisions of this Chapter shall apply to smokestacks, water towers and other similar structures.
3. No sign shall be so located or arranged that it interferes with traffic through glare; through blocking of reasonable sight lines for streets, sidewalks, or driveways; through confusion with a traffic control device (by reason of color, location, shape or other characteristics); or through any other means. In no case shall any sign, other than an official governmental sign, be erected within the official right-of-way of any street unless specifically authorized by other ordinances or regulations of the Township and in conformance with Commonwealth of Pennsylvania regulations, where appropriate. No sign shall violate the visibility restrictions outlined in this Chapter.
4. All signs, other than those traffic control signs permitted within the street right-of-way, shall be set back from the street right-of-way line a minimum distance of 10 feet or as otherwise specified in this Chapter and in conformance with the minimum regulations outlined in corner visibility restrictions of this Chapter.
5. No sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered only elsewhere than upon the premises where it is displayed shall be established nearer than 100 feet to a Residential District, unless the advertisement surface of such sign is not visible therefrom and does not create a nuisance to adjacent property owners, in which instance they shall be no closer than 50 feet to a Residential District.
6. No sign in a Non-Residential District shall be located so as to face any Residential District. This provision shall not apply to signs at right angles to the street line of such street.
7. All free-standing signs shall be set back at least 10 feet from the front lot line. No free-standing sign in other than a Residential District shall extend within 50 feet of any Residential District boundary line.
8. Special promotional devices, signs, or displays such as flood lights, flags, spinners, banners, pennants, "A" type (sandwich type) sidewalk or curb signs and related devices ("devices") shall only be allowed by permit for a new business or an existing business, subject to the following provisions.
 - A. For all types of devices together on a single lot, permits may be issued not more than four (4) times a year.
 - B. No more than one (1) permit may be issued for any business covering the same date or dates.
 - C. Each permit shall allow use of not more than five (5) devices at any time with a maximum height of twenty (20) feet for a parallel sign and eight (8) feet for a free-standing sign and a maximum aggregate area of forty (40) square feet.
 - D. Each permit shall be for a minimum of twenty (20) days and a maximum of sixty (60) days, but for a total of not more than 120 days for all permits for any business in any calendar year.
 - E. At a shopping center with more than one business under separate ownership on the lot, the provisions of Section 705(8) shall apply to each such separately owned business, individually, provided that no more than four such permits may be issued covering the same dates. Permits for such businesses shall be issued in order that the applications are received.
 - F. Such devices are not permitted for an existing business on a property with an EMS.

- G. Such signs shall not be permitted in the Medium Residential (MR) Zoning District, as well as the residential portion of the Planned Unit Developed (PUD) Zoning District.
 - H. The devices shall be subject to the setback restrictions applicable to other signs in the zoning district.
 - I. Devices shall be permitted only on a lot on which the business is located and off premises devices are not permitted.
 - J. A permit shall be required for the placement of all devices and at no other time shall such devices be permitted.
 - K. The Hanover Township Council shall establish fees for such permits by resolution.
9. Unless otherwise provided by the state or federal law, signs associated with elections or political signage shall be removed 15 days after and be placed no sooner than 45 days prior to the election/event.

§ 27-706. Signs Permitted In LU, FH and MR Districts.

The following signs are permitted provided no directly illuminated signs shall be allowed and provided all signs shall comply with the sign regulations in § 27-709.

1. On-Premises Signs.

- A. Official traffic signs and other official Federal, State, County and Township governmental signs.
- B. Signs displaying only the name and address of the occupant of the premises, provided not more than one such sign shall be erected for each occupant of a premises, unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage. The area of such sign shall not exceed 1 square foot.
- C. Temporary signs advertising the sale, lease or rental of property, provided that not more than one such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one such sign shall be allowed for each frontage. All signs shall be removed within 7 days after an agreement of sale or rental has been entered into. Such temporary signs shall not exceed 6 square feet and the height and setback limitations applicable to free standing identification signs in the zoning district in which it is located.
- D. Trespassing signs, signs indicating the private nature of a road, driveway, or premises. The area of such sign shall not exceed 2 square feet.
- E. Signs erected to identify a major subdivision, land development, mobile home park, or apartment complex providing that only one such sign is located at the main entrance. The area of such sign shall not exceed 36 square feet.
- F. Temporary signs erected in connection with the development or proposed development of the premises by a land developer, provided that such signs shall be removed within 20 days after the last structure has been initially occupied.
- G. Where a real estate developer is engaged in selling lots only, then temporary signs advertising the sale of lots in the subdivision shall be permitted during the initial period of the development project, which period shall commence with the recording date of the subdivision map and shall end 12 months thereafter. The permit for such signs may be renewed at the end of each 12-month period.

- H. Temporary signs of contractors, mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected. Not more than one sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one such sign shall be allowed for each frontage. Such signs shall be removed upon completion of work by the mechanic or artisan. The total area of all such signs shall not exceed 12 square feet and the height and setback limitations applicable to free standing identification signs in the zoning district in which it is located.
- I. In MR district, on lots with multiple apartment buildings, in addition to other signs permitted herein, a directional sign may be placed for each approaching lane of traffic at internal driveway intersections. Such sign may not exceed 8 square feet and shall be erected so as not to obscure the vision of vehicle drivers at such intersections.
- J. Any sign containing First Amendment-protected speech, provided any such sign is no more than 32 square feet and no more than one such sign is erected per street frontage per property.

2. Off-Premises Signs.

- A. Signs directing patrons, members, or audiences to temporary exhibits, shows, or events located in the Township and signs directed in conjunction with a political election subject to the following requirements:
 - (1) Signs shall be removed within 1 week after the date of the exhibit, show, event or election.
 - (2) No permit shall be issued for the erection of such signs until a deposit shall be made with the Zoning Officer in accordance with a fee schedule adopted by Township Council to guarantee removal within the time prescribed. Failure to remove such signs within the time prescribed shall result in forfeiture of the deposit.
 - (3) No such sign shall be posted earlier than 3 weeks before the occurrence of the event to which it relates with the exception of political signs which shall be posted no earlier than one month prior to an election.
 - (4) Signs shall not exceed an area of 24 square feet.
- B. Signs necessary for the direction, regulation and control of traffic, street name signs, legal notices, warning at railroad crossings and other official signs which are similarly authorized or erected by a duly constituted governmental body.

§ 27-707. Signs Permitted in the PC and PUD Districts.

No sign shall be permitted except for the following:

1. On-Premises Signs.

- A. All signs permitted in previous § 27-706 at the standards prescribed therein except as otherwise provided in this Section.
- B. No sign except such directional devices as may be required by the Federal Aviation Administration, shall be placed, inscribed or supported upon the roof or upon any structure which extends above the roof of any building.
- C. Parallel and projecting signs, provided:
 - (1) Signs attached to a main wall of a principal building shall not project more than 15 inches therefrom and that no portion shall be less than 10 feet above the basic grade and no more than 25 feet above the basic grade. If not projecting more than 3 inches from a wall of a building, the sign need not conform to the height limits. No sign shall project more than 2 feet above the roof line.
 - (2) The total area of all signs shall not exceed 20% of the area of the building face (including window and door area and cornices) to which they are attached. In no case, however, shall the total area of all signs exceed 300 square feet.

- (3) Permanent window signs shall be considered parallel signs and included in this computation but shall nevertheless not exceed 30% of the total window area on each street.
- (4) In the case of a shopping center or a group of stores or other business uses on a lot held in single and separate ownership, the provisions of this Section relating to the total area of signs permitted on premises shall apply with respect to each building, separate store, or similar use. Only parallel signs shall be permitted for individual establishments.
- (5) In the case of a shopping center, signs not visible from surrounding public streets or highways may be flashing, blinking, animated or incorporate changing messages or graphics, including electronic message signs.

D. Free Standing Signs.

- (1) Shall be limited to one except for an establishment which fronts on two or more streets in which case a sign may be erected in each yard fronting on a street.
- (2) No portion of any such sign shall be more than 25 feet above the ground, except such signs described in §27-707(1)(D) and as follows: provided, that such sign does not cause danger to traffic by obscuring the view across the lot between the height of 2 and 10 feet.
- (3) The area of any free standing signs except such signs as described in §27-707(1)(D)(4) and (5) below shall not exceed 1 square foot for each 2 feet of lineal lot frontage or 50 square feet, whichever is smaller.
- (4) No sign shall be located beyond the rear wall of the main building when the rear property line upon which it is situated abuts a Residential District, except signs that convey information such as parking, entrances and traffic flow directions. The area on one side of any such sign shall not exceed 8 square feet. The name of the business on the premises may appear on such signs.
- (5) In the case of a shopping center, only two free standing signs indicating the name of the center or similar use may be erected. No portion of a shopping center free standing sign shall be less than 20 or more than 40 feet above the ground. The area of any one side of such sign shall not exceed 100 square feet. The location and orientation of such sign shall be shown on the development plan.
- (6) In the case of a group of business uses other than a shopping center, on a lot held in single and separate ownership, a single standing sign including signs identifying different establishments may be erected on a common backing provided that the total area of one side of the sign does not exceed 50 square feet. The structural backing for all such signs shall be uniform and no sign may extend, in any direction, beyond the outside edge of the backing.
- (7) Except as set forth in § 27-707(1)(C)(5), in a PC District, only free standing signs may be electronic message signs, provided such electronic message signs comply with all other provisions applicable to free standing signs.

- E. Directional Signs.** In addition to other signs permitted herein, a directional sign may be placed for each approaching lane of traffic at internal driveway intersections. Such signs may not exceed 8 square feet and shall be erected so as not to obscure the vision of vehicle drivers at such intersections.

§ 27-708. Signs Permitted In PIO and AI Districts.

No sign shall be permitted except as follows:

1. On-Premises Signs.

- A. All signs permitted in § 27-706 and electronic message signs, as provided in §27-707(1)(D)(7), at the standards prescribed therein except as otherwise provided in this Section.
- B. Signs for permitted non-residential uses provided:
 - (1) There shall be a limit of one parallel or projecting sign, identifying the owner and/or occupants of the building, affixed to the face of a building on each yard fronting on a street or abutting an expressway, provided a building in a yard abutting an expressway must be within 100 feet of the right of way of the expressway.
 - (a) If the building face fronts a street, all signs shall not exceed 100 square feet or 20% of the area of the building face to which they are attached or painted, whichever is less.
 - (b) If the building face is in a yard abutting an expressway, all signs shall not exceed 75 square feet or 20% of the building face to which they are attached, whichever is less.
 - (2) Free standing signs shall not exceed 1 square foot of one sign area to 2 feet of lineal lot frontage. The maximum area of any free standing sign may not exceed 75 square feet and not more than one such sign shall be placed on property in single and separate ownership unless such sign property fronts on more than one street, in which case one such sign may be erected on each street frontage.
 - (3) Any entrance to an industrial or office park serving five or more tenants may have a single sign indicating the name of the park and listing each tenant and having a maximum area of 100 square feet.
 - (4) No sign shall be erected within 20 feet of the nearest right-of-way line of any street, road or highway.
- C. Directional Signs. In addition to other signs permitted herein, a directional sign may be placed for each approaching lane of traffic at internal driveway intersections. Such signs may not exceed 8 square feet and shall be erected so as not to obscure the vision of vehicle drivers at such intersections.

2. Off-Premises Signs.

- A. Within 100 feet of the right-of-way of an expressway, a billboard shall be permitted provided:
 - (1) The face of the sign shall have a width of no greater than 48 feet.
 - (2) The total height of the sign or any portion of the structure supporting or otherwise associated with the sign shall have a height not greater than 40 feet, subject also to the height limitations set forth in the sign area regulations of § 27-709.
 - (3) No billboard shall be located within 1,500 feet of any other billboard regardless of on which side of the highway the said other billboard is located.
 - (4) A back-to-back billboard located on a single structure shall be permitted.
 - (5) Only one sign shall be permitted on each side or face of a billboard.
 - (6) The light from any fixture illuminating the billboard shall not be directly visible in any part of the right-of-way of the highway or any other public right-of-way or property.
 - (7) The face of a sign mounted on a unit pole shall have a width no greater than 48 feet and a height no greater than 14 feet. Such sign shall be a billboard mounted on a single pole fixed in the ground and having no other

support or bracing.

- (8) Such signs may have banners, spinners, pennants, flags or other material which moves in the wind.
- (9) Off-premises billboard signs are permitted in the PIO Zoning District only.
- (10) All or part of a billboard may be an EMS, provided that no EMS which is a billboard, including a converted nonconforming billboard, may be located within 1,500 feet of another EMS which is a billboard.

B. Those signs permitted in § 27-706(2) shall also be permitted.

§ 27-709. Summary of Sign Area Regulations.

Unless otherwise specified, all square footages are maximum sizes.

Maximum Area By District. The following is a summary and in the event of any conflict, the provisions of §§27-701 through 27-708 and 27-710 shall prevail.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

TYPE OF SIGN	LU & FH In sq .ft.	MR In sq. ft.	PC In sq. ft.	PUD In sq. ft.	PIO In sq. ft.	AI In sq. ft.
On Premises:						
Official Governmental	N.L.	N.L.	N.L.	N.L.	N.L.	N.L.
Name & Address	1	1	1	1	1	1
Within 100 ft. of expwy.	2	2	2	2	2	2
Trespass	2	2	2	2	2	2
Identification of Subdivision or Development	36	36	36	36	36	36
Sale/Lease (Temporary)	6	6	50	50	75	75
Within 25-100 ft. of expwy. if no open adjacent space	4	4	4	4	4	4
Developer/Contractor (Temporary)	24	24	24	24	24	24
Mechanics or Artisans (Temporary)	12	12	12	12	12	12
Parallel or Projecting Business or Identification Sign	N.P.	N.P.	(* total signs lesser of 20% of bldg. face area 300 sq. ft.)	(* total signs lesser of 20% of bldg. face area 300 sq. ft.)	(* total signs lesser of 20% of bldg. face area 100 sq. ft. facing street, 75 sq. ft. facing expressway)	(* total signs lesser of 20% of bldg. face area 100 sq. ft. facing street, 75 sq. ft. facing
Permanent window Sign (also subject to parallel sign limitations)	N.P.	N.P.	(not exceeding 30% of total window area on each street)	(not exceeding 30% of total window area on each street)	N.P.	N.P.
Free-standing business or Identification Sign	N.P.	N.P.	(lesser of 1 Sq. ft. for each 2 lineal ft. of lot frontage or 50 sq. ft.)	(lesser of 1 sq. ft. for each 2lineal ft. of lot frontage or 50 sq. ft.)	(lesser of 1 sq. ft. for each 2 lineal ft. of lot frontage or 75 sq. ft.)	(lesser of 1 sq. ft. for each 2 lineal ft. of lot frontage or 75 sq. ft.)
a. Beyond rear wall directional sign abutting res. district	N.P.	N.P.	8	8	8	8
b. Non-shopping center business group	N.P.	N.P.	50 sq. ft.	50 sq. ft.	N.P.	N.P.
c. Shopping center	N.P.	N.P.	100 sq. ft. per side	100 sq. ft. per side	N.P.	N.P.
d. Office or industrial park with five or more tenants	N.P.	N.P.	N.P.	N.P.	100 sq. ft.	100 sq. ft.
Off-Premises:						

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

Directional for Temporary shows, exhibits	24	24	24	24	24	24
Official Governmental	N.L.	N.L.	N.L.	N.L.	N.L.	N.L.
Billboard	N.P.	N.P.	N.P.	N.P.	14' x 48" on a unit pole	N.P.

**Permanent window sign is included in total parallel signs calculation. NP = Not Permitted
 NL = No Limitations

§ 27-710. Signs Adjacent to Expressways.

The use of off-premises signs, notices and other signs are herewith restricted as follows in order to facilitate the movement of traffic to minimize the hazard on expressways, as designated in the Township Comprehensive Plan and to restrict the use of signs in the various zoning districts of Hanover Township. Signs permitted by this § 27-710 shall not be permitted on any lot upon which a billboard is located.

1. Within 50 feet of any part of the right-of-way of any expressway within the limits of the Township, only the following signs shall be permitted.
 - A. Official signs including traffic markers, directional signs, or street name plates.
 - B. Name plates not exceeding 2 square feet, identifying the owner or occupant of the property.
 - C. In those areas where there is no open area adjacent to a building abutting the said highway approach a sign not exceeding 4 square feet in area pertaining to the sale or lease of the property and set back at least 25 feet and placed so as not to obstruct a driver’s view of official signs.
2. Over 50 feet and within 100 feet of the edge of said rights-of-way referred to in the preceding subparagraph only the following signs shall be permitted:
 - A. All signs permitted in subparagraph § 27-710.
 - B. An unilluminated sign attached to the main wall of a building and projection horizontally not more than 12 inches therefrom, 10 feet, nor more than 20 feet above the ground. The said sign shall not exceed 30 inches in height or bear an advertisement other than the name of the person, firm or corporation operating the place of business, or owning the property and a description of the general character of the business.
 - C. One illuminated projecting sign, excluding a flashing or animated illuminated sign, or animated unilluminated sign for each building or use not projecting over a street or other public space more than 10 feet from the face of the building or structure, nor in any case beyond a vertical plane two feet inside the right-of-way line; nor shall it be so erected that its innermost edge shall be placed more than 12 inches from the building line; nor shall it bear an advertisement other than the name of the person, firm or corporation operating the place of business, or owning the property and a description of the general character of-the business or be above the roof line.

§ 27-711. Electronic Message Signs.

Electronic message signs (EMS) wherever permitted in the Township shall be subject to the following rules:

1. No EMS image or part thereof (including words, letters, symbols or other graphics) may change more than once every 10 seconds.
2. Any change in an image shall occur within 1 second or less.
3. Change of an image includes, but is not limited to, any perceived movement of the image such as scrolling, dissolving, fading or similar adjustment.
4. No side or face of an EMS which is a billboard shall contain double or multiple signs or split screen images.
5. Only one sign on a side or face of an existing, nonconforming double or multiple sign billboard may be converted to an EMS.
6. No EMS, which is a billboard, shall be located within 1,500 feet of any other EMS which is a billboard regardless of which side of the highway the said other EMS which is a billboard is located.
7. Each EMS must be equipped with automatic day/night dimming software, to maintain a constant illumination intensity or contrast of light level.
8. Community Service. Each EMS owner shall give priority over all messages to emergency alerts as directed by Federal, State, and local authorities. Each owner must notify AMBER ALERT and register its location for use if needed. When possible due to unsold message time, an EMS owner shall give consideration to devoting such unsold time to community service messages (i.e., time and temperature, school closing, weather, non-profit announcements, etc.), as determined by the EMS owner.

**ARTICLE VIII
PLANNED RESIDENTIAL DEVELOPMENT (PRD)**

§ 27-800. Purposes.

The purposes of these Planned Residential Development Provisions are:

1. To insure that the provisions of the Zoning Chapter which are concerned with the uniform treatment of dwelling type, bulk, density and open space within each zoning district, shall not be applied to the improvement of land by other than lot by lot development in a manner which would distort the objectives of the Zoning Chapter.
2. To encourage innovations in residential development and renewal so that the growing demand for housing may be met by greater variety and maximum choice in the type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings.
3. To provide, through the above innovations greater opportunities for better housing and recreation for existing and potential residents of the Township.
4. To encourage a more efficient use of land and services and to reflect changes in the technology of land development so that the economies secured may inure to the benefit of those who need homes.
5. To encourage more flexible land development which will respect and conserve natural resources such as streams, lakes, flood plains, wetlands, wooded areas, steeply sloped areas, areas of unusual beauty and significant natural habitats.
6. In aid of these purposes, to provide a procedure which can relate the type, design and layout of residential development to the particular site and the particular demand for housing existing at the time of development, in a manner consistent with the preservation of the property values within existing residential areas and to assure that the increased flexibility of regulations over land development established hereby is carried out pursuant to sound, expeditious and fair administrative standards and procedures.
7. Establish PRD per MPC. The provisions of this Part 8 are adopted, enacted, established, ordained and amended from time to time to conform and comply with the requirements of Section 701 et seq., of the Pennsylvania Municipalities Planning Code (53 P.S. § 10701 et seq.), as amended from time to time, hereinafter sometimes referred to as the "MPC," especially § 27-713 which essentially requires that all municipalities shall adopt or amend provisions for planned residential developments to conform to the MPC within 5 years.
8. Interpretation per MPC. The PRD provisions of this Part 8 are based on, authorized by and enacted pursuant to the MPC. The intent of certain of these PRD provisions is to include selected portions of Article VII of the MPC, with the particulars designated to reflect the actual nomenclature, structure, etc., of this Township.

§ 27-801. Eligibility Requirements.

An application for tentative approval shall not be eligible for tentative approval unless the following initial requirements are met:

1. The proposed Planned Residential Development shall be located only in the Planned Unit Development (PUD) District and consist of one or more contiguous parcels of land under ownership, purchase agreement, option to purchase, leasehold agreement, or other similar legal agreement by a single legal entity to own and/or develop the land.
2. The proposed Planned Residential Development shall contain at least 50 contiguous acres.
3. The proposed Planned Residential Development shall be connected to public water and sanitary sewer systems.

§ 27-802. Land Use Control and Land Use Density Requirements.

1. Residential Uses. The PRD shall contain at least one of the following housing types:
 - A. Detached Single Family Dwellings.
 - B. Single Family Semi-Detached Dwellings
 - C. Attached Single Family Dwellings.
 - D. Low Rise Apartments.
2. Mix of Housing Types.
 - A. In determining the mix of residential uses and housing types in a PRD, no one type of housing shall exceed 60% of the total proposed housing units; provided, that detached single family dwellings shall consist of at least 40% and may exceed 60%, of the total proposed housing units.
 - B. The general standards for housing mix set forth in this section may be modified by the official review agency where it is the opinion of the review agency that the findings of the site analysis justify a modification. Where proposed housing mixes deviate from the general standards set forth in this section, the burden of proof shall be upon the developer to demonstrate that the proposals are in general accord with the Township Comprehensive Plan and that characteristics of the PRD site, the housing market it is intended to serve and the surrounding area justify a mix of housing than otherwise is permitted.
3. Non-Residential Uses. Non-residential uses may be permitted in a Planned Residential Development to the extent that they are designed and intended to serve the daily and convenient shopping, personal service and recreational needs of the Planned Residential Development residents, or others utilizing its associated recreational facilities and are compatible and harmoniously incorporated into the unitary design of the Planned Residential Development. Without limitation, the following specific non-residential uses may be permitted:
 - A. Uses commonly associated with the type of recreational facilities located at the site (for example, golf courses and related facilities, pools, tennis courts, community center, recreation building, etc.)
4. Density Requirements.
 - A. The average gross residential density for the total PRD site shall not exceed 4 dwelling units per acre.
 - B. The percentage of the Planned Residential Development site which is to be covered by buildings, roads, parking areas and other impermeable cover shall not exceed 30% of the total site area.
 - C. Common Open Space.
 - (1) The percentage of the Planned Residential Development site to be devoted to common open space shall be no less than 25% of the total site area. Common open space includes recreation areas, steep slopes, floodplains and easements free of paving and structures, but not including parking areas, streets and yard areas within 15 feet of dwellings, or individual single family lots.
 - (2) The provisions of Zoning Ordinance, § 27-514, "Alluvial Soil Area and Major Drainage Swale Area Regulations," shall apply only to those portions of the site which are found to contain potential hazards due to flooding, chronic wetness, or pollution, as determined by the results of the detailed on-site soil and drainage survey set forth in Subsection (3). "Regulations and Procedures for Areas Designated as Alluvial Soil and Swale Drainage Areas," Subsection (A)(1) and subject to the landowner complying with the requirements of Subdivision and Land Development Ordinance, § 27-406, "Storm Drainage Systems," including, but not limited to, Subsection (2), "General Requirements," (E) and (H).

- D. All uses which are neither residential nor recreational shall not, in the aggregate, occupy more than 5% of the total site area.
- 5. Building Siting, Building Coverage and Net Residential Density. Within the general standards established in this section, the suitability of building siting, building coverage and net residential density in specific sections of the Planned Residential Development will be determined subject to the qualitative standards set forth for the site design of residential uses and common open space in § 27-803.
- 6. Lot Sizes and Minimum Design Standards. The lot sizes and minimum design standards set forth in the tabulations listed below are permitted within the PRD for each respective use:
 - A. Table A - Detached Single Family Dwellings and Single Family Semi- Detached Dwellings (Duplex/Twin).
 - B. Table B - Various Multi-Family Dwellings.
 - C. Table C - Nonresidential Standards.

TABLE A					
Detached Single Family Dwellings and Single Family Semi-Detached Dwellings (Duplex/Twin)					
Design Standard/ Lot Area	15,000 sq. ft. and above	10,000-14,999 sq. ft.	5,000-9,999 sq. ft.	5,525-9,999 sq. ft.	Min. of 7,830 sq. ft. Dup./ Twin (2 units)
1. Typical lot size	100 x 150	75 x 133	50 x 100	65 x 85	90 x 87
2. Minimum lot width at front building line	100'	75'	50'	65'	87'
3. Minimum front setback ¹	20'	20'	10' ²	10' ³	10' ⁴
4. Minimum drive-way length (measured from curbline)	20'	20'	20'	20'	20'
5. Minimum side yard (interior)	10'	10'	5'	5'	5'
6. Minimum side yard (corner)	15'	15'	10'	10'	10'
7. Minimum rear yard	20'	20'	15'	15'	15'
8. Max. bldg. coverage/ Max. lot coverage	35%/60%	35%/60%	50%/75%	50%/75%	50%/75%
9. Max. bldg. height ⁵	42'	42'	42'	42'	42'

- 1. Setback is the horizontal measurement from the right-of-way line to the vertical face of the farthest horizontal projection of that portion of the building.
- 2. (a) Minimum 10 foot setback to a swing-in garage, which is hereby defined as a building having a door for vehicular access on the side elevation of the building. (b) Minimum 20 foot setback to a straight-in garage portion of a building.
- 3. Building height is the vertical distance measured from mean level of highest and lowest portion of the site covered by the building, to the mean height between eaves and ridge of main roof. Dormers less than 15 feet wide, cupolas and other architectural appendages will not be counted in the averaging calculation.

TABLE B Various Multi-Family Dwellings³		
Design Standards/ Unit Type	Attached Single Family Dwellings (Townhomes)	Low Rise Apartment
1. Minimum front setback from street to building or swing-in garage	10'	Refer to § 27-402, "Land Use and Dimensional Requirements," (6), "PUD- Planned Unit Development District Regulation Table B. Residential, 3. Low Rise Apartments
2. Minimum rear yard	10'	
3. Minimum building separation	20'	
4. Minimum building to parking separation	10'	
5. Minimum building to street separation	10'	
6. Minimum building set-back to a public street right-of-way	20'	
7. Max. Bldg. Coverage/ Max. Lot Coverage	50%/75% ⁴	
8. Max. Bldg. Height	35'	

TABLE C Nonresidential Standards	
Design Standards	
1. Minimum Lot Area	43,560 sq. ft.
2. Minimum Lot Width at Front Building Line	55'
3. Minimum Front Yard	20'
4. Minimum Side Yard	10'
5. Minimum Rear Yard	10'
6. Maximum Building Coverage/ Maximum Lot Coverage	50%/60%
7. Maximum Building Height	35'
8. A concrete curb and a 10-foot-deep landscaped area, separating non-residential parking areas from any public street, shall be required.	
9. No separate Site Plan Review under the Zoning Ordinance shall be required under these PRD Provisions until such time as the site- specific development (final approval) is proposed.	

³ All multi-family dwellings shall be served by a private access drive, properly identified as such. Setbacks required in this table shall be measured from edge of pavement of the private access drive (except as noted under Item 6).

⁴ Coverage shown is for condominium ownership of townhomes. If fee simple ownership, 75%/90% shall apply.

§ 27-803. Site, Market and Impact Analysis.

1. Site Analysis. In order to determine which specific areas of the total planned residential development are best suited for high density development, which areas are best suited for lower density development, and which areas should be preserved in their natural state as open space areas, a thorough analysis of the natural features of the site will be required. The following subject categories must be included in this analysis.
 - A. HYDROLOGY - Analysis of natural drainage patterns and water resources including an analysis of streams, natural drainage swales, ponds or lakes, wetlands, flood plain areas, permanent high water table areas and seasonal high water table areas throughout the site.
 - B. GEOLOGY - Analysis of characteristics of rock formations underlying the site including defining aquifers (particularly those locally subject to pollution), shallow bedrock areas and areas in which rock formations are unstable.
 - C. SOILS - Analysis of types of soils present in the site area including delineation of prime agricultural soil areas, aquifer recharge soil areas, unstable solid, soils most susceptible to erosion and soils suitable for urban development. The analysis of soils will be based on the County Soils Survey of the U.S. Soil Conservation Service.
 - D. TOPOGRAPHY - Analysis of terrain of site including mapping of elevation and delineation of slope areas over 25%, between 15% and 25% and under 15%.
 - E. VEGETATION - Analysis of tree and plant cover of the site, emphasizing the location of woodland and meadowland areas. Dominant tree and plant species should be identified and the characteristics of each understood.
2. Generalized Market Synopsis.
 - A. The general housing market shall be analyzed to determine reasonable forecasts of market demand for various type(s) of housing on the proposed site. This information will be used to confirm or modify the housing type(s) proposed, sale price or rental and amenities proposed by the developer. The findings will be presented in a summary or synopsis form in the final report.
3. Impact Analysis.
 - A. In order to determine the community impact of the proposed development on the Township, certain information shall be provided by the developer at the tentative plan stage as follows:
 - (1) Water and Sewer. Developer shall provide estimates of its water and sewer capacity needs at build-out; of the availability of such capacities (as estimated by the relevant public utilities or municipal systems); and of the cost to the Township (if any) of assuring the availability of service to the development.
 - (2) Traffic.
 - (a) Developer shall provide estimates of trips generated from the development for 2 "peak" and 2 "off-peak" weekday hours, using trip generation assumptions consistent with current Institute of Traffic Engineers (ITE) data and estimates for comparable circumstances and comparable uses.
 - (b) In addition, between tentative plan approval and final plan review, developer shall provide intersection evaluation for those intersections which are likely to be impacted by more than ten 10% by traffic from the development during any peak hour used in the initial trip generation study. This secondary intersection evaluation shall review turning movements and levels of service and shall suggest appropriate remedial actions to be taken to alleviate delays and other deficiencies at such intersections.

- (3) Schools. Developer shall identify the anticipated number of school children which are likely to be generated by the development and shall identify the schools which are likely to serve them, noting current enrollment capacities in each (if such data is readily available to developer from the school district office).
- (4) Recreation. Developer shall identify all recreation facilities, both passive and active, to be provided as part of the development plan.
- (5) Public Safety. Developer shall identify any unique police or fire fighting demands likely to be caused by the development, if any.
- (6) Roadway Additions. Developer shall determine the number of lineal feet of roadway proposed for the development. Additionally, if sufficient data is readily available from the Township to determine the number of lineal miles of existing roadway in the Township, a fraction should be created which establishes the anticipated percentage increase in roadways likely to be caused by the development at build-out.

§ 27-804. Site Design Requirements.

1. Residential Uses.

- B. The natural features of the PRD site shall be a major factor in determining the siting of dwelling unit structures. The results of the Natural Features Analysis shall be considered in the siting of all dwelling unit structures.
- C. Conventional siting practices such as building setbacks from streets and minimum distances between buildings may be varied in order to produce an attractive and interesting arrangement of buildings. The requirements of § 27-802, "Land Use Control and Land Use Density Requirements," 6. "Lot Sizes and Minimum Design Standards," as amended, shall be met, unless waived, modified, or approved otherwise by the Township Council.
- D. Dwelling unit structures shall be located and cited so as to promote pedestrian and visual access to common open space wherever possible.
- E. Dwelling unit structures shall be located and arranged so as to promote privacy for residents within the PRD and maintain privacy for residents adjacent to PRD. Mid-rise structures shall be located within the development so that there will be no adverse impact such as excluding natural light or invading the privacy of adjacent low rise structures.
- F. Dwelling unit and other structures located within 200 feet of the perimeter of a Planned Residential Development must be set back by a distance sufficient to avoid any incongruity with adjacent existing uses. In no event shall a building be located less than 30 feet from the perimeter boundary line of the PRD, except along a Township boundary line where the contiguous land in the adjacent Township is developed as part of the same PRD.
- G. The following specific accessory uses and/or structures shall be governed by the corresponding Section of this Zoning Ordinance listed below:
 - (1) § 27-407, "Accessory Buildings" shall apply to PRDs in the , as well as the PUD zone.
 - (2) § 27-501, "Fences, Walls and Hedges."
 - (3) § 27-503, "Private Swimming Pools."
- H. For the purposes of this subsection, the word "structure" shall mean only usual and customary residential principal and accessory uses and buildings.

2. Commercial Uses.

- A. All commercial uses shall be located in not more than two areas of the Planned Residential Development, one area of which shall consist of at least two contiguous acres.
- B. All commercial uses shall be located with direct access to either a collector or arterial street. If the total parking requirements for such uses is 100 parking spaces or more, the uses must be located on either a collector street or arterial street.
- C. Signs for commercial uses are permitted subject to the following restrictions:
 - (1) A single sign for a commercial center is permitted. Such signs shall be limited to a height of 6 feet with a total area of 30 square feet.
 - (2) Signs for individual uses shall be permitted on the structure. Roof signs or free-standing signs for individual uses are prohibited. Such signs shall be limited to the store name and shall be no more than 30 square feet in extent and shall be parallel to the structure.
 - (3) Signs may be illuminated by shielded flood lights providing such lighting is designed and located so as to direct light away from adjacent residences. Lights shall be illuminated only during times when nonresidential uses are open to the public.
 - (4) No sign shall have a flashing, moving, rotating, oscillating, shuttered or similar device or shall be made of material designed to provide reflections.

3. Common Open Space.

- A. The location, shape, size and character of the common open space shall be provided in a manner consistent with the objectives set forth for PRD in this Chapter, concerning the conservation of natural resources and the creative use of land to obtain a living environment of stable character, with natural feature constraints determined through Natural Features Analysis.
- B. The uses authorized for the common open space must be appropriate to the scale and character of the planned development, considering its natural features, size, land use intensity, potential population and the number and types of dwelling units to be developed.
- C. Whenever possible, common open space shall be designed as a contiguous area interspersed with residential areas with pedestrian and visual access available to all residents of the PRD.
- D. Significant natural features such as woodland areas, large trees, natural water courses and bodies of water, rock outcroppings and scenic views shall be incorporated into common open space areas whenever possible. However, no less than 20% of the total common open space area shall be suitable for intensive use as an active recreation area, which shall include, but not be limited to, golf courses, tennis courts, swimming pools, play grounds, ball fields, soccer fields, bike paths, hiking trails, etc.
- E. Development of the PRD must be planned so as to coordinate the establishment of common open space areas and the construction of dwelling units.

4. Streets.

- A. The street system of the Planned Residential Development shall be designed so as to relate harmoniously with land uses within and adjacent to the PRD through the establishment of a hierarchy of roadway functions which includes collection and local streets, to create a separation of automobile and pedestrian traffic through the coordinated design of streets, dwelling units, common open space areas and pedestrian walkways, to create

efficient and safe connections with the existing road system of the municipality in order to insure proper ingress and egress to and from the PRD and to minimize through traffic in residential areas.

- B. Collector streets and local streets in the Planned Residential Development shall be so designated and shall have a minimum right-of-way of 60 feet and 50 feet, respectively. Where the results of the Community Impact Analysis indicate a need for greater or lesser right-of-way and cartway widths, the modifications may be authorized by the Township Council.
- C. Cul-De-Sac and Stub Streets.
 - (1) Cul-de-sac streets shall not provide sole vehicle access to more than 25 dwelling units. Cul-de-sac streets shall have a turning circle with a hedges, dense planting, earth berms or changes in grade or walls and shall be a minimum of 20 feet from all structures, access roads and streets, unless allowed otherwise elsewhere in these PRD provisions.
- D. Parking areas shall be arranged so as to prevent through traffic to other parking areas.
- E. No more than 15 parking spaces shall be permitted in a continuous row without being interrupted by landscaping approved by the Township Council .
- F. No more than 60 parking spaces shall be accommodated in any single parking area.
- G. The construction of off-street parking areas shall be in conformance with construction standards set forth in the Township Subdivision and Land Development Ordinance, unless modified and approved by the Township Council.

5. Lighting.

- A. All streets, off-street parking areas and areas of intensive pedestrian use shall be designed and located so as to direct light away from adjacent residences.
- B. Adequate lighting shall be provided after dark. Appropriate lighting fixtures shall be provided for walkways and to identify steps, ramps and signs. Such lighting shall be designed and located so as to direct light away from adjacent residences.

6. Sewer and Water Utilities. Planned Residential Developments shall be provided with a public sanitary sewer system and public water system.

7. Soil Erosion Control and Storm Drainage.

- A. The PRD shall be designed and constructed so as to minimize site clearance and earth moving. The results of the Natural Features Analysis shall be taken into account in determining areas suitable for site clearance and earth moving.
- B. Where site clearance and earth moving are necessary, erosion control measures shall be undertaken in accordance with standards set forth in Appendix C of the Erosion and Sediment Control Handbook of the County Soil and Water Conservation District.
- C. **STORM DRAINAGE** - the storm drainage system for Planned Residential Development shall be designed and constructed so as to minimize erosion and flooding, using as necessary, drainage easements, swales, catchment basins, silt traps and the design of cartways so as to minimize runoff. The determinations of the Site Analysis of Natural Features shall be taken into account in designing and constructing the storm drainage system. The design and construction of the system shall be consistent with the design and improvement standards for storm drainage set forth in the Township Subdivision and Land Development Chapter.

8. Tree Conservation and Landscaping.

- A. Existing trees shall be preserved wherever possible. The protection of trees 6 inches or more in diameter (measured at a height of 4 1/2 feet above the original grade) shall be a factor in determining the location of open space, structures, underground utilities, walks and paved areas. Areas in which trees are preserved shall remain at original grade level and undisturbed wherever possible.
- B. Where extensive natural tree cover and vegetation do not exist and cannot be preserved on the PRD site, landscaping shall be regarded as an essential feature of the PRD. In these cases, extensive landscaping shall be undertaken in order to enhance the appearance of the PRD, aid in erosion control, provide protection from wind and sun, screen streets and parking areas and enhance the privacy of dwelling units.
- C. Street trees shall be provided along all arterial and collector streets. No less than two 2-inch caliper trees, measured at 4 1/2 feet above the finished grade, shall be provided for each 50-foot increment of street at a depth sufficient to avoid future problems of grading and buildings.

§ 27-805. Other Site Design Provisions.

- 1. Telephone, electric and cable TV utilities shall be installed underground.
- 2. Refuse stations to serve residential, recreational and commercial areas shall be designed with suitable screening and located so as to be convenient for trash removal and not offensive to nearby residential areas.
- 3. With the exception of standards explicitly set forth in this PRD Part 8 of the Zoning Chapter, site design and site improvements shall conform to standards set forth in the Township Subdivision and Land Development Chapter (See Chapter 22), unless waived or modified by the Township Council.

§ 27-806. Ownership, Maintenance and Preservation of Common Open Space.

- 1. The developer shall make provisions which insure that the common open space land shall continue as such and be properly maintained. The developer shall provide for and establish an organization for the ownership, maintenance and preservation of open space which shall conform to the following standards and procedures:
 - A. The organization shall be established by the developer before the sale or rental of dwelling units in the PRD.
 - B. The form, financial capability, rules of membership and method of cost of the organization shall be devised to insure the successful fulfillment of the maintenance, preservation and improved responsibilities of the organization.
 - C. Preservation of Common Open Space.
 - (1) The organization responsible for maintenance, preservation and improvement of common open space areas shall be the sole owner of the common open space lands.
 - (2) The developer may satisfy the provisions of this Section by the establishment of various organizations adapted to the particular needs of the owners and occupants of certain areas of the PRD (such as condominium owners associations, fee simple owner associations, recreation facility owners and the like). The developer may establish a master organization responsible for common open space and common facilities enjoyed by various types of users, which master organization shall also be subject to this Section.
 - (3) Any organizations established to satisfy the requirements of this Section and all owners, lessees and other users of lands within the PRD, shall be subject to the provisions of § 27-806(1)(E) below.
 - D. The organization shall have or hire adequate staff to administer common facilities and maintain the common open space.

- E. In the event that the organization established to own and maintain a common open space or any successor organization, shall at any time after establishment of the Planned Residential Development fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization, or upon the residents and owners of the Planned Residential Development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition and said notice shall include a demand that such deficiencies of maintenance be corrected within 30 days thereof and shall state the date and place of a hearing thereon which shall be held within 14 days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected. If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said 30 days or any extension thereof, the Township, in order to preserve the taxable values of the properties within the PRD and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one year. Said entry and maintenance shall not constitute a taking of said common open space, nor vest in the public any rights to use the same. Before the expiration of said year, the Municipality, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space shall call a public hearing upon notice to such organization, or to the residents and owners of the Planned Residential Development, to be held by the Township, at which hearing such organization or the residents and owners of the Planned Residential Development shall show cause why such maintenance by the Township shall not, at the option of the Township, continue for a succeeding year. If the Township shall determine that such organization is ready and able to maintain said common open space in a reasonable condition, the Township, may, in its discretion, continue to maintain said common open space during the next succeeding year and subject to a similar hearing and determination in each year thereafter. The decision of the Township in any such case shall constitute a final administrative decision subject to judicial review.
 - F. The cost of such maintenance by the Township shall be assessed ratably against the properties within the Planned Residential Development that have a right of enjoyment of the common open space and shall become a lien on said properties. The Township, at the time of entering said common open space for the purpose of maintenance, shall file a notice of lien in the office of the prothonotary of the county, upon the properties affected by the lien within the Planned Residential Development.
2. Public Dedication of Common Open Space. An offer of dedication of common open space made by the developer in the development plan, before the establishment of any organization responsible for open space areas and accepted by the Township shall constitute a fulfillment of responsibility for providing and maintaining common open space areas. Under any other circumstances, provision for dedication must be made subject to § 27-806(1).

§ 27-807. Development Staging.

- 1. The Township Council may permit or require a Planned Residential Development to be developed in stages according to the following standards:
 - A. The location and approximate lime of construction of each stage are clearly marked on the development plan.
 - B. The stages are completed consistent with the development plan and are of such size and location that they constitute economically sound units of development.
 - C. To encourage flexibility of housing density, design and type in accord with the purpose of this Chapter, gross residential density may be varied from stage to stage.

§ 27-808. Procedural Requirements.

- 1. Pre-Application Consultation.
 - A. Prior to the preparation and submission of an Application for Tentative Approval, a Pre-Application Consultation meeting shall be held with the Township Planning Commission by the prospective Applicant for tentative approval. The purpose of the informal meeting is to discuss the general intent of the landowner, to consider relationships to the Township Comprehensive Plan and to outline the approval process and the specific

requirements for Plan preparation and submission. No statement or representation of the Township Planning Commission shall be binding on the Township. A sketch plan shall be submitted showing at least the following information:

- (1) Tract boundaries, acreage and north point.
- (2) Streets on and adjacent to the tract.
- (3) Significant natural features.
- (4) Proposed general street layout, general land use pattern and general lot and building arrangement.

2. Application for Tentative Approval.

A. Fees.

- (1) The application for tentative approval shall be executed by or on behalf of the landowner and filed with the Township Council.
- (2) An initial deposit in the amount of \$1,000 shall be paid upon filing of the application to be applied against the expenses of processing the application.
- (3) Additional deposits shall be made from time to time as requested by the Township Council, not to exceed actual expenses incurred by the Township.
- (4) Expenses of processing and reviewing the application shall include the fees of the Township Solicitor, the Township Engineer and other services related to such processing and review, together with all other reasonable "out of pocket" expenses incurred by the Township.
- (6) At the conclusion of the tentative application process, the landowner shall receive an itemized statement of receipts and expenditures; and the remaining deposit, if any, shall be returned to the landowner.
- (7) Disputes regarding the deposit and review fees shall be resolved as provided by Pennsylvania Municipalities Planning Code, Section 503(1).

B. The application for tentative approval shall include documentation illustrating compliance with all of the standards for Planned Residential Development set forth in § 27-801 through § 27-806 and shall constitute the development plan for the Planned Residential Development.

C. Required documentation shall include, but not be limited to materials illustrating the following information:

- (1) The location, size and topography of the PRD site.
- (2) The nature of the landowner's interest in the Planned Residential Development.
- (3) The proposed land use areas within the PRD distinguishing between types of residential, non-residential and open space uses.
- (4) The land use density of each land use within the PRD and the average gross residential density for the entire Planned Residential Development.
- (5) The use and the approximate height, bulk and location of buildings and other structures.
- (6) The location, function, size, ownership and manner of maintenance of the common open space.
- (7) The location, rights-of-way and cartway widths of proposed streets and the location and capacity of areas for the parking of vehicles.
- (8) The feasibility of proposals for sanitary sewage, water supply and storm water disposition systems.

- (9) The proposed location for all underground utility lines.
 - (a) The substance of covenants, grant of easements, or other restrictions to be imposed upon the use of land, buildings and structures including proposed grants and /or easements for common open space areas and public utilities and the legal form of provision thereof
 - (b) In the case of plans which call for development in stages, a schedule showing the approximate time within which application for final approval of each stage of the Planned Residential Development are intended to be filed and the approximate number of dwelling units, types of dwelling units and gross residential density for each type of dwelling unit planned for each stage. The schedule shall be updated annually on the anniversary of submission for tentative approval.

D. Application for tentative approval shall include the following plans and documents necessary in order for the Township Council to determine the adequacy of the proposals indicated above:

- (1) A site map or maps at a scale of 1-inch equals 50 feet or 100 feet, delineating the hydrology, geology, soils, topography and vegetation of the site as explained in §27-803(1). The combined impact of the natural features upon the development potential of each specific area of the site will be clearly illustrated on the map or maps.
- (2) An impact analysis in accordance with §27-803, "Site, Market and Impact Analysis, 3. Impact Analysis, shall be included in the application for tentative approval.
- (3) A site plan at a scale of 1-inch equals 50 feet or 100 feet illustrating the following information:
 - (a) Contour lines at vertical intervals of not more than 2 feet for land with average natural slope of 15% or less and at intervals of not more than 5 feet for land with average natural slope exceeding 15%.
 - (b) Types and approximate location of all buildings.
 - (c) Function, right-of-way and cartway width and approximate location for all streets and proposed connections with the public street system. Approximate location and size of all parking areas.
 - (d) Approximate location of all common open space areas indicating size, nature of facilities, uses and structures, if any.
 - (e) Approximate location, size and material of all sanitary sewer water supply and storm drainage system lines and
 - (f) any proposed connection to existing public facilities.
 - (g) A plan at 1-inch equals 800 feet illustrating the relation of the proposed PRD to the surrounding area and all existing development within 1,000 feet of the PRD.
 - (h) In the case of plans which call for development in stages, a plan at 1-inch equals 100 feet delineating each stage or section of the PRD consecutively numbered so as to illustrate phasing of development.
 - (i) A written statement by the landowner setting forth the reasons why, in his opinion, the PRD would be in the public interest and would be consistent with the Township's Comprehensive Plan.
 - (j) One copy of every application for tentative approval received by the Township Council shall be promptly forwarded to the Hanover Township Planning Commission and one copy shall be promptly forwarded to the Joint Planning Commission Lehigh-Northampton Counties for study and recommendation as required by law. The Planning Commissions shall review and report upon the application to the Township Council within 30 days of such referral. One copy of each report of each Planning Commission shall be furnished to the landowner not less than 5 days before the appointed time of the public hearing provided for in § 27-808(3).

3. Public Hearings.

- A. Within 60 days after the filing of a complete application for tentative approval of a Planned Residential Development pursuant to this Section, a public hearing pursuant to public notice on said application shall be held by the Township Council in accordance with the MPC, Section 908. The chair, or, in his/her absence, the acting chair, of the Township Council may administer oaths and compel the attendance of witnesses. All testimony by witnesses at any hearing shall be given under oath and every party of record at a hearing shall have the right to cross-examine witnesses.
- B. A verbatim record of the hearing shall be caused to be made by the Township Council whenever such records are requested by any party to the proceedings; but the cost of making and transcribing such a record shall be borne by the party requesting it and the expense of copies of such records shall be borne by those who wish to obtain such copies. All exhibits accepted in evidence shall be identified and duly preserved or, if not accepted in evidence, shall be properly identified and the reason for the exclusion clearly noted in the record.

4. Findings.

- A. The Township Council shall, by official written communication to the landowner, within 60 days following the conclusion of the public hearing provided for in this Section or within 180 days following the filing of the application for tentative approval, whichever occurs first, either:
 - (1) Grant tentative approval of the development plan as submitted.
 - (2) Grant tentative approval subject to specified conditions not included in the development plan as submitted.
 - (3) Deny tentative approval of the development plan.
- B. Failure to act within said period shall be deemed to be a grant for tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within 30 days after receiving a copy of the official written communication of the Township Council notifying such agency of his refusal to accept all said conditions, in which case, the Township Council shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the Township Council of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.
- C. The grant or denial of tentative approval by official written communication shall include not only conclusions, but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, for the denial and said communication shall set forth with particularity in what respect the development plan would or would not be in the public interest including but not limited to findings of fact and conclusions on the following:
 - (1) In those respects in which the development plan is or is not consistent with the Comprehensive Plan for the development of the Township.
 - (2) The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, density, bulk and use and the reasons why departures are or are not deemed to be in the public interest.
 - (3) The purpose, location and amount of the common open space in Planned Residential Development, the reliability of the proposals for maintenance and conservation of the common open space and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

- (4) The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic and further the amenities of light and air, recreation and visual enjoyment.
- (5) The relationship, beneficial or adverse of the proposed Planned Residential Development to the neighborhood in which it is proposed to be established.
- (6) In the case of a development plan which proposes development over a period of years the sufficiency of the terms and conditions intended to protect the interests of the public and the residents of the Planned Residential Development in the integrity of the development plan.

D. In the event a development plan is granted tentative approval, with or without conditions, the Township Council shall set forth in the official written communication the time within which an application for final approval of the development plan shall be filed, or in the case of a development plan which provides for development over a period of years, the period of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than three months and, in case of developments over a period of years, the time between applications for final approval of each part of a plan shall be not less than 12 months.

5. Status of Plan After Tentative Approval.

- A. The official written communications provided for in §27-08(4)(B) shall be certified by the secretary of the Township Council and shall be filed in his office and certified copy shall be mailed to the landowner. Where tentative approval has been granted, the same shall be noted on the zoning map.
- B. Tentative approval of a development plan shall not qualify a plan of the PRD for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.
- C. In the event that a development plan is given approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the Township Council in writing, or in the event the landowner shall fail to file applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as the may be amended from time to time and the same be noted on the zoning map and in the records of the secretary or clerk of the Township.

6. Application for Final Approval.

- A. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, a section thereof. Said application shall be made to the Township Council and within the time or times specified by the official written communication granting tentative approval. If the application for final approval is in compliance with the tentatively approved development plan, a public hearing need not be held.
- B. The application for final approval shall include a final plan at a scale of 50 or 100 feet to inch. If the final plan is drawn in two or more sections, a key map showing the location of the several sections shall be placed on each sheet. The final plan shall show the following:

- (1) Name of the Planned Residential Development and the municipality or municipalities in which it is located.
- (2) Name and address of the landowner and developer.
- (3) North point, graphic scale and date.
- (4) Source of title to the land of the development as shown by the books of the recorder of deeds.
- (5) Accurate boundary lines, with dimensions and bearings, which provide a survey of the tract, closing with an error of not more than 1 foot in 10,000 feet.
- (6) Total number of lots, lot lines and lot numbers, where applicable, within the development with distances accurate to the nearest hundredth of a foot.
- (7) Total acreage of development, land uses in each area, total number of dwelling units, number of each type of dwelling unit, average gross residential density and gross residential density in each section.
- (8) Building coverage lines accurately locating all types of dwelling units, and non-residential structures, giving dimensions of the structures, distances to street rights-of-way and parking areas, with distances accurate to the nearest hundredth of a foot.
- (9) Accurate dimensions of common open space areas specifically indicating those areas to be preserved in their natural state and those areas to be developed for active recreation. Where common open space areas are to be developed, the exact location of structures in common open space areas will be illustrated.
 - (a) Names, locations, cartways, rights-of-way and other dimensions of existing and proposed streets including center line courses and curve data.
 - (b) Locations and dimensions of parking areas and pedestrian walkways.
 - (c) Location and material of all permanent monuments and lot markers.
 - (d) Location and dimensions of easements for utilities and any limitations on such easements.
 - (e) The following certificates:
 - 1) Certification with seal, by a registered engineer or land surveyor to the effect that the survey and plan are correct.
 - 2) Certificate for approval by the Township Council.
 - 3) Certificate of dedication of streets, public facilities sites, or open space when such dedication is proposed.
 - (f) In the case of a Planned Residential Development proposed to be developed over a period of years, final plan requirements will apply only to the section for which final approval is sought. However, the final plan presented for the section to be developed must be considered as it relates to information regarding densities and types of dwelling units, location of common open space, sanitary sewer and water distribution systems and street systems presented for the entire development in the application for tentative approval.

C. The final plan shall be accompanied by the following materials:

- (1) Final drawings for the installation of all improvements based on sections §27-804(4) through § 27-804 (7) of this Part and the applicable section of the Township Subdivision and Land Development Chapter. Final profiles and cross-sections for street, sanitary sewer, water supply and storm drainage system improvements shall be presented. Each system shall be illustrated on one or more separate sheets.

- (2) Representative architectural drawings illustrate exterior designs of typical dwelling units of each type and nonresidential structures to be constructed.
- (3) All covenants running with the land governing the reservation and maintenance of dedicated or undedicated open space land. These shall bear the certificate of approval of the Township Attorney as to their legal sufficiency.
- (4) Restrictions of all types which will run with the land and become covenants in the deeds of lots shown on the final plan.
- (5) Such certificates of approval by authorities as have been required in this Chapter including certificates approving the water supply system and the sanitary sewer system.

D. The Township Council shall render a final review and decision upon the plan.

7. Guarantee of Improvements. In order to guarantee the improvements as set forth in this Section and in the Township Subdivision and Land Development Chapter, to the extent to which it applies, the final plan will be accompanied by one of the following, which shall be posted, administered and released in accordance with MPC Sections 509 and 510:

- A. A certificate from the applicant signed by the Township Council that all improvements and installations in the development required by these regulations shall be made or installed in accordance with specifications; or,
- B. A certificate from the applicant, signed by the Township Council that a bond, certified check, or other security satisfactory to the Township Council has been filed with the Township; or
- C. A bond, certified check or other security satisfactory to the Township Council which shall:

- (1) Run or be made payable to the Township.
- (2) Be in an amount determined by the Township Council to be sufficient to complete the improvements and installation in compliance with these regulations.
- (3) In the case of a bond, it shall also be with surety satisfactory to the Township Council and be in form, sufficiency and execution acceptable to the Township Council.
- (4) The bond, certified check or other acceptable securities shall specify the time for the completion of the required improvements. Such time shall be satisfactory to the Township Council. When the improvements have been completed and approved by the Township Council, the guarantee shall be released and returned. As the required improvements progress and are approved by the Township Council, a portion of the bond, monies or other security commensurate with the cost of the improvement may be released and returned.
- (5) In the event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund.

8. Procedures After Application For Final Approval.

- A. In the event the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof, as required by this Section and the official written communication of tentative approval, the Township Council shall, within 30 days of such filing, grant such development plan final approval.
- B. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Township Council may refuse to grant final approval and shall, within 30 days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:

- (1) Refile his application for final approval without the variations objected.

- (2) File a written request with the Township Council that it hold a public hearing on his application for final approval. If the landowner wishes to take either such alternate action he may do so at any time within which he shall be entitled to apply for final approval, or within 30 additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within said time, he shall be deemed to have abandoned the development
 - (3) plan. Any such public hearing shall be held pursuant to public notice within 30 days after request for the hearing is made by the landowner and the hearing shall be conducted in the manner prescribed in this Section for public hearings on applications for tentative approval. Within 30 days after the conclusion of the hearing, the Township Council shall, by official written communication, either grant final approval to the development plan or deny final approval. The grant or denial of final approval of the development plan shall, in cases arising under this Section, be in the form and contain the findings required for an application for tentative approval set forth in this Part.
- C. A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Township Council and shall be filed of record within 90 days after final approval has been granted in the office of the County Recorder of Deeds before any development shall take place in accordance therewith. Upon the filing of record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion within the time periods provided by MPC, § 508(4), or such longer time periods allowed by the final approval of said Planned Residential Development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner.
- D. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved and shall so notify the Township Council in writing; or, in the event the landowner shall fail to commence or carry out the Planned Residential Development or of that part thereof, within the time periods provided by MPC, § 508(4), or such longer time periods that may be allowed by the final approval, after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is re-subdivided and is reclassified by enactment of an amendment to the Township Zoning Chapter in the manner prescribed in the Zoning Chapter.

§ 27-809. Enforcement and Modification of Provisions of the Plan.

To further the mutual interest of the residents of the Planned Residential Development and of the public in the preservation of the integrity of the development plan, as finally approved and to insure that modification, if any, in the development plan shall not impair the reasonable reliance of the said residents upon the provisions of the development plan, nor result in changes that would adversely affect the public, the enforcement and modification of the provisions of the development plan as finally approved, whether those are recorded by plat, covenant, easement or otherwise shall be subject to the following provisions:

- A. The provisions of the development plan relating to (i) the use, bulk and location of buildings and structures, (ii) the quantity and location of common open space, except as otherwise provided in this Chapter and (iii) the intensity of use or the density of residential units, shall run in favor of the Township and shall be enforceable in law or in equity by the Township without limitation on any powers of regulation otherwise granted the Township by law.
- B. All provisions of the development plan shall run in favor of the residents of the Planned Residential Development but only to the extent expressly provided in the development plan and to that extent said provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced by law or by said residents acting individually, jointly, an organization designated in the development-plan to act on their behalf;

provided, however, no provision of the development plan shall be implied to exist in favor of residents of the Planned Residential Development except as to those portions of the development plan which have been finally approved and have been recorded.

- C. All those provisions of the development plan authorized to be enforced by the Township under this section may be modified, removed, or released by the Township, except grants or easements relating to the service or equipment of a public utility subject to the following conditions: (i) no such modification, removal or release of the provisions of the development plan by the Township shall affect the rights of the residents of the PRD to maintain and enforce those provisions, at law or equity, as provided in this section; (ii) no modification, removal or release of the provisions of the development plan by the Township shall be permitted except upon a finding by the governing body or its designated agency, following a public hearing thereon pursuant to public notice called and held in accordance with the provisions of this Chapter, that the same is consistent with the efficient development and preservation of the entire PRD, does not adversely affect either the enjoyment of land abutting upon or across the street from the Planned Residential Development or the public interest and is not granted solely to confer a special benefit upon any person.
- D. Residents of the PRD may, to the extent and in the manner expressly authorized by the provisions of the development plan, modify, remove or release their rights to enforce the provisions of the development plan but no such action shall affect the right of the Township to enforce the provisions of the development plan in accordance with the provisions of this Part.

**ARTICLE IX
PLANNED COMMERCE UNIT DEVELOPMENT**

§ 27-900. Purpose.

The purpose of these provisions is to encourage the innovative design and development of planned commerce business areas where multiple yet distinct land uses are combined into a single unified development project; to encourage a planned arrangement of individually owned and operated uses within complementary functional categories, including professional and business offices, retail sales and commercial services, lodging, recreation/leisure time and specialized commercial business; to provide a planned development that serves existing and foreseeable needs of the Township and surrounding service areas; to carefully plan traffic circulation and off-street parking in order to avoid traffic congestion and inadequate to encourage the planning and utilization of and the harmonious design erection and use of buildings in a diversified commerce business community that will contribute to the economic base of Hanover Township and otherwise further the purposes of this Chapter as set forth in Parts 1 and 3.

§ 27-901. General Requirements.

In any district which allows Planned Commerce Unit Development, the Subdivision and Land Development Ordinance of Hanover Township,(Chapter 22 of the Hanover Township Code) shall control in all respects with regard to the application, plans, review and approval for any proposed Planned Commerce Unit Development. The proposed development shall also be subject to the regulations of this Part and any other pertinent provision of this Chapter.

§ 27-902. Plan Requirements.

1. Any application filed for preliminary plan approval shall include, but not be limited to, documents and materials illustrating the following information:
 - A. The location, size and topography of the site.
 - B. The nature of the landowner's involvement in the development.
 - C. The proposed functional use areas within the development, distinguishing between types of uses proposed within each functional area.
 - D. The location, rights-of-way, cartway widths of proposed streets and streets which are proposed to be dedicated to the Township.
 - E. The use and the approximate height, bulk and location of buildings and other structures.
 - F. The location, function, size, ownership and manner of maintenance of any common open space.
 - G. The location, dimensions and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, loading and unloading facilities, pedestrian ways and buffer strips.
 - H. The capacity of all areas to be used for automobile access, parking, loading and unloading.
 - I. The character of buffer areas and screening devices to be maintained, including the dimensions and arrangement of all areas devoted to planting, lawns, trees or similar purposes.
 - J. The feasibility of proposals for sanitary sewerage, water supply and storm water disposition systems.
 - K. The proposed location for all underground utility lines.

- L. The substance of covenants, grant of easements or other restrictions to be imposed upon the use of land, buildings and structures including proposed grants and/or easements for common open space areas and public utilities and the legal form of provision thereof.
 - M. In the case of plans which call for development in stages, a schedule showing the approximate time within which applications for final approval of each stage of the Planned Commerce Unit Development are intended to be filed and the approximate number and type of uses planned for each stage. For areas not scheduled for immediate development within the tract, the tentative plan shall show at least all information required in § 27-902(4) of this Part for these areas. As further development occurs, a plan showing all of the above required detail shall then be submitted prior to the construction of each subsequent portion.
 - N. A feasibility and land use market study done by an independent professional consulting firm. The study shall include or be supplemented with documentation indicating the impact of the completed Planned Commerce Unit Development upon public facilities, utilities, services, roadway systems and existing development.
 - O. Sufficient data, in all instances, to enable the Township Council and Planning Commission to judge the effectiveness of the design and the character of the entire Planned Commerce Unit Development and to consider properly such things as its relationship to surrounding areas, anticipated traffic, public health, safety and welfare.
- 2. The applicant may file and the Zoning Officer accept an application which does not comply with requirements of subsections (A) through (N) if the application contains a written request for a waiver from such requirement.
 - 3. The final decision with respect to the applicability of the requirements of this Section to any application filed before the Zoning Hearing Board and the grant of any waiver shall remain with the Zoning Hearing Board. Any waiver of plan requirements as they pertain to the administration of this Chapter shall not be deemed to be a waiver of the same or similar requirements which may apply to the Subdivision and Land Development Ordinance of Hanover Township (Chapter 22) or any other ordinance applicable thereto.

§ 27-903. Function and Use Regulations.

- 1. A building or buildings may be erected and used and a lot may be used and occupied in the development to insure that uses exist within at least two out of five functional categories:
 - A. Professional and Business Office.
 - B. Retail Sales and Commercial Services.
 - C. Lodging
 - D. Recreation/Leisure Time.
 - E. Specialized Commercial-Business
- 2. The planned development shall include at least two of the five functions and no single function shall occupy more than 60% of the gross tract area, including building coverage, related off-street parking and lodging areas and access drives, but excluding existing adjacent street rights-of-way.
- 3. Uses which shall be permitted within each of the 5 functional areas are:
 - A. Professional and Business. Agencies and offices rendering specialized and general services such as accounting, addressing, letter and copy service, advertising, bookkeeping, bonding, brokerage, detective, financing, trust and banking, insurance, real estate, travel bureaus, corporate, regional and local administrative offices and local, state and federal administrative offices, as well as consultant services such as engineering, planning, legal, secretarial, financial, architectural, medical and dental.

- B. Retail Sales and Commercial Services. Stores for retail purposes only, provided that no goods shall be displayed on the exterior of the premises and all storage is within the confines of the building. Permanent sit-down type restaurants but excluding drive-in restaurants. Personal service shops dealing directly with customers such as beauty parlors, barber shops, clothes cleaning or pressing agency, shoe repair shop, dress making, millinery, clothing and costume rental, tailor and fur shop, dancing and musical instruction, providing latter are adequately sound proofed. General sales, servicing or repair shop such as jewelry, bicycle, watch or clock, radio, television, or home appliance repair.
 - C. Lodging. Lodging to include a complete service facility including rooms and accessory retail, dining, leisure and service facilities.
 - D. Recreation/Leisure Time Uses. Indoor recreation and leisure time uses, unless noted otherwise, including theatre for state production of films, but excluding drive-in theatres; health spas, indoor or outdoor tennis and swimming clubs; or any use of the same general character as the above permitted uses, provided that no such use which is noxious or hazardous shall be permitted except in accordance with Article V.
 - E. Specialized Commercial-Business. Bakery, pastry, candy, confectionary, ice cream or customer shop making goods only for retail sales on the premises.
4. Telephone and telegraph office, specialty and printing, specialized optical, dental, electronic facilities, research and development testing or experimental laboratory and similar establishment for product applications providing that any specialized commercial application shall not be permitted which may violate the performance standards set forth in Article V.

§ 27-904. Area Regulations.

- 1. The proposed development shall be constructed in accordance with an overall plan and shall include the planned phasing and schedule of construction. The overall plan shall be designed as a single architectural scheme with appropriate common landscaping and shall provide, initially at least, for the construction of a minimum of 12,000 square feet of ground floor area of one of the functional categories. If the development of the Center is to be carried out in progressive stages, each stage shall be planned that the previous and following requirements of this Chapter shall be fully complied with at the completion of any stage.
- 2. No Planned Commerce Unit Development tract shall be less than 10 acres and no individual lot size shall be less than 1 acre. Not more than 35% of the area of each shall be occupied by buildings.
- 3. Front, side and rear yards shall be provided on each lot as follows:
 - A. One front yard not less than 50 feet in depth. There shall be at least 15 feet between any off-street parking area or parallel access drive and any existing right-of-way or future street right-of-way.
 - B. Two side yards, neither less than 25 feet in width. This requirement shall not prevent the erection of a series or row of attached buildings, provided that the series or row meets side yard requirements if treated as a single unit. There shall be a landscaped side yard at least 15 feet between any side lot line and any off-street parking area or access drive.
 - C. One rear yard not less than 40 feet in depth. There shall be a landscaped rear yard at least 15 feet in depth between any rear lot line and any off-street parking area or access drive.
- 4. Lot width. Each lot shall have a width of not less than 200 feet.
- 5. Spacing of structures on the same lot. Any building shall be located at least fifty feet from any other building on the same lot, unless such buildings are attached by a roof structure.

6. Vehicular access points and road frontage improvements. Vehicular access points to the development and any road frontage improvements including widening and directional turning lanes shall be an integral part of the development.
7. A buffer strip shall be provided along each property or street line which is opposite or adjacent to a Residential District or to a park. The following standards shall apply:
 - A. Plant materials used in the buffer strip shall be of such species and size as will produce, within 3 years, a complete visual screen of at least 6 feet in height.
 - B. The buffer strip shall be maintained permanently and any plant material which does not live shall be replaced within 1 year.
 - C. The buffer strip shall be placed so that at maturity it will be no closer than 3 feet from any street or property line.
 - D. In all buffer strips, the exterior width beyond the planting screen shall be planted with grass seed, sod or ground cover and shall be maintained and kept clean of all debris and rubbish and free of weeds and tall grass.
 - E. No planting or other obstruction shall be permitted which would interfere with traffic visibility across the corner of a lot and at access driveways within a triangle bounded by the street center lines and a straight line drawn between points on each street center line, 75 feet from their intersection. Such clear sight triangle shall be maintained in the area between a plane 2 feet to 10 feet above the outside edge of the street pavement.
 - F. No structure, materials or vehicular parking shall be permitted in the buffer strips.
 - G. The buffer strip shall be broken only at points of vehicular or pedestrian access.
8. No sign or other structure shall be erected unless it fully complies with the requirements of Part 7 of this Chapter and unless all signs conform to an overall coordinated design scheme which shall be subject to approval or disapproval by the Township Council.
9. All parking, loading, access and service areas shall be adequately illuminated at night. Such lighting, including sign lighting, shall be arranged so as to protect the highway and adjoining property from direct glare or hazardous interference of any kind. All utility lines servicing the area shall be placed underground.
10. The district shall be serviced by centralized water supply and sewage disposal facilities certified by the PA Department of Environmental Protection and the PA Public Utility Commission.
11. The performance standards set forth in Part 5 shall apply.

§ 27-905. Height Requirements.

No structure shall be any higher than the height maximum set forth in § 27-409.

§ 27-906. Off-Street Parking and Loading Requirements.

1. The appropriate number of off-street parking spaces, in accordance with the following provisions and with proper access from a street or way, shall be provided on any lot on which a principal building is hereafter erected. In no case shall any parking area be closer than 15 feet from any building.
 - A. Hotel, motel or tourist house. One parking space for each rental room or suite.
 - B. Restaurant, cafe, or tea room having a total floor area of more than 1,000 square feet one parking space for each 50 square feet of floor space devoted to patron use.

- C. Theatre or Auditorium. One parking space for every ten seats.
- D. Business/Professional. 3.5 car parking spaces shall be provided for each 1,000 square feet of net leasable area designated for office use.
- E. Commercial. 5.5 car parking spaces shall be provided for each 1,000 square feet of gross leasable area designated for commercial use; except when commercial area (gross leasable area) is less than 10% of total planned office area (net leasable area), the office parking ratio of 3.5 parking spaces for each 1,000 square feet shall apply. Gross leasable area is defined as all that area on which the commercial area tenant pays rent. Net leasable area is defined as the area measured within the exterior walls, excluding common corridors, elevators, toilets, service closets and walls surrounding these areas.
- F. Specialized Commercial Business. One space per each 1.2 employees or one space per 1,000 square feet of floor area, whichever is greater, except in those functions where retail trade is involved, then § 27-906(5), (commercial) shall apply.

The following additional off-street parking and loading requirements shall also be met:

- (1) In addition to the minimum square footage per parking space required, adequate driveways, aisles and maneuvering spaces shall be provided. Parking areas and loading areas shall be graded for convenient access and shall be paved, along with all access drives, with a hard material or otherwise treated to prevent dust or other loose cover from becoming a nuisance or hazard. All parking areas adjacent to paved sidewalks or otherwise defined pedestrian walkways shall be curbed. In cases where curbs are not required, tire stops shall be provided.
- (2) Parking, loading, or service areas used by motor vehicles shall be located entirely within the lot lines of the principal use served by the parking area, shall be physically separated from public streets by a buffer strip or other effective and suitable barrier against unchanneled motor vehicle access or egress and shall have not more than two access ways, to any one public street.
- (3) Areas provided for loading and unloading of delivery trucks and other vehicles and for the servicing of shops by refuse collection, fuel and other service vehicles shall be adequate in size and shall be so arranged that they may be used without blockage, or interference with the use of access ways or automobile parking facilities.
- (4) When several uses requiring different parking ratios are conducted on the same lot under single ownership, the pro rata distribution of parking requirements for each use shall be totaled and applied.
- (5) Notwithstanding the specific provisions of this section, any requirements as to the amount of required off-street parking space may be reduced by the Zoning Hearing Board on the submission of satisfactory evidence that the potential parking needs of a particular use are less than required above.

§ 27-907. Time Limit On Construction Permit.

Permits issued pursuant to this Part shall expire within 2 years after date of issuance thereof, unless the approved project is completed, or unless the Township Council shall extend the permit for successive terms not exceeding one year each. In those cases where the original permit is issued and the construction schedule calls for a term of longer than two years, the permit shall be automatically renewed by the Zoning Officer for an additional one year period, subject to such safeguard as the Zoning Officer may prescribe in the public interest.

§ 27-908. Development Plan Changes During Construction.

After the final development plan has been approved and when, in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights or yards are requested by the developer and such requests conform to the standards established by the approved final development plan for the area to be covered by buildings, parking spaces, entrances, height, functions, set backs and lot area requirements, such adjustments may be approved by the Township Council, upon application and without fee and after receiving recommendations of the Planning Commission.

**ARTICLE X
PLANNED NEIGHBORHOOD CONVENIENCE CENTER**

§ 27-1000. Authorization and Conditions.

A Planned Neighborhood Convenience Center may be permitted in any District where designated as a use permitted by right, conditional use or special exception. All of the following criteria, standards and conditions for such use shall apply. A Planned Neighborhood Convenience Center shall be:

- A. A totally planned development on contiguous land under single ownership or control; all proposed uses shall be submitted for the total development of the site;
- B. Intended and planned to primarily serve the daily and convenient shopping and personal service needs of residences within approximately one-half mile of the planned neighborhood convenience center;
- C. Located on, or within a 200-foot radius of an intersection of two collector streets, two arterial streets or one collector and one arterial street as designated on the Township Comprehensive Plan and as defined in the Township Subdivision and Land Development Chapter;
- D. Fronting on at least one collector or arterial street as designated on the Township Comprehensive Plan;
- E. Based on the market feasibility study submitted by the developer and prepared in accordance with professionally accepted standards for real estate economics and market research. Such study shall document the anticipated primary service area of the development, the types and magnitudes of shopping and personal service demands of the anticipated service area and the types and recommended floor areas of stores, shops and offices and other activities proposed;
- F. Located on a site of not less than two acres nor more than three acres;
- G. Planned to include the following types of land use activities or similar uses thereto necessary to serve the neighborhood: grocery store, pharmacy, bakery shop, confectionary, ice cream parlor, gift shop, beauty shop, barber shop, shoe repair, small appliance repair, dry cleaner, medical and dental offices, branch bank, professional or related service offices, lunch counter, place for sale and consumption of beverages and ice cream, household goods store, local government offices, library, nursery or day care center;
- H. Permitted only when the uses are performed entirely within an enclosed building and in accordance with the access, setback and other applicable provisions of the Zoning Chapter;
- I. Planned to reflect the floor areas for each store, shop or office as deemed essential by the market feasibility study prepared in accordance with § 27-1000(E) above, the maximum lot coverage shall not exceed 30%;
- J. Provided with parking facilities in accordance with the provisions of this Zoning Chapter;
- K. Governed by the sign regulations of this Zoning Chapter; signs which portray the name of the Planned Neighborhood Convenience Center shall be limited to one sign on each street on which access is provided. There shall be only one identification sign for each store, shop or office or other establishment, such sign to be a parallel sign;
- L. Designed so that the arrangement and appearance of buildings and grounds will be functionally and visually harmonious with the character and value of the neighborhood;
- M. Surrounded, except for portions abutting arterial or streets to which the Center has access, 20 foot buffer strip, when located within or abutting a Residential District. Such buffer strips shall be so designed that a dense screen of planted trees, shrubs or other plant material, or a natural area of forest provides a substantial barrier to

visibility, airborne particles, glare and noise; plant materials used in screen planting shall be of such species and size as to produce, within 3 years, a complete visual screen at least 6 feet in height, except where pedestrian access or recreation activity areas open into the Planned Neighborhood Convenience Center;

- N. Lighted in a manner which will not emit glare and visual disturbances to the neighborhood; lighting shall be provided only in accordance with this Chapter; and
- O. Designed so that there are no more than two ingress and egress points on each abutting arterial or collector street and so that traffic congestion in the Center and in the vicinity of the Center is minimized.

ARTICLE XI
SPECIAL EXCEPTION USE AND CONDITIONAL USE CONDITIONS

§ 27-1100. Purpose.

This Part sets forth conditions which must be met before a special exception use or conditional use can receive approval and be granted a zoning permit.

§ 27-1101. Procedure.

1. All applicants shall submit three sets of site plans to the Zoning Officer when making application for a Zoning Permit. The following information shall be included, where applicable:
 - A. A statement as to the proposed use of the building or land.
 - B. A site layout drawn to a scale of not less than one inch equals 50 feet showing the location, dimensions and height of proposed buildings, structures, or uses and any existing buildings in relation to property which is scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property.
 - C. The location, dimensions and arrangements of all open spaces and yards and buffer yards including methods and materials to be employed for screening.
 - D. The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off- street loading and unloading and provisions to be made for lighting such areas.
 - E. The dimensions, location and methods of illumination for signs, if applicable.
 - F. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
 - G. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage.
 - H. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.
 - I. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, water pollution, fire hazards, traffic congestion or other safety hazards.
 - J. Description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards or other safety hazards.
2. The Zoning Officer shall, within 10 days of plan submission, which is in total compliance with the requirements of this Section, submit one copy of said plan to the Township Planning Commission. The Zoning Officer shall also submit one copy of said plan to the Township Council in the case of a conditional use and one copy to the Zoning Hearing Board in the case of a special exception.
3. The Planning Commission shall, within 30 days of receipt of said plan, review and submit a recommendation to the Zoning Hearing Board in the case of a special exception and the Township Council in the case of a conditional use which shall, after a public hearing, approve or disapprove the proposed use. If disapproved, the reasons for disapproval shall be clearly stated on one copy of the submission and returned to the applicant and in a form and manner otherwise consistent with the PA MPC. The Zoning Officer shall deny a zoning permit for the proposed development until written approval of the Zoning Hearing Board is obtained. Approval may be made conditional upon the applicant's

adoption of specified changes in the submission.

4. The absence of action on the part of the Planning Commission within the said 45 days shall constitute approval of the use by the Planning Commission.
5. If an applicant for a special exception or conditional use, which would constitute a land development or subdivision, is approved by either the Zoning Hearing Board or Township Council, as relevant, the applicant is entitled, for a period of at least six months, or longer, as may be approved by either the Zoning Hearing Board or Township Council, following the date of such approval to proceed with the submission of plans in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed before either the Zoning Hearing Board or Township Council.

§ 27-1102. Conditions for Special Exception Uses or Conditional Uses.

The Zoning Hearing Board or Township Council, as appropriate, shall approve any proposed use if they find adequate evidence that any proposed use will meet all the following general requirements as well as any specific requirements and standards listed in this Chapter for the proposed use. Conditions and requirements are as follows. The proposed special exception use and conditional use shall be:

- A. in accordance with the Township Comprehensive Plan and consistent with the spirit, purposes and intent of this Chapter;
- B. in the best interests of the Township, the convenience and public welfare of the community and be an improvement to property in the immediate vicinity;
- C. suitable for the property in question and designated, constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity;
- D. in conformance with all applicable requirements of this Chapter;
- E. suitable in terms of permitting the logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection and public schools;
- F. suitable in terms of effects on street traffic and safety with adequate sidewalks and vehicular access arrangements to protect major streets from undue congestion and hazard.

§ 27-1103. Additional Conditions.

The Zoning Hearing Board or Township Council, as appropriate, may impose whatever conditions regarding layout, circulation and performance it deems necessary to insure that any proposed development will substantially secure the objectives of this Chapter.

§ 27-1104. Specific Requirements for Special Exception Uses.

1. Civic Buildings and Public and Private Educational Institutions, except such uses as commercial dance music studios.
 - A. The site is adequate for proper building, drainage , water supply and sewage disposal. Site size and space requirements shall be in accordance with applicable State or Federal standards and practice for the use proposed.
 - B. Sufficient amounts of usable space exist for recreation areas, parking, loading, etc.
 - C. The site is separated from excessive noises, odors, smoke, dirt, dust and traffic congestion.

- D. Pedestrian and vehicular circulation are designed for safety and efficiency to achieve separation of vehicular and pedestrian traffic.
 - E. The site is located and planned in such a manner that it can be used for both its intended function and general community functions, if appropriate and shall be attractively landscaped.
2. Multi-Family Dwellings (MFD) and Single Family Attached Dwellings (SFAD) the following minimum requirements shall be met:
- A. Density. The overall gross density of occupancy in any permitted MFD Development and SFAD Development shall not exceed the dwelling unit density allowed in each respective district.
 - B. Floor Area. The minimum floor area per dwelling unit shall be 450 square feet.
 - C. Recreation. A minimum of 10% of the gross site area shall be designated for active or passive recreation activities, excluding open space areas immediately around buildings, storm water drainage areas and drainage control ponds and slopes.
 - D. Buffer Yard. Buffer yards may be required.
 - E. Building Orientation. The minimum distance between buildings with multifamily dwellings and between buildings with single family attached dwellings, according to combination of walls which are facing each other, shall be as follows:

Design Standards/ Unit Type	Attached Single Family Dwellings (Townhomes)	Low Rise Apartment
1. Minimum building separation	20'	Refer to § 27-402, "Land Use and Dimensional Requirements," (6), "PUD-Planned Unit Development District Regulation Table B. Residential, 3. Low Rise Apartments
2. Minimum building to parking separation	10'	
3. Minimum building to street separation	10'	
4. Minimum building set-back to a public street right-of-way	20'	

(The minimums established are for the purpose of encouraging the placement of structures to create usable open space and visually attractive site planning. The Township shall not be bound to permit minimums in instances where the result is contrary to this purpose.)

- F. Building Size. Maximum building size shall be restricted to no more than 24 multi-family dwellings or no more than ten single family attached dwellings in any one continuous structure.
- G. Off-Street Parking. In addition to the off-street parking provisions of Part 6, all parking spaces shall be at least 20 feet from any structure.
- H. Water, Sewer & Drainage. The proposed development shall be served by both a public or centralized water system and public or centralized sewage disposal system. A storm run-off and drainage system shall be installed by the developer in accordance with sound engineering principles so as to adequately drain the development and adequately dispose of all run-off drainage away from the site in a manner that will not result in an excess amount of water to flow across streets or adjoining properties. Drainage plans shall be submitted with the application for zoning permit and shall be subject to review and approval by the Township Engineer or other qualified persons designated by the Township Council. The Township may require plantings and grading to control run-off.

- I. Refuse Storage. All refuse receptacles shall be suitably screened from view.
 - J. Common Open Space. Adequate provisions such as parks, play areas, non-dedicated streets, parking areas and general open space shall be provided. In the case of multiple dwellings and single family attached dwellings, the developer may be required to provide for and establish an organization for ownership and maintenance of common use areas.
3. Mobile Home Parks.
- A. All specifications of the Pennsylvania Department of Environmental Protection shall be met.
 - B. All applicable mobile home park provisions of the Township Subdivision and Land Development Chapter shall be met.
 - C. There shall be a minimum distance of 20 feet between mobile homes.
4. Home Occupation.
- A. Not more than two persons who are not members of the resident family may work at or be employed by the home occupation.
 - B. Not more than 1/2 of the area of one floor or an entire basement may be used for such purposes.
 - C. Signs indicating products made or services rendered shall be in accordance with this Chapter.
 - D. Adequate space for off-street parking and loading shall be provided per §27-600(B)(5).
 - E. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than a sign.
 - F. No machinery, lighting or equipment shall be permitted that produces noise, odor, vibration, glare or electrical interference beyond the bounds of the immediate property.
5. Planned Business Center Development.
- A. Any development in a Shopping Center shall provide initially for the construction of either a minimum of 8,000 square feet of ground floor area or a minimum of five of the permitted uses in the District.
 - B. All buildings shall be arranged in a group or in groups and the distance at the closest point between any two buildings or groups of attached buildings shall be not less than 15 feet.
 - C. Off-street parking space shall be provided in accordance with the standards set forth in Part 6.
 - D. Parking, loading and service areas shall be located entirely within the confines of the lot, shall be physically separated from public streets by buffer strips against unchanneled motor vehicular ingress and egress and shall have not more than two accessways to any one public street.
 - E. All accessways to a public street shall be located not less than 150 feet from the nearest street intersection.
 - F. Along any residential district boundary line, a buffer yard shall be provided in accordance with §27-512.
 - G. No storage of materials, equipment or goods shall be permitted outside a building, unless they are located within a permanently enclosed structure.

- H. All parking, loading, access and service areas shall be adequately illuminated at night. Such lighting, including sign lighting, shall be arranged so as to protect the highway and adjoining property from direct glare or hazardous interference of any kind. All utility lines servicing this area shall be placed underground.
- I. Pedestrian safety islands shall be required at the end of alternate parking bays. Each island shall be at least three hundred (300) square feet in area. Such islands shall be landscaped and designed to provide a safe area for pedestrians to wait prior to crossing vehicular traffic lanes; lighting standards may be incorporated in the design.
- J. If the development of the center is to be carried out in progressive stages, each stage shall be so planned that the requirements of this Section and the intent of this Part 10 shall be fully complied with at the completion of any stage.
- K. After the final development plan has been approved and when in the course of carrying out the plan, adjustments as rearrangements of buildings, parking areas, entrances, heights or yards are requested by the proponents and such requests conform to the standards established by the approved final development plan for the area to be covered by buildings, parking spaces, entrances, height, setback and lot requirements, such adjustments may be approved by the Planning Commission upon application which shall be accompanied by a plan of the entire development with the proposed changes indicated.

6. Drive-In Service Places.

- A. Signs and outdoor lighting shall be in accordance with specific provisions of this Chapter.
- B. Access points are limited to two on each street abutting the lot.
- C. On-lot traffic circulation channels and parking areas shall be clearly marked.
- D. Provisions shall be made for proper and convenient disposal of refuse.

7. Automotive Service Station.

- A. The minimum lot width shall be 200 feet along each street which the lot abuts.
- B. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
- C. Fuel pumps shall be at least 25 feet from any street right-of-way.
- D. All automotive parts and dismantled vehicles shall be located within a building.
- E. Paint spraying or body and fender work shall not be permitted.
- F. Automobiles taken to a service station for outside storage because of an accident may remain no longer than 15 days from the day the car arrives at the station unless otherwise extended by the Zoning Officer.

8. Motels, Motor Inns.

- A. No structure, except a permitted sign and parking areas, shall be nearer to any lot line than 50 feet.
- B. A minimum 10 foot buffer strip along side, front and rear property lines shall be provided except for entrance and exit drives. The buffer strip shall comprise evergreen trees and foliage and other appropriate ground cover.

The entrance and exit drives crossing the street right-of-way shall be limited to two along the frontage of any street.

C. All lighting shall be shielded so as not to shine on or cast glare upon abutting properties and highways.

9. Planned Industrial, Office or Research Park.

A. Shall be totally planned to function as a single development unit.

B. Shall be in accordance with the performance standards of this Chapter and in accordance with all development standards of the Township Subdivision Regulations and related land development ordinances.

C. Shall contain only those individual uses permitted in the district.

10. Airport-Related Uses.

A. Shall be planned to function in a manner which will not conflict with the primary and basic air transportation functions of the airport.

B. Shall be in accordance with the airport master plan.

C. Shall be planned in a manner in which adverse influences on areas outside the airport are avoided or minimized.

11. Private or Membership Clubs or Lodges.

A. Membership. Such uses shall be established principally for use by members and guests.

B. Buffer. A buffer yard shall be required where outdoor use of the premises results in noise beyond the boundaries of the property. This section shall not be deemed to permit any use which would otherwise be objectionable by reason of such noise.

12. Day Care Homes and Centers; Nursery Schools; Convalescent Homes. Such uses shall be shielded from abutting property by a buffer strip on all sides in accordance with § 27-512(6).

13. Car Wash.

A. Any car wash shall demonstrate that its use of water will not have any adverse impact on water supply of surrounding properties.

B. Any car wash shall demonstrate that discharged waste or other solutions will not drain or otherwise discharge onto adjoining properties and that such water or other solutions will be either accepted into a municipal sewer system, as evidenced by a sewer permit, or will be discharged upon the subject property in a manner to prevent the fouling of any ground water.

C. Any car wash shall demonstrate a safe and functional system of access and traffic control designed to provide ingress and egress to the property and to prevent the standing of vehicles upon public roads or across public sidewalks while waiting to enter the car wash. Notwithstanding any approvals given such car wash, it shall be a violation of this Zoning Chapter to operate a car wash in a manner that vehicles awaiting entry stand on a public street or across public sidewalks.

14. Junkyards. All junkyards shall be surrounded on all sides by a buffer yard in accordance with §§27-512(3) through § 27-512(6).

15. Firing Range Associated with Industrial Use.

- A. Any test firing range as an accessory use to the manufacture of firearms components or munitions components shall meet the following standards:
 - (1) The firing range shall be fully enclosed by a material sufficient to prevent the penetration of any shell, munition, explosive, or other projectile to be fired, tested or otherwise used at the firing range.
 - (2) The firing range and any associated munitions storage shall not violate any applicable state or federal regulations.
 - (3) The Han-Le-Co Volunteer Fire Company shall be notified annually in writing of the exact location upon the premises where any shells, munitions, or other explosives are stored. This notification shall identify all chemicals and/or explosives present at the time of notification. If at any time within one year of the annual notification, any relocation of shells, munitions, or explosives shall be immediately made known.
 - (4) Any location on the premises where shells, munitions or other explosives are stored shall be constructed so that, in the event of accidental simultaneous discharge or explosion of all such items stored therein, the immediate force of such explosion shall be contained within the walls of the structure in which such items are stored.
 - (5) The Han-Le-Co Volunteer Fire Company, the Township Manager or his designee shall have access at reasonable hours to the premises for the purpose of determining continuing compliance with the terms of this Chapter.
 - (6) Spent ammunition and related waste shall be collected and disposed of in compliance with Pennsylvania Department of Environmental Protection (DEP) regulations, or the applicable state agency. Lead management and soil/water protection measures shall be included in the site plan.
 - (7) All firing ranges shall employ noise control measures to limit sound levels at the property line to the maximum decibel level permitted under Section 27-504 of this Ordinance.
- B. Indoor Firing Range
 - (1) The firing range shall be fully enclosed by a material sufficient to prevent the penetration of any shell, munition, explosive, or other projectile to be fired, tested or otherwise used at the firing range.
 - (2) All projectile containment structures, bullet traps, and ventilation systems shall meet industry safety standards.
 - (3) Walls, ceilings, and doors shall be constructed and insulated to prevent noise from exceeding allowable levels at the property boundary.
 - (4) Air handling systems shall be designed to protect occupants from lead dust and other airborne contaminants, with exhaust directed away from adjacent properties.
- C. Outdoor Firing Range
 - (1) Facilities where firearms are discharged shall be located a minimum of **500 feet** from any residential zoning district, school, place of worship, daycare facility, or public park. Minimum of **200 feet** from any property line not abutting the above uses.
 - (2) Earthen berms, bullet traps, or equivalent protective measures adequate to contain any munitions fired shall be installed and maintained behind all targets.
 - (3) Ranges shall be oriented to direct fire away from residential areas, public rights-of-way, and occupied structures.

- (4) A visual and sound buffer of evergreen plantings or fencing shall be provided along property boundaries adjoining residential uses or public roads.
- (5) Site plans shall include measures to prevent lead and other contaminants from entering surface waters or groundwater.

16. Heliports. Each application for a heliport shall include:

- A. A copy of the Federal Aviation Administration Form 7480-1, "Notice of Landing Area Proposal."
- B. A copy of a letter of "No Objections" from the FAA.
- C. A copy of State of Pennsylvania Application for Approval of Landing Areas site and the letter of site approval from the Bureau of Aviation.
- D. A statement of property ownership or authorization of the owner for the property proposed to be used as a heliport.
- E. A description of the purpose for which the heliport is being established and a schedule of proposed activities including:
 - (1) Number of monthly operations.
 - (2) Hours of operation.
 - (3) Support activities such as storage, maintenance and refueling.
- F. A site plan which shall contain the following information:
 - (1) The location, nature and height of proposed security fences, berms, landscaping and other security and noise attenuation structures.
 - (2) The location and type of firefighting equipment and materials.
 - (3) The location and type of fuel storages facilities.
 - (4) The location of all existing and proposed buildings.
 - (5) The location of the helicopter takeoff and landing areas, parking areas and the method of surface preparation or stabilization.
- G. A certification of structural compliance attested to by a registered professional engineer or architect shall be furnished with each application for a roof-top or other elevated heliport.

17. Bulk Storage of Chemicals or Explosive Materials.

- A. Any location where any highly flammable or explosive liquids, solids or gases are stored shall be constructed so that in the event of accidental discharge or explosion of such material stored therein, the immediate forces of such explosion shall be contained within the walls of the structure in which such items are stored.
- B. There shall be two points of access from a public road.
- C. Any storage facility shall be within 400 feet of a fire hydrant and without obstruction between such hydrant and the storage facility.

18. Automobile, truck, mobile homes, boat or recreational vehicle sales establishments

- A. The use will be carried out in completely enclosed buildings with permitted outside storage of vehicle inventory.
- B. In the interest of public traffic safety, no vehicles shall be parked along the front lot line. Cars may parallel the front lot line but must be set back behind the front façade line of the principle structure.
- C. Any lot line abutting a residential use shall utilize appropriate screening.
- D. There shall be no outdoor storage of new or used parts, scrap parts, tires of vehicles. The overnight parking of vehicles and the presence of DEP/EPA-approved waste containers shall be permitted on side or rear lot areas.

19. Business and professional services, including business offices, real estate agencies, law, engineering, accounting and other consultant offices; Medical or dental offices or clinics for out-patient treatment, including accessory laboratory facilities.

- A. Delivery and associated circulation areas shall not conflict with existing Township development and circulation patterns. This shall include but not be limited to showing no use of the public right-of-way would be necessary.

20. Eating & drinking places, not including drive-in service. Personal services and convenience retail stores including beauty salons, barber shops, shoe repair shops, watch repair, small appliance repairs, dry cleaning and tailors.

- A. There shall be no exterior display of merchandise.
- B. If a conversion, the character of the building shall not be substantively altered.
- C. All outdoor lighting, except illumination for general safety, shall be prohibited except during business hours.
- B. Deliveries shall not interfere with traffic patterns. This shall include but not be limited to showing no use of the public right-of-way would be necessary.

21. Funeral homes, mortuaries

- A. There shall be no external display of merchandise on the premises.
- B. One off-street loading space shall be provided for every 10,000 square feet of gross floor area.
- C. No loading and unloading of merchandise and cadavers shall occur, under any circumstances, on public property or shall be visible from the public right-of-way.

22. Planned neighborhood convenience center.

- A. Must comply with parking requirements of this ordinance.
- B. With application for a permit, a plan shall be submitted to the Township showing the following:
 - (1) Extent and area of property.
 - (2) Entrance, exits, driveways, roads, parking areas, and lots
 - (3) Location of existing and proposed structures.
 - (4) Storm water management techniques to be employed.
 - (5) Anticipated retail, service or eating and drinking places by use category with appropriate square feet of

building devoted to each.

- (6) Current and proposed pedestrian access, especially linkages to existing business areas.
- (7) If abutting non-industrial uses, shall present a plan for screening and buffering which will minimize any impact and filter most light and noise, and shall be at least 6 feet in height.

23. Retail stores for hardware, dairy products, drugs, meat, clothing, furniture and the like.

- A. Parking shall conform in all respects to the parking requirements of this article.
- B. There shall be no exterior display of merchandise.
- C. If a conversion, the character of the building shall not be substantively altered. If a new building, it shall conform in character and scale to the existing buildings.
- D. All outdoor lighting, except illumination for general safety, shall be prohibited except during business hours.
- E. No drive-through or drive-up service is permitted.
- F. Deliveries shall not interfere with traffic patterns. This shall include but not be limited to showing no use of the public right-of-way would be necessary.

24. Building material sales yard, including the sales of rock, sand, gravel and the like as an incidental part of the main business; and contractors' equipment storage yard or plant.

- A. No outdoor storage of materials shall be located within the front yard of the lot.
- B. Deliveries shall not interfere with traffic patterns. This shall include but not be limited to showing no use of the public right-of-way would be necessary.
- C. If abutting non-industrial uses, shall present a plan for screening and buffering which will minimize any impact and filter most light and noise, and shall be at least 6 feet in height.

25. Dry cleaning plants; Manufacture of ceramic products and building materials using only previously pulverized clay and kilns fired by electricity or gas; Manufacturing, compounding or assembling of articles using the following prepared materials: bone or shell; cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stone, rubber, textiles or cloth products, tobacco and wood or wood products.; Stone cutting and monument manufacture and sales, soap and sodium compounds manufacture.

- A. No uses will involve noxious gas, dust, odor or smoke clearly discernible to neighboring uses or harmful to the public health, safety and welfare of area citizens.
- B. If abutting non-industrial uses, shall present a plan for screening and buffering which will minimize any impact and filter most light and noise.

26. Wholesale business, warehouses and similar non-processing storage and distribution uses; except bulk storage of chemicals, petroleum products, and other flammable, explosive or noxious materials, subject to the following criteria:

- A. A 10-acre minimum lot size;
- B. A 150-foot setback between the facility and residential property lines;
- C. On-site stacking area for tractor-trailers;

- D. Prohibition against parking, loading and unloading on any public road;
 - E. Amenities for the comfort, convenience and safety of truck drivers;
 - F. A traffic study;
 - G. An environmental impact assessment;
 - H. A description of the nature and scale of on-site activities;
 - I. A detailed description of potential environmental impacts;
 - J. Evidence that the number of truck parking spaces will be adequate to accommodate expected demand;
 - K. The ground surface of off-street parking and loading spaces shall be paved with asphalt, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust, mud and other disturbances.
 - L. An additional ten (10) feet of yard setback with landscape buffering a minimum of six (6) feet in height for off-street parking and loading areas shall be provided in accordance with this Ordinance to protect the surrounding neighborhood from inappropriate light and other disturbances.
 - M. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in this Ordinance.
 - N. There shall be one (1) point of ingress and egress to an arterial or collector street. The point of ingress and egress shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular).
 - O. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases, or solids is permitted.
 - P. The height of proposed buildings and structures that are for non-aviation uses shall be subject to the requirements of the Airport Zoning Regulations and approval by the Federal Aviation Administration (FAA).
27. Commercial outdoor recreation facilities including, but not limited to, miniature golf, driving ranges, swimming pools, tennis courts and the like.
- A. Have a lot of not less than six (6) acres in size.
 - B. Present a plan for the use, time and duration of any outdoor speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers may not be employed for non-emergency use between the hours of 10:00 p.m. and 8:00 a.m.
 - C. Meet all parking, lighting and lot provisions of this ordinance.
 - D. Be screened from abutting residential properties.
28. Parks, recreation areas, historic areas and conservation areas with enclosed structures.
- A. Have no outdoor speakers, with the exception of emergency public address speakers.
 - B. Present evidence of compliance with Uniform Construction Code regulations.
 - C. Developer shall present a plan to minimize any noise created by activities through buffering, acoustic engineering and/or topography.

29. Public or private recreation facilities intended primarily to serve residents of a residential development.

- A. Present a plan for the use, time and duration of any outdoor speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers may not be employed for non-emergency use between the hours of 10:00 p.m. and 8:00 a.m.
- B. Meet all parking, lighting and lot provisions of this ordinance.

30. Churches & other places of worship.

- A. All parking and lot provisions of this ordinance shall be met.
- B. Any outdoor lighting shall be designed to prevent glare to adjoining properties, and meet all lighting standards of this ordinance and other Township outdoor lighting regulations.

31. Public or private elementary, middle, junior high or high school.

- A. Shall provide all parking and loading/unloading requirements as required by this Ordinance.
- B. Shall be located on a paved public street which has two means of entrance and exit, and with a minimum cart way width of twenty-four (24) feet.
- C. The design and landscaping shall be compatible with, and preserve the character of, adjoining residential uses.
- D. All parking and recreation/play areas that abut residential uses shall provide screen planting.
- E. Any outdoor lighting shall be designed to prevent glare to adjoining properties, and meet all lighting standards of this ordinance and other Township outdoor lighting regulations.
- F. Such uses shall have, and present, all needed local, county, state or federal permits, or applications for needed permits. If needed permits are in the application stages, the final approval for same shall be a condition prior to issuing a zoning certificate.

32. Eating & drinking places, including drive-in service

- A. There shall be no exterior display of merchandise.
- B. If a conversion, the character of the building shall not be substantively altered.
- C. All outdoor lighting, except illumination for general safety, shall be prohibited except during business hours.
- D. Deliveries shall not interfere with traffic patterns.
- E. Drive-through facilities shall not require, and at no time may any vehicles back onto, use or otherwise occupy any part of the public sidewalk or any street. This shall be accomplished by providing queueing area for at least 5 vehicles per drive-through lane or window, defined as 20 feet per vehicle including minimal headroom.

33. Railroad facilities.

- A. Lots containing structures or buildings for railroads shall be landscaped to present a minimum intrusion upon abutting residential neighborhoods.

- B. No unscreened outdoor storage shall be permitted.
- C. Lighting shall be designed to prevent glare to neighboring properties, and meet any Township outdoor lighting standards.

34. Commercial solar energy system

The current regulations are limited to the following: Airport-Industrial Zone. Solar energy systems in an airport industrial (AI) zone shall be subject to the following regulations: A commercial solar energy system may be permitted by special exception.

A. Criteria Applicable to All Solar Energy Systems (SES):

- (1) The SES layout, design and installation shall conform to good industry practice. “Good industry practice” shall mean the practices, methods, standards, and acts (engaged in or approved by a significant portion of the solar power industry for similar facilities in similar geographic areas that are similar in size and complexity) as the same may change from time to time, that, at a particular time, in the exercise of reasonable professional judgment in light of the facts known at the time a decision was made, would have been expected to accomplish the desired result in a manner consistent with applicable law, regulation, codes, good business practices, reliability, safety, environmental protection, economy, expedition, and shall comply with the PA Uniform Construction Code and with all other applicable fire and life safety requirements.
- (2) The application shall include a construction transportation plan that shows all roadways that will be utilized to access the site, which shall be forwarded to the Township for review for the purposes of determining any bonding requirements per the Township’s prevailing road bonding policy.
- (3) DC voltage Solar Array Connections may be located above ground.
- (4) AC Solar Facility Connections should be located underground where feasible. AC solar facility connections may be located above ground where the Applicant can demonstrate to the satisfaction of the Township that the overall environmental impacts would support above ground location.
- (5) Solar Project Connections may be located above ground.
- (6) No portion of the SES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the SES provided they comply with the prevailing sign regulations.
- (7) Noise Management
 - (a) A Noise Management Plan that addresses noise produced during construction (limited to the hours of 7 a.m. to 7 p.m. for construction) and during the facility operation, to be approved by the Township, shall be included with the SALDO application.
 - (b) The Plan at a minimum shall separately address noise during construction and facility operations and include mitigation, an assessment of the noise that will emanate at the perimeter fence and the contact information for the individual who is responsible for implementation and compliance both during construction and operations.
 - (c) The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses.
 - (d) During operation of the SES, audible sound shall not exceed a maximum of 60 dBA during daytime hours and 55 dBA during nighttime hours as measured at the exterior of any occupied building on a non-participating landowner’s property.

(8) Glare

- (a) All SES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. Exterior surfaces shall have a non-reflective finish.
- (b) The applicant has the burden of proving that any glare produced does not have any adverse impact on neighboring or adjacent uses either through siting or mitigation.

(9) The SES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Hanover Township. The SES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints. In addition, the phone number, QR code or website address that contains said contact information must be posted at the place of access at all times.

(10) Decommissioning

- (a) The SES owner is required to notify the Hanover Township immediately upon cessation or abandonment of the operation. The SES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.
- (b) The SES owner shall then have eighteen (18) months in which to dismantle and remove the SES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations, solar facility connections and other associated facilities in accordance with agreements with landowners and good industry practice.
- (c) Materials that cannot be re-sold or salvaged shall be disposed of at a facility authorized to dispose of such materials by federal or state law.
- (d) Any soil exposed during the removal shall be stabilized in accordance with applicable erosion and sediment control standards.
- (e) Any access drive paved aprons from public roads shall remain for future use unless directed otherwise by the landowner.
- (f) The SES site area shall be restored to its pre-existing condition, suitable for its prior use, except the landowner may authorize, in writing, any buffer landscaping or access roads installed to accommodate the SES to remain.
- (g) Any necessary permits, such as Erosion and Sedimentation and NPDES permits, shall be obtained prior to decommissioning activities.
- (h) Prior to issuance of approval for the construction of the SES, the owner shall provide financial security in the form and amount acceptable to the Township and in favor of the Township, to secure its obligations under this Section.
 - i. The SES Developer shall, at the time of the application, provide the Township with an estimate of the cost of performing the decommissioning activities required herein. The Solar Project Owner shall provide financial security of 110% of the estimated cost of decommissioning. The estimate may include an estimated salvage and resale value, discounted by a factor of 10%. The decommissioning cost estimate formula shall be: Gross Cost of Decommissioning Activities minus 90% credit of Salvage and resale value equals the decommissioning cost estimate.
 - ii. On every fifth anniversary of the date of providing the decommissioning financial security, the

SES Owner shall provide an updated decommission cost estimate, utilizing the formula set forth above with adjustments for inflation and cost and value changes. If the decommissioning security amount increases, the SES Owner shall remit the increased financial security to the Township within 30 days of the approval of the updated decommissioning security estimate by the Township. If the decommissioning security amount decreases by greater than 10%, the Township shall release from security any amounts held in excess of 110% of the updated decommission cost estimate.

- iii. Decommissioning security estimates shall be subject to review and approval by the Hanover Township and the SES Developer/Owner shall be responsible for administrative, legal, and engineering costs incurred by the Hanover Township for such review.
 - iv. The decommissioning security may be in the form of cash deposit, surety bond, irrevocable letter of credit, cashier's check, escrow account from federal or Commonwealth chartered lending institutions or another surety acceptable to the Township solicitor in the amount of 110% of the total proposed decommission cost estimate and in a form that is satisfactory to the Township and the Township Solicitor.
 - v. Prior to final approval of any SALDO plans for a SES, the SES Developer shall enter into a Decommissioning Agreement with the Township outlining the responsibility of the parties under this Agreement as to the Decommissioning of the SES.
- (11) An Emergency Response Plan shall be included with the application, which shall be reviewed and approved by the Township. Any training for first responders particular to the types of hazards that may be found on site, such as battery storage, shall be provided to local fire and emergency medical services providers at no cost and when requested.
- (12) Permit Requirements
- (a) SES shall comply with the Township subdivision and land development requirement(s) through submission of a land development plan.
 - (b) The installation of the SES shall be in compliance with all applicable permit requirements, codes, and regulations, including highway occupancy, driveway permits and road bonding requirements.
 - (c) The SES owner and/or operator shall repair, maintain and replace the SES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the SES in good repair and operating condition.

B. Ground Mounted Principal Solar Energy Systems:

- (1) SES Development Area is equal to the total acres of land subject to lease by the SES Developer. Where the area of land subject to the lease is greater than 75% of the parcel, the entire parcel will be considered to be a SES Development Area.
- (2) Solar Array Locations:
 - (a) Solar Arrays may be located only on 75% of the total Class I and II agricultural soils within the SES Development Area, unless the area will be devoted to Agrivoltaics activities, as defined, in which case 100% of the Class I and II soils may be included in the SES Development Area.
 - (b) For each parcel on which a SES, or a component of a SES, is proposed, a map shall be provided

by the applicant detailing the SES Development Area, the Constrained Area, the Class I and II agricultural soils, and the Portion of the SES Development that may be devoted to Solar Arrays.

- (c) Solar Arrays shall only be placed within that portion of any lot that lies within the Portion of the SES Development that may be devoted to Solar Arrays.
 - (d) Solar Arrays shall not be located in:
 - i. Floodways, as identified in the FEMA FIRM mapping.
 - ii. Regulated natural and man-made drainage corridors, extending twenty- five (25) feet from the centerline of any such drainage feature unless the Township, determines a lesser setback would create less impacts to the overall project.
 - iii. Wetlands: Development may occur on any wetland area of less than 1 acre if the Township determines the development of that area would create less impacts to the overall project. Any such development in a wetland must receive the required approval of the Pennsylvania Department of Environmental Protection and or the United States Army Corps of Engineers.
 - iv. Wetlands Buffer areas extending twenty-five (25) feet from any wetland unless the Township determines a lesser setback would create less impacts to the overall project.
 - v. Slopes in excess of fifteen percent (15%) unless the Township determines locations in an area in excess of 15% would create less impacts to the overall project.
 - vi. Wooded Areas primarily devoted to mature trees in excess of 2 acres that would require removal of greater than 20% of mature trees, unless the Township determines greater tree removal would create less impacts to the overall project. For the purpose of this clause, brushes and shrubs are not considered trees.
 - vii. Road Rights-of-Way.
- (3) Setback areas, as defined in the underlying zoning district.
- (a) Fencing required by this section shall be considered a principal structure for purposes of setbacks. Minimum property-line setbacks shall be in accordance with the District Requirements. A SES must also maintain a minimum setback of fifty (50) feet from any residential building.
 - (b) No lot line setback will be required between parcels where there is a grouping of two or more SES's which are held by a common owner or leased to a common lessor and which are part of a single solar energy production development project, where each landowner has provided a written and notarized waiver of the lot line setback.
 - (c) The application shall include with the project submission details of mitigation measures to be implemented to preserve wildlife corridors within an SES development.
 - (d) A minimum of a 25' buffer shall be maintained along either side of any regulated stream or regulatory wetland.
- (4) Height
- (a) All ground mounted solar panels shall comply with a maximum fifteen (15) foot height requirement.
 - (b) All other SES components and structures shall comply with the underlying district maximum height requirement.
 - (c) SES components may be in excess of the maximum height requirement where the Applicant can

- demonstrate to the satisfaction of the Township the necessity and benefit.
- (d) There are no maximum height restrictions for Structures that support Solar Facility Connections and Solar Project Connections.
- (5) Ground mounted SES shall be screened and buffered in accordance with the following standards.
- (a) Vegetative buffering, to the extent practical, shall be installed around the entire perimeter of the SES installation, except where the Township determines that the retention of existing trees within the vegetative buffering area may constitute the required vegetative buffer or where the Township determines that the solar panels cannot be viewed from a public roadway or residential use.
 - (b) The vegetative buffering shall be installed along the exterior side of the fencing. All required vegetative buffering shall be located within fifty (50) feet of the required fencing.
 - (c) Vegetative buffering should be designed to emulate the mix of native species and appearance of existing tree lines, hedge rows, and wooded areas already in existence within the landscape where the SES is proposed. The applicant shall assess the species mix and characteristics found in existing tree lines, hedge rows, and wooded areas surrounding the SES and document that the vegetative buffering is designed to emulate these characteristics. Arborvitae may be used as vegetative screening and buffering.
 - (d) No less than 20% of vegetative screening plantings shall be pollinator friendly species.
 - (e) Vegetative buffering shall be selected to provide year-round screening and shall be of sufficient height, density, and maturity to screen the facility from visibility, as set forth herein within thirty-six months of the installation of the SES.
 - (f) A combination of natural topography and vegetation can serve as a buffer provided that the SES will not be visible from public roads, public parks or existing residences on surrounding properties. Earthen berms may not be created to serve as a buffer.
 - (g) The buffering requirements of this section shall supersede the provisions of the Township Zoning Ordinance and Subdivision and Land Development Ordinance as they may pertain to an SES.
- (6) Ground-mounted SES shall not be placed within any legal easement or right-of-way location or be placed within any storm water conveyance system.
- (7) Security
- (a) All ground-mounted SESs shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate as deemed appropriate by the Township.
 - (b) A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and every 150 linear feet on the fence surrounding of the SES informing individuals of potential voltage hazards.
- (8) Access
- (a) At a minimum, a 14' wide stabilized access road must be provided from a state or Township roadway to the SES site that is maintained in a dust free condition. The SES developer shall obtain a permit from the appropriate jurisdiction for the construction of the access road.

- (b) At a minimum, a 20' wide cartway shall be provided on the inside of the perimeter fencing between the fence and Solar Array.
 - (c) Spacing between Solar Array rows shall allow access for maintenance vehicles and emergency vehicles.
 - (d) Access to the SES shall comply with the municipal access requirements in the Subdivision and Land Development Ordinance.
- (9) The ground mounted SES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.

C. Roof and Wall Mounted Principal Solar Energy Systems:

- (1) For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code including that the roof or wall is capable of holding the load imposed on the structure.
- (2) The total height of a building with a roof and wall mounted system shall not exceed by more than 3 feet above the maximum building height specified for principal or accessory buildings within the applicable zoning district.
- (3) Roof and Wall Mounted Principal Solar Energy Systems are permitted in any Zoning District where the building upon which they will be mounted is a permitted use.

§ 27-1105. Specific Requirements for Conditional Uses.

1. **Food Processing, Preparation, Packaging and Related Distribution.** For lots adjoining a residential zoning district, the following standards apply:
- A. No truck traffic or truck parking shall be permitted within one hundred ninety (190) feet of the property line adjoining a residential zoning district.
 - B. No loading or unloading shall be permitted from the side of any building facing a residential district.
 - C. Any trucks with a refrigeration unit in operation must be parked on a side of the building which is opposite the residential area.
 - D. Along the property line with a residential zoning district there shall be an earthen berm of at least ten (10) feet on which shall be planted evergreen screening shrubbery at least an additional eight (8) feet in height.
 - E. A fence of at least six (6) feet in height shall separate the lot from the residential zoning district.
2. **All Other Non-Residential Uses Not Otherwise Listed.** Any non-residential use not specifically listed as a permitted use in any zoning district and not specifically excluded from these districts may be permitted by special exception if the proposed use meets the following requirements:
- A. The proposed use would:
 - (1) Be consistent with the comprehensive plan of the Township.
 - (2) Be consistent with the adjoining and surrounding zoning and uses.

- (3) Be consistent with the scale and density of neighboring uses and structures.
- (4) Comply with all applicable yard, setback, and signage regulations for the districts.
- (5) Comply with parking and loading/unloading standards for related uses specified in this code.

B. The proposed use would not:

- (1) Substantially increase traffic congestion, create traffic safety hazards or endanger the safety of persons or property by improper location or design of facilities for ingress or egress
- (2) Change the basic functional characteristics of the streets and lands on which it is located, as identified by the Township comprehensive plan.
- (3) Increase the danger of fire or otherwise involve activities or processes which would tend to endanger the public health or safety.
- (4) Overcrowd the land or create an undue concentration of population or structures
- (5) Impair an adequate supply of light and air to adjacent property.
- (6) Create storm water hazards or drainage problem.
- (7) Create vibrations, glare, heat, electrical disturbance, smoke, odor or noise which would jeopardize the integrity of pre-existing uses in the immediate vicinity.
- (8) Unduly burden water, sewer, school, park or other facilities.
- (9) Be detrimental to or adversely affect the reasonable use of adjacent property.
- (10) Otherwise adversely affect the public health, safety, morals or general welfare.
- (11) Unreasonably interfere with pre-existing or planned residential, historic or economic development.

**ARTICLE XII
NON-COMFORMITIES**

§ 27-1200. Definitions.

1. **Nonconforming Structure or Lot.** A structure or lot that does not conform to a dimensional regulation prescribed by this Chapter for the district in which it is located, or to regulations for off-street parking, off-street loading, or accessory buildings, but which structure or lot was in existence at the effective date of this Chapter and was lawful at the time the structure or lot was established.
2. **Nonconforming Use.** A use of a building or lot that does not conform to use regulations prescribed by this Chapter for the district in which it is located, including any use which is permitted in the district in which it is located but which use does not comply with the district use, dimension and other related requirements of this Chapter, but which was in existence at the effective date of this Chapter and was lawful at the time the nonconforming use was established.

§ 27-1201. Continuation.

The lawful use of any structure or land existing at the effective date of this Chapter may be continued although such use does not conform with the provisions of this Chapter, except as otherwise provided in this Part. However, any unlawful use of any structure or land under the 1963 Ordinance which did not constitute a non-conformity shall not be legitimized by this continuation provision.

§ 27-1202. Alteration or Extension.

1. **Nonconforming Structure.** Nonconforming structures may be altered, reconstructed, or enlarged provided that such alteration, reconstruction or enlargement does not increase the extent of the nonconformity existing as of the effective date of this Chapter. In the case of a nonconforming structure which is used by a nonconforming use, such alteration, extension, or enlargement shall also meet the requirements of § 27-1202(3)
2. **Nonconforming Lots.** A building may be constructed on any lot which was lawful when created and which prior to the effective date of this Chapter was in a separate ownership duly recorded by plan or deed, provided the use requirements and other performance requirements (including yard requirements) of this Chapter are observed. Mobile home pads and designated mobile home spaces existing in mobile home parks at the effective date of this Chapter may continue to be used for the replacement of mobile homes.
3. **Nonconforming Uses.** Nonconforming uses shall not be altered, reconstructed, extended or enlarged, except in accordance with the following provisions.
 - A. Such alteration, reconstruction, extension or enlargement shall be permitted only by special exception under the provisions of Part 14, Zoning Hearing Board.
 - B. Such alteration, reconstruction, extension or enlargement shall be only upon the same lot as in existence at the date the use became nonconforming.
 - C. Any increase in volume of the non-conforming use shall not exceed an aggregate of more than 50% (of said volume or area) during the life of the nonconformity.

§ 27-1203. Restoration.

A nonconforming building wholly or partially destroyed by fire or other causes or a nonconforming building which has been legally condemned may be reconstructed and used for the same nonconforming use, provided that (i) the reconstructed building shall not exceed in height, area and volume the building destroyed or condemned and (ii) building reconstruction shall be commenced within one year from the date the building was destroyed or condemned and shall be carried on without interruption.

§ 27-1204. Abandonment.

Whenever a nonconforming use has been discontinued for a period of one year or more, the subsequent use shall be in conformity with the provisions of this Chapter.

§ 27-1205. Changes.

Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to another nonconforming use only under the following conditions:

- A. Such change shall be permitted only by variance under the provisions of Part 14, Zoning Hearing Board.
- B. The applicant shall show that a nonconforming use cannot reasonably be changed to a permitted use.
- C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use with respect to:
 - (1) Traffic generation and congestion including truck, passenger car and pedestrian traffic.
 - (2) Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, or vibration.
 - (3) Storage and waste disposal.
 - (4) Appearance.

§ 27-1206. District Changes.

Whenever district boundary changes result in a different district classification, the foregoing provisions shall also apply to any nonconforming uses or structures existing in the most recent district classification.

§ 27-1207. Non-Conformities Constituting Airport Hazards.

Notwithstanding the preceding provisions of this Part, the owner of any existing non-conforming structure, which is non-conforming by reason of height, is hereby required to permit the installation, operation and maintenance thereof of such markers and lights as shall be deemed necessary by the Lehigh-Northampton Airport Authority to indicate to the operators of aircraft in the vicinity of the Allentown-Bethlehem Easton Airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the Lehigh- Northampton Airport Authority.

**ARTICLE XIII
ADMINISTRATION**

§ 27-1300. Zoning Officer - Duties and Powers.

1. The provisions of this Chapter shall be administered and enforced by the Zoning Officer who shall be appointed by the Township Council and may not hold any elective office in the Township.
2. It shall be the duty of the Zoning Officer, and he shall have the power to:
 - A. Receive and examine all applications for Zoning Permits and Occupancy Permits.
 - B. Refer to Zoning Permit Applications.
 - (1) Refer to zoning permit applications for special exceptions to the Planning Commission and Zoning Hearing Board for action thereon in accordance with the provisions of Parts 11 and 14.
 - (2) Refer to zoning permit applications for conditional use approvals to the Planning Commissions and Township Council for action thereon in accordance with Parts 11 and 14.
 - C. Issue zoning and occupancy permits only where there is compliance with the provisions of this Chapter, with other Township ordinances and with the laws of the Commonwealth required by Act 537, the Pennsylvania Sewage Facilities Act, the Federal Water Pollution Control Amendments of 1972, § 404, 33 S.C. 1334. No permit shall be issued until this determination has been made. Permits requiring approval by conditional use or as covered by the Township Subdivision and Land Development regulations shall be issued only after final approval from the Township Council.
 - D. Following refusal of a zoning or occupancy permit, or for any other adverse determination issued by the zoning officer, to receive application for interpretation appeals and variances and forward these applications to the Zoning Hearing Board for action thereon.
 - E. Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Chapter.
 - F. Institute civil enforcement proceedings as a means of enforcement of a violation of any provision of this Chapter.
 - G. With the approval of the Township Council, or when directed by them, institute in the name of the Township any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct, or abate such violation, so as to prevent the occupancy of or use of any building, structure or land, or to prevent any illegal act, conduct, business, or use in or about such premises.
 - H. Revoke any order or Zoning Permit or Occupancy Permit issued under a mistake of fact or contrary to the law or the provisions of this Chapter.
 - I. Record and file all applications for Zoning or Occupancy Permits with accompanying plans and documents and keep an official record of all business and activities, including complaints of a violation of any of the provisions of this Chapter and of the subsequent action taken on each such complaint. All such records shall be open to public inspection as governed by the Right-To-Know Law. File copies of all applications received, permits issued, reports and inspections made in connection with any structure, building or Land.
 - J. Maintain a map or maps showing the current zoning Classification of all land in the Township.

- K. The Zoning Officer shall identify, register and map all nonconforming uses and nonconforming structures created as a result of the adoption of this Chapter or created as a result of amendments thereof.
- L. Issue Occupancy Permits upon a determination that the land or building to be occupied or used is in its then present condition in conformity with the requirements of this Chapter and any Zoning Permit or decision of the Zoning Hearing Board or Hanover Township Council issued pursuant thereto.

§ 27-1301. Application Requirements for Zoning Permits.

All applications for Zoning Permits shall be made in writing by the owner, tenant, vendee under contract of sale, or authorized agent on a form supplied by the Township and shall be filed with the Township Zoning Officer. The application shall include at least two copies of the following information, where applicable:

- A. A statement as to the proposed use of the building or land development.
- B. A site layout drawn to scale showing the location, dimensions and height of proposed buildings, structures, or uses and any existing buildings in relation to property and street lines. If the application related to property which is scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property;
- C. The location, dimensions and arrangements of all open spaces and yards and buffer yards including methods to be employed for screening.
- D. The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off- street loading and unloading and provisions to be made for lighting such areas.
- E. The dimensions, location and methods of illumination for signs if applicable.
- F. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
- G. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage.
- H. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.
- I. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, water pollution, fire hazards, traffic congestion, or other safety hazards.
- J. Description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards or other safety hazards.
- K. In the case of application for interpretation, variances and special exceptions, the additional information specified in Parts 11 and 14.
- L. Any other data deemed necessary by the Zoning Officer, Planning Commission or Township Council to enable them to determine the compliance of the proposed development with the terms of this Chapter.
- M. No permit for any new use or construction which will involve the on-site disposal of sewage or waste and no permit for a change in use or an alteration which will result in an increased volume of sewage or waste to be disposed of on the site shall be insured until a Hanover Township sewage disposal system permit has been issued.

- N. No permit shall be issued for the use or development of two or more acres of land prior to the applicant submitting to the Township and the Lehigh County Soil and Water Conservation District, an Erosion and Sedimentation Control Plan, as required by the Pennsylvania Department of Environmental Resources, or the Hanover Township Subdivision and Land Development Chapter. If more than 25 acres is involved, an earth moving permit must be obtained from the Pennsylvania Department of Environmental Protection.

§ 27-1302. Fees.

All applicants for Zoning Permits, Occupancy Permits, special exceptions and interpretation and variance appeals and amendments and curative amendments shall, at the time of making applications, pay to the Zoning Officer for use of the Township, a fee in accordance with a Fee Schedule adopted by resolution of the Township Council upon the enactment of this Chapter or as such schedule may be amended by resolution of the Township Council.

§ 27-1303. Life of a Permit.

Any erection, construction, reconstruction, alteration or moving of a building or other structure authorized by a zoning permit shall be commenced and any change in use of a building or land authorized by a zoning permit shall be undertaken within six months after the date of issuance of the permit. However, in case of erection or construction of a building, the right to proceed with construction may be extended annually without payment of additional fees for an aggregate period of not more than 30 calendar months, provided that the construction pursuant to said permit has commenced within the first 6 month period. An Occupancy Permit shall expire at the same time as the Zoning Permit for the use, building, or structure to which the Occupancy Permit is applicable.

**ARTICLE XIV
ZONING HEARING BOARD**

§ 27-1400. Establishment of Board.

The Zoning Board of Adjustment existing at the time of effectiveness of this Chapter shall be designated as the Zoning Hearing Board under and in accordance with the provisions of this Part and shall continue in accordance with the terms of office as previously appointed. Matters pending before the Board at the time of effectiveness of this Chapter shall continue and be completed under the previous Zoning Chapter in effect at the time the Board took jurisdiction.

§ 27-1401. Organization of Board.

1. The Zoning Hearing Board shall consist of three residents of the Township appointed by resolution of the Township Council. Their terms of office shall be 3 years and shall be so fixed that the term of office of one member shall expire each year. Members of the Board shall hold no other elected or appointed office in the Township. The Board shall elect a chairman from its membership, shall appoint a secretary and shall prescribe rules in accordance with State statutes and this Chapter for the conduct of its affairs. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant. The Board shall keep full public records of its business and shall submit a written report of its activities to the Township Council as requested by Council.
2. The Township Council may appoint by resolution no more than three residents of the Township to serve as alternate members of the board. The term of office of an alternate member of the board shall be 3 years. When seated pursuant to § 27-1402(3)(B), an alternate shall be entitled to participate in all proceedings and discussions of the board to the same and full extent as provided for by law for board members, including specifically the right to cast a vote as voting member during the proceedings and shall have all the powers and duties set forth in this Chapter and as otherwise provided by law.
3. Alternates shall hold no other elected or appointed office in the Township. Any alternate may participate in any proceeding or discussion of the board, but shall not be entitled to vote as a member of the board nor be compensated for such service unless designated as voting alternate member pursuant to § 27-1402(3)(B).

§ 27-1402. Public Hearings.

The Board or appointed Hearing Officer shall conduct public hearings and make decisions in accordance with the following requirements:

1. Upon receiving an application for a Special Exception, variance, appeal from alleged error of the Zoning Officer, Challenge to the validity of this Chapter, landowner curative amendment or unified appeal, the Board shall determine a place and reasonable time not to exceed 60 days from the date of receipt of the application for the commencement of a first hearing before the Board or appointed Hearing Officer thereon.
 - A. After the first hearing, each subsequent hearing shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on record.
 - B. The applicant shall complete the presentation of this Case-in-Chief within 100 days of the first hearing.
 - C. Upon the request of the applicant, the Board or appointed Hearing Officer shall assure the applicant receives at least 7 hours of hearings within the 100 days, including the first hearing.
 - D. An applicant, upon request, may be granted additional hearings to complete his case-in-chief, provided that the persons opposed to the application are granted an equal number of additional hearings.
 - E. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of their first hearing after completion of the applicant's Case-in-Chief.

- F. Persons opposed to the application may, upon written consent, or consent on the record, by the applicant and municipality be granted additional hearings to complete their opposition to the application, provided that the applicant is granted an equal number of additional hearings for rebuttal.
2. Notice. Notice shall be given as follows:
 - A. Publish a public notice per the terms of the Pennsylvania Municipalities Planning Code for public hearings. Notice of the hearing shall also be conspicuously posted on the affected tract of land at least 1 week prior to the hearing.
 - B. Written notice shall be given to the applicant, the Zoning Officer and adjoining property owners including those across the street and any other person or group including civic or community organizations which has requested notice of hearing of the specific case pending before the Board. Notwithstanding the above, no person shall become a party to any zoning proceeding unless they have entered an appearance in writing at the time of the hearing or unless they are automatically a party to the zoning appeal as provided by applicable law.
 - C. In any matter which relates to a property which lies within 500 feet of the boundary of another municipality, the Secretary of the Board shall transmit to the municipal clerk of this other municipality a copy of the official notice of the public hearing on such matters, not later than 1 day after publication thereof. The other municipality shall have the right to appear and to be heard at the public hearing.
 3. Hearings.
 - A. The hearings shall be open to the public and shall be held at the call of the Chairman or appointed Hearing Officer, and at such other times as the Board shall specify in its rules of procedure. The Chairman or appointed Hearing Officer, or in his absence, the Acting Chairman, shall have power to administer oaths and compel the attendance of witnesses. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in § 27-1407(6).
 - B. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant of this Section shall be made on a case-by-case basis in rotation according to declining seniority among the alternates.
 - C. The Township Council or Zoning Hearing Board may appoint an independent attorney to act as a Hearing Officer.
 4. All appeals and applications made to the Board shall be in writing and on a form prescribed by the Board.
 5. The Board or Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, staff memoranda, or other materials, except advise from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representatives unless all parties are given an opportunity to be present.
 6. The Board or Hearing Officer shall keep a stenographic record of the proceedings: a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost. In the event of an appeal from a decision of the Zoning Hearing Board, the party appealing the decision of the Board shall be solely responsible for the cost of the original transcript.

7. The Board or Hearing Officer, as the case may be, shall render a written decision, or when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer. Each decision shall be accompanied by findings of fact, conclusion and reasons. Conclusions based on any provisions of this Chapter or other regulations shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the Board shall make their report and recommendations available to the parties within 45 days and the parties shall be entitled to make written recommendations thereon to the Board prior to final decision or entry of findings and the Board's decision shall be entered no later than 30 days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this subsection or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time.
8. A copy of the final decision or, where no decision is called for, the findings of the Board shall be delivered to the applicant personally or mailed to him not later than the date following the entry of the Board's written decision. The Board shall provide by mail or otherwise brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined to any other person(s) who have filed their name and address with the Board not later than the last day of the hearing and who have specifically requested a notice of the entry of decision, in which event such person shall be notified of the entry of the decision either orally at the time of hearing or thereafter in writing.
9. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as provided in § 27-1402(6), the Zoning Hearing Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision. If the Board shall fail to provide such notice, the applicant may do so.

§ 27-1403. Jurisdiction.

1. The Zoning Hearing Board or appointed Hearing Officer shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
 - A. Substantive challenges to the validity of any land use ordinance, except those substantive challenges to be brought exclusively before the governing body (Township Council) pursuant to § 609.1 (landowner curative amendments) of the Municipalities Planning Code.
 - B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.
 - C. Appeals from the determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
 - D. Appeals from a determination by the Township engineer or the zoning officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
 - E. Applications for variances from the terms of the zoning ordinance and flood hazard ordinance or such provisions within a land use ordinance, pursuant to § 27-1404(3).
 - F. Applications for special exceptions under the zoning ordinance or floodplain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to § 27-1404(2).

- G. Appeals from the determination of any officer or agency charged with the administration of performance density provisions of the zoning ordinance.
 - H. Appeals from the zoning officer's determination under § 27-1407.
 - I. Appeals from the determination of the zoning officer or Township engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving application under Part 8 or Chapter 22.
2. The Township Council shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
- A. All applications for approvals of planned residential developments pursuant to the provisions of Part 8.
 - B. Applications for conditional use under the express provisions of the zoning ordinance pursuant to §27-1406(1).
 - C. Applications for landowner curative amendment to a zoning ordinance or map or any provision thereof under § 609.1 and § 916.1 of the Municipalities Planning Code.
 - D. All petitions for amendments to land use ordinances, pursuant to the procedures set forth in § 609 of the Municipalities Planning Code. Any action on such petitions shall be deemed legislative acts, provided that nothing contained in this clause shall be deemed to enlarge or diminish existing law with reference to appeals to court.
 - E. Appeals from the determination of the zoning officer or the municipal engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to application for land development under Chapter 22 and Part 8 of this Chapter. Where such determination relates only to development not involving Chapter 22 or Part 8 of this Chapter application, the appeal from such determination of the zoning officer or the municipal engineer shall be to the Zoning Hearing Board.

§ 27-1404. Board Functions.

- 1. Appeal From the Zoning Officer. Upon appeal from a decision by the Zoning Officer, the Board shall decide any question involving the interpretation of any provision of this Chapter, including determination of the exact location of any district boundary line if uncertainty exists with respect thereto; where it is alleged there is an error in any order, requirement, decision or determination made by the Zoning Officer in the enforcement of this Chapter.
- 2. Special Exception. The Board shall have the power to approve special exceptions for any of the uses for which this Chapter requires the obtaining of such exceptions and for no other use or purpose. In granting a Special Exception, the Board shall make findings of fact, consistent with the provisions of this Chapter. The Board shall grant a Special Exception only if it finds adequate standards listed for the proposed use. The Board shall, among other things, require that any proposed use and location be:
 - A. In accordance with the Township Comprehensive Plan and consistent with the spirit, purposes and intent of this Chapter;
 - B. In the best interests of the Township, the convenience of the community, the public welfare and be an improvement to property in the immediate vicinity;
 - C. Suitable for the property in question and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity;
 - D. In conformance with all applicable requirements of this Chapter;

- E. Suitable in terms of permitting the logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection and public schools.
 - F. Suitable in terms of effects on street traffic and safety with adequate sidewalks and vehicular access arrangements to protect major streets from undue congestion and hazard. The Zoning Hearing Board may impose whatever conditions regarding layout, circulation and performance it deems necessary to insure that any proposed development will substantially secure the objectives of this Chapter.
3. Variances. Upon appeal from a decision by the Zoning Officer, the Board shall have the power to vary or adapt the strict application of any of the requirements of this Chapter in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions where such strict application would result in practical difficulty and unnecessary hardship depriving the owner of the reasonable use of land or building involved but in no other case. In general, the power to authorize a variance from the terms of this Chapter shall be sparingly exercised and only under peculiar and exceptional circumstances. No variance in the strict application of the provisions of this Chapter shall be granted by the Board unless the Board finds that all the below requirements and standards are satisfied where relevant in a given case:
- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
 - B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 - C. That the unnecessary hardship has not been created by the appellant.
 - D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
 - E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Zoning Ordinance.
 - F. That the granting of the variance shall be in harmony with the general purpose and intent of this Chapter and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. Challenges to the Validity of This Chapter. The Board shall hear challenges to the validity of this Chapter from persons aggrieved by a use or development permitted on the land of another person by this Chapter or by any provision of this Chapter. In all such challenges, the Board shall take evidence and make a record thereon as provided for in § 27-1402. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.
5. Unified Appeals. When the Board has jurisdiction over zoning matters pursuant to §§27-1403(1), of this Chapter, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any Chapter or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the non-zoning issues, but shall take evidence and make a record thereon as provided in § 27-1402. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

§ 27-1405. Rules and Procedures for Application to the Zoning Hearing Board.

Board appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of this Chapter involved and shall exactly set forth the interpretation that is claimed, the grounds for any challenges to the validity of this Chapter, the use for which a Special Exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

Applications and appeals together with the required filing fee, as established by the Council, shall be submitted to the Secretary of the Zoning Hearing Board.

1. Parties Appellant Before the Zoning Board. Appeals under § 27-1404(1) and proceedings to challenge the Chapter under § 27-1404(4) may be filed with the Board in writing by the landowner affected, any officer or agency of the Township or any person aggrieved. Requests for a variance or special exception may be filed with the Board by any landowner or any tenant with the written permission of such landowner.
2. Time Limitations.
 - A. No person shall be allowed to file any proceeding with the Board later than 30 days after any application for development, preliminary or final, has been approved by the appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge or reason to believe such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan pursuant to Part 8 or from an adverse decision by a zoning officer or a challenge to the validity of a zoning ordinance or zoning map pursuant to § 27-916(2) shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.
 - B. All appeals from determinations adverse to the landowners shall be filed by the landowner within 30 days after notice of determination is issued.
3. Stay of Proceedings.
 - A. Upon filing of any proceeding referred to in §27-1404(1) and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to lives or property, in which case the development or official action shall not be stayed otherwise than by a restraining order which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body.
 - B. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.
4. Court Appeals.
 - A. Any person aggrieved by any decision of the Council with respect to a conditional use approval may appeal to the Court of Common Pleas of Lehigh County within 30 days after entry of the decision or, in the case of a deemed decision, within 30 days after the date upon which the notice of said deemed decision is given.

- B. Any person aggrieved by any decision of the Zoning Hearing Board or the Township Council may appeal to the Court of Common Pleas of Lehigh County within 30 days after entry of the decision or, in the case of a deemed decision, within 30 days after the date upon which of said deemed decision is given.

§ 27-1406. Council Functions.

The Hanover Township Council shall be authorized to perform the following functions: hear and act on requests for conditional use approvals.

1. Conditional Use. The Council or any member of the Township Council appointed by Council as a Hearing Officer or any independent attorney appointed by Council as a Hearing Officer shall have the power to approve conditional use for any of the uses for which this Chapter requires the obtaining of such approvals and for no other use or purpose. In granting a conditional use, the Council shall after hearing on the conditional use request to be conducted in conformity with § 27-1402 of this Chapter, make findings of fact, consistent with the provisions of this Chapter. The applicant or the appellant, in addition to the Council, may, prior to the decision or findings of the hearing, waive the decisions or findings of the Council and accept the decision or findings of the Hearing Officer as final. The Council shall grant a conditional use only if it finds adequate standards listed for the proposed use. The Council shall, among other things, require that any proposed use and location be:
 - A. In accordance with the Township Comprehensive Plan and consistent with the spirit, purposes and intent of this Chapter;
 - B. In the best interest of the Township, the convenience and public welfare of the community and be an improvement to property in the immediate vicinity;
 - C. Suitable for the property in question and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity;
 - D. In conformance with all applicable requirements of this Chapter;
 - E. Suitable in terms of permitting the logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection and public schools;
 - F. Suitable in terms of effects on street traffic and safety with adequate sidewalks and vehicular access arrangements to protect major streets from undue congestion and hazard. The Council may impose whatever conditions regarding layout, circulation and performance it deems necessary to insure that any proposed development will substantially secure the objectives of this Chapter.
2. Procedures. The procedures for public hearings as outlined in §27-1402 shall apply to hearings conducted by the Council.
3. Court Appeals. Any person aggrieved by any decision of the Council with respect to a conditional use approval may, within 30 days after such decision of the Council, appeal to the Court of Common Pleas of Lehigh County, setting forth that such decision is illegal in whole or in part, specifying the grounds of illegality.

§ 27-1407. Validity of Ordinance; Substantive Questions; Landowner Curative Amendments.

1. A landowner who, on substantive grounds, desires to challenge the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest shall submit the challenge either:
 - A. To the Zoning Hearing Board under § 27-1403(1), or

- B. To the Township Council under § 27-1403(2)(c), together with a request for a curative amendment under 609.1 of the Municipalities Planning Code.
2. Persons aggrieved by a use or development permitted on the land of another by an ordinance or map, or any provision thereof, who desires to challenge its validity on substantive grounds shall first submit their challenge to the Zoning Hearing Board for a decision thereon under § 27-1403(1)(A).
- A. A landowner who, on substantive grounds, desires to challenge the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest shall submit the challenge either:
 - (1) To the Zoning Hearing Board under § 27-1403(1), or
 - (2) To the Township Council under §27-1403(2)(c), together with a request for a curative amendment under § 609.1 of the Municipalities Planning Code.
 - B. The submissions referred to in Subsections (1) and (2) shall be governed by the following:
 - (1) In challenges before the Zoning Hearing Board, the challenging party shall make a written request to the Board that it hold a hearing on this challenge. The request shall contain the reasons for the challenge. Where the landowner desires to challenge the validity of such ordinance and elects to proceed by curative amendment, under § 609.1 of the Municipalities Planning Code, his application to the Township Council shall contain, in addition to the requirements of the written request hereof, the plans and explanatory materials describing the use or development proposed by the landowner in lieu of the use or development permitted by the challenged ordinance or map. Such plans or other materials shall not be required to meet the standards prescribed for preliminary, tentative or final approval or for the issuance of a permit, so long as they provide reasonable notice-of the proposed use or development and a sufficient basis for evaluating the challenged ordinance or map in light thereof. Nothing herein contained shall preclude the landowner from first seeking a final approval before submitting his challenge.
 - (2) If the submission is made by the landowner to the Township Council under Subsection (1)(B), the request also shall be accompanied by an amendment or amendments to the ordinance proposed by the landowner to cure the alleged defects therein.
 - (3) If the submission is made to the Township Council, the Township Attorney shall represent and advise it at the hearing or hearings.
 - (4) The Township Council may retain an independent attorney to present the defense of the challenged ordinance or map on its behalf and to present their witnesses on its behalf.
 - (5) Based upon the testimony presented at the hearing or hearings, the Township Council or the Zoning Board, as the case may be, shall determine whether the challenged ordinance or map is defective, as alleged by the landowner. If a challenge heard by Township Council is found to have merit, the Township Council shall proceed as provided in § 609.1 of the Municipalities Planning Code. If a challenge heard by a Zoning Hearing Board is found to have merit, the decision of the Zoning Hearing Board shall include recommended amendments to the challenged ordinance which will cure the defects found. In reaching its decision, the Zoning Hearing Board shall consider the amendments, plans and explanatory material submitted by the landowner and shall also consider:
 - (a) The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
 - (b) If the proposal is not for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map;

- (c) The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources and other natural features;
 - (d) The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and,
 - (e) The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
- (6) The Township Council or the Zoning Hearing Board, as the case may be, shall render its decision within 45 days after the conclusion of the last hearing.
- (7) If the Township Council or the Zoning Board, as the case may be, fails to act on the landowner's request within the time limits referred to in Subsection (F), a denial of the request is deemed to have occurred on the 46 day after the close of the last hearing.
- C. The Zoning Hearing Board or Township Council, as the case may be, shall commence its hearing within 60 days after the request is filed unless the landowner requests or consents to an extension of time.
- D. Public notice of the hearing shall include notice that the validity of the ordinance or map is in question and shall give the place where and the times when a copy of the request, including any plans, explanatory material or proposed amendments may be examined by the public.
- E. The challenge shall be deemed denied when:
- (1) the Zoning Hearing Board or governing body, as the case may be, fails to commence the hearing within the time limits set forth in Subsection (C);
 - (2) The Township Council notifies the landowner that it will not adopt the curative amendment;
 - (3) The Township Council adopts another curative amendment which is unacceptable to the landowner; or,
 - (4) The Zoning Hearing Board or Township Council, as the case may be, fails to act on the request 45 days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and Township.
- F. Where, after the effective date of this act, a curative amendment proposal is approved by the grant of a curative amendment application by the governing body pursuant to § 909.1(b)(4) of the Municipalities Planning Code or a validity challenge is sustained by the Zoning Hearing Board pursuant to § 909.1(a)(1) of the Municipalities Planning Code or the court acts finally on appeal from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two years from the date of such approval to file an application for preliminary or tentative approval pursuant to Article V or VII of the Municipalities Planning Code. Within the two-year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Upon the filing of the preliminary or tentative plan, the provisions of § 508(4) of the Municipalities Planning Code shall apply. Where the proposed appended to the curative amendment application or the validity challenge is approved but does not require further application under any subdivision or land development ordinance, the developer shall have one year within which to file for a building permit. Within the one- year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purpose of awarding such supplemental relief as may be necessary.

- G. A landowner who has challenged on substantive grounds the validity of a zoning ordinance or map either by submission of a curative amendment to the governing body under § 909.1(a)(1) of the Municipalities Planning Code shall not submit any additional substantive challenges involving the same parcel, group of parcels or part thereof until such time as the status of the landowner's original challenge has been finally determined or withdrawn: Provided, however, that if after the date of the landowner's original challenge the municipality adopts a substantially new or different zoning ordinance or zoning map, the landowner may file a second substantive challenge to the new or different zoning ordinance or zoning map under Subsection (a) thereof.

§ 27-1408. Procedure to Obtain Preliminary Opinion.

The landowner may advance the date from which time for any challenge to the ordinance or map will run under §27-1405(2) by the following procedure:

1. The landowner may submit plans and other materials describing his proposed use or development to the zoning officer for a preliminary opinion as to their compliance with the applicable ordinances and maps. Such plans and other materials shall not be required to meet the standards prescribed for preliminary, tentative or final approval or for the issuance of a building permit so long as they provide reasonable notice of the proposed use or development and a sufficient basis for a preliminary opinion as to its compliance.
2. If the zoning officer's preliminary opinion is that the use or development complies with the ordinance or map, notice thereof shall be published once each week for 2 successive weeks in a newspaper of general description of the proposed use or development and its location, by some readily identifiable directive and the place and times where the plans and other materials may be examined by the public. The favorable preliminary approval under § 27-1405(2) and the time therein specified for commencing a proceeding with the board shall run from the time when the second notice thereof has been published.

**ARTICLE XV
AMENDMENTS, REMEDIES AND PENALTIES**

§ 27-1500. Power of Amendment.

The Township Council may from time to time amend, supplement, change, modify or repeal this Chapter including the Zoning Map. When doing so, the Township Council shall proceed in the manner prescribed in this Part.

§ 27-1501. Initiation.

Proposals for amendment, supplement, change, modification or repeal may be initiated by the Township Council on its own motion, by the Planning Commission or by petition of one or more owners of property to be affected by the proposed amendment, subject to the following provisions:

1. Proposals Originated by the Township Council. The Township Council shall refer every proposed amendment, supplement, change, modification, or repeal originated by the Board to the Township Planning Commission and the Lehigh County Planning Commission at least 30 days prior to the hearing to provide the Commissions an opportunity to submit recommendations. The recommendations of either or both Planning Commissions shall be submitted in writing to the Council.
2. Proposals Originated by the Township Planning Commission. The Township Planning Commission may at any time transmit to the Township Council any proposal for amendment, supplement, change, modification, or repeal of this Chapter. The procedures with regard to County Planning Commission review and recommendations shall be as required in § 27-1501(1) above.
3. Proposals Originated by a Citizen's Petition. Each petition by one or more owners of property to be affected by a proposal for amendment, supplement, change, or modification shall be signed and acknowledged and submitted in writing to the Township Clerk. The procedures with regard to Township Planning Commission and Lehigh County Planning Commission review and recommendation shall be as required in § 27-1501(1) above.
4. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially or is revised, to include land previously not affected by it, the Township Council shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
5. Within 30 days after enactment, a copy of the amendment to the Zoning Ordinance shall be forwarded to the Lehigh County Planning Commission.
6. Any general challenges or appeals to this Zoning Chapter shall be made in accordance with the provisions of Articles IX and X-A of Act. No. 247 of the Pennsylvania General Assembly of 1968, effective January 1, 1969, and amendments and supplements thereto, known as the Pennsylvania Municipalities Planning Code. All provisions thereof and procedures thereunder are hereby incorporated by reference.
7. The Township's costs for processing a proposal originated by a citizen's petition shall be paid by the Petitioner, regardless of whether the amendment proposed is denied, adopted or adopted in modified form. The Township costs shall include expenses paid for advertising, court reporters and the services of engineers, attorneys or other professionals. For the payment of costs, Petitioner shall provide a cash escrow of \$2,000 which shall be replenished within 30 days if it falls below \$500. Petitioner shall be provided copies of all invoices subject to reimbursement. If Petitioner fails to replenish the escrow within the time as required, the petition shall automatically be deemed withdrawn.

§ 27-1502. Notice of Hearings.

1. Publication, Advertisement, Mailing and Availability of Ordinances.

A. Proposed zoning ordinances and amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the Township where copies of the proposed ordinance or amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Township shall publish the proposed ordinance or amendment once in one newspaper of general circulation in the municipality not more than 60 days not less than 7 days prior to passage. Publication of the proposed ordinance or amendment shall include either the full text thereof or the title and brief summary, prepared by the Township attorney and setting forth all the provisions in reasonable detail. If the full text is not included:

- (1) A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time public notice is published.
- (2) An attested copy of the proposed ordinance shall be filed in the county law library or other county office designated by the county commissioners.

B. In the event substantial amendments are made in the proposed ordinance or amendment, before voting upon enactment, the Township shall, at least 10 days prior to enactment, readvertise, in one newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

2. When such hearing concerns a zoning map change, notice of said public hearing shall be conspicuously posted by the zoning officer at points deemed sufficient by the zoning officer along the parameter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least 1 week prior to the date of the hearing.
3. When such hearing concerns a zoning map change, notice of said public hearing shall be mailed via first class mail to all affected property owners at least 30 days prior to the date of the hearing. This clause shall not apply when the rezoning constitutes a comprehensive rezoning.
4. If a proposed amendment affects any land within 500 feet of an adjoining municipality, notice of the hearing and a copy of the proposal shall be forwarded to the secretary of that municipality at least 15 days prior to the hearing.

§ 27-1503. Vote on Amendment or Change.

The vote on the amendment or change by the Township Council shall be within 90 days after the last public hearing. A decision shall not be made by the Township Council until the Lehigh County Planning Commission and Township Planning Commission recommendations have been received unless the Planning Commissions have not responded within the time provided prior to the public hearing.

§ 27-1504. Enforcement Notice.

1. If it appears to the zoning officer that a violation of this Chapter has occurred, the zoning officer shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
2. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
3. An enforcement notice shall state at least the following:
 - A. The name on the owner of record and any other person against whom the zoning officer intends to take action.

- B. The location of the property in violation.
- C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance.
- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- E. That the recipient of the notice has the right to appeal to the zoning hearing board within a prescribed period of time a accordance with procedures set forth in the ordinance.
- F. That failure to comply with the notice within the time specified, unless extended by appeal to the zoning hearing board, constitutes a violation, with possible sanctions clearly described.

§ 27-1505. Causes of Action.

In case any building or structure landscaping or land is erected, constructed, reconstructed, altered, repaired, converted, maintained or used in violation of this Chapter, the Township Council or the Zoning Officer, with the approval of the Township Council may institute in the name of the Township, any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct, or abate such violation; to prevent the occupancy of said building, structure, or land or to prevent any illegal act, conduct, business, or use in or about such premises. The rights and remedies provided in this Chapter are cumulative and are in addition to all other remedies provided by law.

§ 27-1506. Enforcement Penalties.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice.
2. If the defendant neither pay not timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
3. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
4. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township.
5. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

§ 27-1507. Complaints of Violations.

Whenever a violation of this Chapter occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Zoning Officer who shall properly record such complaint and immediately investigate and report thereon to the Township Council.

§ 27-1508. Repealer.

The existing Zoning Chapter entitled "The Hanover Township Zoning Ordinance of 1963", and all supplements and amendments thereto, are hereby repealed, provided, however, if the present Chapter is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then and in that event, the Zoning ordinance of 1963, together with its supplements and amendments, would necessarily remain in full force and effect.

This Chapter does not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or impliedly repealed by this Ordinance, or any private restrictions placed upon property by covenant, deed or other private agreement unless repugnant hereto.

**ARTICLE XVI
APPENDIX I
ZONING MAP AMENDMENTS**

Ordinance	Date	Description
72	4-11-79	Tract of land with 4.2 acres located south of Rt. 22 and east of LR 39032, changed from MR to PC District.
71	5-9-79	Land bounded on south and east by Township line and on west by Airport Road, changed from MR to PC District.
82	1-14-80	Land south of Race St. near intersection with Willow brook Rd., from an AI to a MR District.
156	8-8-84	Land on Lehigh Valley Industrial Park III, from the PIO District to AI District; and land in the Lehigh Northampton Airport Authority Commercial Park, along Race St., from AI to PIO District.
168	1-9-85	Established Zoning district boundary in the Chest nut Grove Area.
196	7-9-86	Plan changed from MR to PUD District.
197	9-10-86	A portion of the MR District south of Lloyd St. changed to a PUD District.
206	7-8-87	Changed an LU District to a PUD District.
226	5-10-89	Five properties located North of Postal Rd. in the vicinity of the Airport redesignated from Airport- Industrial (AI) Zoning District to Planned Industrial-Office (PIO) Zoning District.
230	11-8-1989	Redesignating certain properties consisting of approximately 143 acres located north of Lloyd Street between North Irving Street on the east, Dauphin Street on the west and south of Route 22 from Planned Unit Development District (PUD) to Planned Industrial - Office District (PIO).
331	2-21-1996	Adopting a new zoning map which was prepared by Martin, Bradbury and Griffith, Township Engineers, which was adopted on May 12, 1976 and revised on November 7, 1995, to conform the Zoning Map with the recommended zoning changes included in the 1995 Comprehensive Plan update for the Township.
438	6-18-2003	Rezoning lands over property of Woodlawn Memorial Park Association from a Limited Use (LU) Zone to a Planned Commercial (PC) Zone.
441	10-15-2003	Rezoning a portion of the zoning district designated Limited Use along North Irving Street to a designation of Medium Residential.
442	10-15-2003	Rezoning a portion of the zoning district located south of Route 22 from a Medium Density Residential to Planned Commercial.

HANOVER TOWNSHIP DRAFT ZONING ORDINANCE

456	2/16/2005	Correcting Ord. 441, by making a technical amendment to correct the description of land rezoned south of Route 22 from Medium Density Residential (MR) Zone to Planned Commercial (PC) Zone to include an additional 2,922 square feet of lands now or formerly of John Witko.
503	6/2/2010	Amending the Zoning Map of Hanover Township changing the classification of certain land east of the intersection of Airport Road and Grove Road from Limited Use to Planned Commercial.
560	6/18/2014	Amending the Zoning Map of Hanover Township changing the classification of certain land east of the Lehigh River and west of the railroad tracks of Pennsylvania Lines, LLC from Limited Use (LU) to Planned Industrial Office (PIO).
612	4/17/2019	Amending the Zoning Map of Hanover Township changing the classification of certain land east and west of Willow brook Road from Planned Commercial (PC) or Planned Residential (PR) to Planned Industrial Office (PIO).
619	12/18/2019	Amending the Zoning Map of Hanover Township changing a portion of the zoning district designated Limited Use (LU) south of Lloyd Street to a designation of Planned Commercial (PC).

ZONING MAP ATTACHED

**APPENDIX II
AIRPORT RELATED REGULATIONS (UPDATED)**

§ 101 Authority; purposes.

- A. This article is adopted pursuant to the authority conferred by 1984 PA Laws 164, codified at 74 Pa.C.S.A. § 5101 et seq.
- B. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Lehigh Valley International Airport ("LVIA"); and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of the LVIA; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the LVIA and the public investment therein. Accordingly, it is declared:
 - (1) That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the LVIA;
 - (2) That it is necessary in the interest of the public health, safety, morals and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
 - (3) That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.
- C. It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

§ 102 Definitions.

The following words and phrases when used in this article shall have the following meaning when used in this Appendix II, unless the context clearly indicates otherwise:

AIRCRAFT — Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into or flight through the air.

AIRPORT — Lehigh Valley International Airport ("LVIA"). Defined as any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. As used herein, the term "airport" includes public airports but excludes private airports and heliports. Public and private airports are defined separately in this section.

AIRPORT ELEVATION — Three hundred ninety-four feet above mean sea level. Defined as the highest point of an airport's usable landing area measured in feet above sea level.

AIRPORT HAZARD — Any structure or object, natural or man-made, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined by "airport hazard" in 74 Pa.C.S.A. § 5102.

AIRPORT HAZARD AREA — Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this chapter and the Act 164 of 1984 (Pennsylvania Laws relating to aviation).

APPROACH SURFACE — A surface longitudinally centered on the extended runway center line, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation slope set forth in § 104 of this article. In plan the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL SURFACE ZONES — These zones are set forth in § 103 and § 104 of this article.

CONICAL SURFACE — A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.

DEPARTMENT — Pennsylvania Department of Transportation.

FAA — Federal Aviation Administration of the United States Department of Transportation.

HEIGHT — For the purpose of determining the height limits in all zones set forth in this article and shown on the Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.

HORIZONTAL SURFACE — A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

LARGER THAN UTILITY RUNWAY — A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

NONPRECISION INSTRUMENT RUNWAY — A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non precision instrument approach procedure has been approved or planned.

OBSTRUCTION — Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in § 104 of this article.

PERSON — An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

PRECISION INSTRUMENT RUNWAY — A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE — A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in § 103 and § 104 of this article. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

PRIVATE AIRPORT — An airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa.C.S.A. § 5102.

PUBLIC AIRPORT — An airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa.C.S.A. § 5102.

RUNWAY — A defined area on an airport prepared for landing and takeoff of aircraft along its length.

STRUCTURE — For the sole purposes of Appendix II, shall mean an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

TRANSITIONAL SURFACES — These surfaces extend outward at 90° angles to the runway center line and the runway center line extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90° angles to the extended runway center line.

TREE — Any object of natural growth.

UTILITY RUNWAY — A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VISUAL RUNWAY — A runway intended solely for the operation of aircraft using visual approach procedures.

§ 103 Airport surface zones.

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces. Such zones are shown on the ABE Airport Height Limitation and Zoning District Map prepared by the PA Department of Transportation, Bureau of Aviation, and dated Spring 1989, which is hereby included by reference and made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. Utility runway visual approach surface zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is 250 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- B. Utility runway non precision instrument approach surface zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- C. Runway larger than utility visual approach surface zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- D. Runway larger than utility with a visibility minimum greater than 3/4 mile non precision instrument approach surface zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- E. Runway larger than utility with a visibility minimum as low as 3/4 mile non precision instrument approach surface zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- F. Precision instrument runway approach surface zone. Established beneath the precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its center line is the continuation of the center line of the runway.
- G. Transitional surface zones. Established beneath the transitional surfaces adjacent to each runway and approach surface as indicated on the Height Limitation and Zoning District Map.
- H. Horizontal surface zone. Established beneath the horizontal surface, 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii for visual or utility runways and 1,000 feet radii for all other runways from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.
- I. Conical surface zone. Established beneath the conical surface. This zone commences at the periphery of the

horizontal surface and extends outward there from a horizontal distance of 4,000 feet.

§ 104 Airport surface zone height limitations.

Except as otherwise provided in this article, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. Utility runway visual approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.
- B. Utility runway non precision instrument approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.
- C. Runway larger than utility visual approach surface zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway center line.
- D. Runway larger than utility with a visibility minimum greater than 3/4 mile non precision instrument approach surface zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.
- E. Runway larger than utility with a visibility minimum as low as 3/4-mile non-precision instrument approach surface zone. Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line.
- F. Precision instrument runway approach surface zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway center line; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway center line.
- G. Transitional surface zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 394 feet above mean sea level. In addition to the foregoing when an airport has a precision instrument runway approach zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90° angles to the extended runway center line.
- H. Horizontal surface zone. Established at 150 feet above the established airport elevation or at a height of 544 feet above mean sea level.
- I. Conical surface zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal surface and at 150 feet above the established airport elevation and extending to a height of 350 feet above the established airport elevation or at a height of 744 feet above mean sea level.
- J. Excepted height limitations. Nothing in this article shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 45 feet above the surface of the land.

§ 105 Airport zoning requirements.

- A. Reasonableness. All airport zoning regulations adopted under this article shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this article. In determining what regulations it may adopt, the Township shall consider, among other factors, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area, the character of the neighborhood and the uses to which the property to be zoned is put and adaptable.
- B. Use restrictions. Notwithstanding any other provisions of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
- C. Nonconforming uses:
 - (1) Regulations not retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuance of any nonconforming use, except as provided in § 280-65 (relating to permits and variances). Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this article, and is diligently executed.
 - (2) Marking and lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon or nearby of such markers and lights as shall be deemed necessary by the Zoning Officer acting in response to a written recommendation by the Lehigh Valley International Airport (LVIA) staff to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of LVIA. The Township of Hanover shall not accept responsibility to install, maintain, inspect or fund markers and lights.

§ 106 Airport approach permits and variances.

- A. Future use. Except as specifically provided in Subsection A(1), (2) or (3) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this article shall be granted unless a variance has been approved in accordance with § 280-65E and Article I.
 - (1) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 - (2) In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.

- (3) In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic feature, would extend above the height limit prescribed for such transition zones.
- B. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this article, except that no permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.
- C. Existing uses. Before any nonconforming structure may be replaced, substantially altered or rebuilt or nonconforming tree allowed to grow higher or replanted, a permit must be secured from the Township authorizing the replacement or change. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this article or any amendments thereto or than it is when the application for a permit is made.
- D. Nonconforming uses abandoned or destroyed. Whenever the Zoning Officer determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this article.
- E. Variance.
 - (1) Any person desiring to erect any structure or increase the height of any structure or permit the growth of any object of natural growth or otherwise use his property in violation of airport zoning regulations may apply to the Zoning Hearing Board for a variance from the zoning regulations in question. A variance shall only be granted after the requirements of § 280-66 are satisfied. A variance may be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of the regulations and this article. Any variance may be granted subject to any reasonable conditions that the Zoning Hearing Board may deem necessary to effectuate the purposes of this article.
 - (2) The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for variance to the requirements of this article may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the Airport Manager (or person of equivalent description) for advice as to the aeronautical effects of the variance. If the Airport Manager (or person of equivalent description) does not respond to the application within 15 days after receipt, the Zoning Hearing Board may act without such input to grant or deny said application.
- F. Hazard marking and lighting. In granting any permit or variance under this section, the Zoning Hearing Board shall, if it deems the action advisable to effectuate the purpose of this article and reasonable under the circumstances, so condition the permit or variance as to require the owner of the structure or object of natural growth in question to permit the Lehigh Northampton Airport Authority, at its own expense, or require the person or persons requesting the permit or variance, to install, operate and maintain thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

§ 107 Enforcement; notification of variance.

- A. Local enforcement. It shall be the duty of the Zoning Officer to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Zoning Officer upon a form published for that purpose.

- B. Notice to department. Notwithstanding any other provision of law, the Township which decides to grant a permit or variance under this article shall notify the Department of Transportation of its decision. This notice shall be in writing and shall be sent so as to reach the department at least 10 days before the date upon which the decision is to issue.

§ 108 Acquisition of air rights.

- A. In any case in which it is desired to remove, lower or otherwise terminate a nonconforming structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations, or it appears advisable that the necessary approach protection be provided by acquisition of property rights, rather than by airport zoning regulations, the Township within which the property or nonconforming use is located, or the Township authority owning the airport or served by it, may acquire by purchase, grant or condemnation, in the manner provided by the law under which municipalities are authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or nonconforming structure or use in question as may be necessary to effectuate the purpose of this article.
- B. In the case of the purchase of any property or any easement or estate, or interest therein, or the acquisition thereof by the power of eminent domain, the Township making the purchase or exercising the power shall, in addition to the damages for the taking, injury or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility which is required to be moved to a new location.
- C. Relation to other regulations. In the event any airport zoning regulations adopted under this article apply to the same matter as another regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

Table A - Hanover Township Land Use Table

DECEMBER 2025

	Types of Uses	Zoning Districts					
		LU	MR	PC	PIO	PUD	AI
Rural Agriculture							
1	Flower and vegetable gardening, outdoor plant nurseries with no buildings or structures	P	N	P	P	N	P
2	Forestry excluding buildings, structures and open storage	P	P	P	P	P	P
3	Nurseries for the growing of flowers, trees and shrubs not for sale on the lot and with open structures	P	N	P	P	N	P
4	Tilling of the soil	P	P	P	P	P	P
Residential							
1	Single family detached dwelling	N	P	N	N	N	N
2	Single-family semi-detached side-by-side dwelling	N	P	N	N	N	N
3	Single family attached dwelling	N	SE	N	N	SE	N
4	Low rise apartments	N	SE	N	N	SE	N
5	Mobile home parks	N	SE	N	N	N	N
6	Dwelling unit in conjunction with a principal non-residential use	N	P	P	N	P	N
7	Conversion of a single family dwelling or other building into not more than two dwelling units	N	P	P	N	N	N
8	Home occupation	N	SE	SE	SE	SE	N
9	No-impact home based business	P	P	P	P	P	N
10	Planned Residential Development (PRD)	N	N	N	N	P	N
Public or Private Recreation							
1	Commercial outdoor recreation facilities including, but not limited to, miniature golf, driving ranges, swimming pools, tennis courts and the like.	N	N	SE	N	SE	SE
2	Indoor recreation facilities, including, but not limited to, bowling alleys, theaters, skating rinks, tennis courts and the like	N	N	P	SE	SE	
3	Parks, recreation areas, historic areas and conservation areas	P	P	P	P	P	SE
4	Private or membership clubs or lodges not operated commercially or conducted primarily as a business enterprise	SE	N	P	N	SE	N
5	Recreation facilities intended primarily to serve residents of a residential development	SE	SE	SE	N	P	N

Table A - Hanover Township Land Use Table

DECEMBER 2025

	Types of Uses	Zoning Districts					
		LU	MR	PC	PIO	PUD	AI
Government, Institutional, Education & Utility							
1	Cemeteries	P	N	N	N	N	N
2	Place of worship	N	SE	SE	SE	P	N
3	Civic buildings, including township administration building, community centers, museums, post offices, libraries, fire stations, and the like	N	N	SE	SE	SE	N
4	Convalescent and nursing homes	N	N	N	N	SE	N
5	Crematory	N	N	P	SE	N	N
6	Day care homes and centers, and nursery schools	N	SE	N	N	SE	N
7	DAS	P	P	P	P	P	P
8	Essential Services	P	P	P	P	P	P
9	Private commercial education institutions including schools for dance, music, art and drama	N	N	P	N	SE	N
10	Public or private elementary, middle, junior high or high school	N	SE	SE	N	SE	N
11	Public utility facility	P	P	P	P	P	P
12	Vocational and trade schools	N	N	N	P	SE	N
Accessory uses							
1	Accessory uses on the same lot and customarily incidental to principal uses allowed in the district	P	P	P	P	P	P
2	Firing range when necessary for firearms components or munitions component manufacturer	N	N	N	SE	N	N
3	Parking structures	N	N	N	P	P	P
4	Paved surface parking lots	P	P	P	N	N	N
5	Permanent outdoor storage of materials and equipment subject to additional requirements of this Ordinance	N	N	N	P	P	P
6	Private or personal use heliports	N	N	N	SE	N	N
7	Temporary outdoor storage of materials and equipment	N	N	P	P	P	P
8	Travel trailer, boat or other similar recreational vehicle storage	P	P	P	P	P	P

Table A - Hanover Township Land Use Table

DECEMBER 2025

	Types of Uses	Zoning Districts					
		LU	MR	PC	PIO	PUD	AI
Retail, Commercial, Business, Professional Service							
1	All other non-residential uses not otherwise listed	N	N	N	N	CU	N
2	Automobile repair garages and vehicle auto body shops with all work performed in an enclosed building.	N	N	N	P	N	N
3	Automobile, truck, mobile homes, boat or recreational vehicle sales establishments	N	N	P	SE	N	N
4	Automotive service stations	N	N	SE	N	SE	N
5	Banks or other financial institutions with drive-in service	N	N	SE	N	N	N
6	Banks or other financial institutions, not including drive-in service	N	N	P	SE	N	N
7	Business and professional services, including business offices, real estate and insurance agencies, law, engineering, accounting and other consultant offices	N	N	P	SE	N	N
8	Business, administrative and corporate offices	N	N	P	P	N	N
9	Car washes	N	N	SE	N	N	N
10	Eating and drinking places not including drive-in service	N	N	P	N	SE	N
11	Eating and drinking places with drive-in service	N	N	SE	N	N	N
12	Food markets and neighborhood grocery stores	N	N	P	N	N	N
13	Funeral homes, mortuaries	N	N	P	SE	N	N
14	Hotels and motels	N	N	SE	SE	SE	N
15	Indoor wholesale and warehouse activities involving products and services of other allowable uses in the district	N	N	P	P	P	N
16	Medical or dental offices or clinics for out-patient treatment, including accessory laboratory facilities	N	N	P	SE	N	N
17	Personal services and convenience retail stores including beauty salons, barber shops, shoe repair shops, watch repair, small appliance repairs, dry cleaning and tailors	N	N	P	SE	N	N
18	Planned business center development	N	N	SE	SE	N	N
19	Planned commerce unit development	N	N	SE	SE	N	N
20	Planned neighborhood convenience center	N	SE	P	P	N	N
21	Retail stores for hardware, dairy products, drugs, meat, clothing furniture and the like	N	N	P	SE	N	N
22	Veterinary office	N	N	P	N	N	N

Table A - Hanover Township Land Use Table

DECEMBER 2025

	Types of Uses	Zoning Districts					
		LU	MR	PC	PIO	PUD	AI
Industrial and Employment-Oriented							
1	Building material sales yard, including the sales of rock, sand, gravel and the like as an incidental part of the main business; and contractors' equipment storage yard or plant	N	N	N	SE	N	N
2	Bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials	N	N	N	SE	N	N
3	Commercial solar energy system	N	N	N	N	N	SE
4	Dry cleaning plants	N	N	N	SE	N	N
5	Food processing, preparation, packaging and related distribution	N	N	N	N	CU	N
6	Light metal processing such as metal machining, finishing, grinding and polishing, metal stamping and extrusion of small products (such as costume jewelry and kitchen utensils) and the manufacturing of light metal products, tools and hardware (such as hand tools, bolts, nuts)	N	N	N	P	N	N
7	Manufacture of ceramic products and building materials using only previously pulverized clay and kilns fired by electricity or gas	N	N	N	SE	N	N
8	Manufacturing or assembling the following from prepared materials; musical instruments, clocks or watches, toys, or novelties, electrical appliances, electronic devices, office equipment, light sheet metal products, machine tools and machinery not requiring the use of a punch press over 100 tons rated capacity or a drop hammer	N	N	N	P	N	N
9	Manufacturing, compounding or assembling of articles using the following prepared materials: bone or shell; cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stone, rubber, textiles or cloth products, tobacco and wood or wood products	N	N	N	P	SE	N
10	Manufacturing, compounding, processing, or packaging of food and food products, and cosmetics, toiletries, and pharmaceuticals; except fish and meat products, vinegar, yeast, and the rendering or refining of fats and oil	N	N	N	P	N	N
11	Planned industrial parks	N	N	N	P	SE	SE
12	Railroad facilities	N	N	N	SE	SE	N
13	Research, experimental or testing laboratories	N	N	N	P	N	N
14	Stone cutting and monument manufacture and sales, soap and sodium compounds manufacture	N	N	N	SE	N	N
15	Self storage	N	N	N	P	N	N
16	Wholesale business, warehouses, and similar non-processing storage and distribution uses; except bulk storage of chemicals, petroleum products, and other flammable, explosive or noxious materials	N	N	N	P	N	SE
17	Any uses of the same general character as any of the uses listed above	N	N	N	SE	N	N

Table A - Hanover Township Land Use Table

DECEMBER 2025

	Types of Uses	Zoning Districts					
		LU	MR	PC	PIO	PUD	AI
Airport-Related Uses							
1	Air passenger terminal and supporting passenger services, including public use heliport	N	N	N	N	N	P
2	Airline catering business	N	N	N	SE	N	SE
3	Automotive service stations	N	N	N	P	N	SE
4	Charter aircraft and pilot instruction facilities, including public and private use heliport	N	N	N	N	N	P
5	Corporate aircraft office, storage and service facilities, including public and private use heliport	N	N	N	N	N	P
6	General aviation sales and services	N	N	N	N	N	P
7	Hotels and motels	N	N	N	N	N	SE
8	Industrial and office uses allowed in the PIO District provided it is demonstrated that such uses are directly related to the function and activities of the airport or that such uses are highly dependent upon air passenger and/or air freight transportation	N	N	N	N	N	SE
9	Planned airport development	N	N	N	N	N	SE
10	Public, private or personal use heliport	N	N	N	SE	N	N

P - Permitted by Right

SE - Special Exception

CU - Conditional Use

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)	
				Front	Side	Rear			
LU Limited Use District – Dimensional Requirements									
<i>LU-A. Rural Agriculture</i>									
1.	Flower and vegetable gardening; outdoor plant nurseries with no buildings or structures	P	NA	NA	NA	NA	NA	NA	
2.	Forestry, excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA	
3.	Nurseries for the growing of flowers, trees and shrubs not for sale on the lot and with open structures	P	NA	NA	NA	NA	NA	NA	
4.	Tilling of the soil	P	NA	NA	NA	NA	NA	NA	
<i>LU-B. Residential</i>									
1.	No-impact home based business	P	NA	NA	NA	NA	NA	NA	
<i>LU-C. Public or Private Recreation</i>									
1.	Parks, recreation areas, historic areas and conservation areas	P	1 acre	100	40	20	50	15	25
2.	Private or membership clubs or lodges not operated commercially, or conducted primarily as a business enterprise	SE	1 acre	100	40	20	50	20	50
3.	Recreation facilities intended primarily to serve residents of a residential development	SE	1 acre	100	40	20	50	15	40
<i>LU-D. Governmental, Institutional, Educational & Utility</i>									
1.	Cemeteries	P	5 acres	200	50	35	50	10	25
2.	DAS	P	NA	NA	NA	NA	NA	NA	NA
3.	Essential public utility uses and equipment pursuant to the terms and procedures of this Chapter.	P	2 acres	150	40	20	50	20	50
4.	Public Utility Facility	P	2 acres	150	40	20	50	20	50

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
MR Medium Density Residential District – Dimensional Requirements								
MR-A. Rural Agriculture								
1. Forestry, excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA	NA
2. Tilling of the soil	P	NA	NA	NA	NA	NA	NA	NA
MR-B. Residential								
1. Single family detached dwelling	P	10,000 SF	70	25	10	30	20	50
2. Single family semi-detached side-by-side dwelling	P	10,000 SF per unit	70	25	10	35	20	50
3. Single family attached dwelling	SE	3,000 SF per unit	20	15	10	25	30	70
4. Low rise apartments	SE	4 acres	200	50	40	50	25	60
5. Mobile home parks	SE	5 acres	200	35	20	35	15	50
6. Dwelling unit in conjunction with a principal non-residential use	P	NA	50	10	5	10	NA	NA
7. Conversion of a single family dwelling or other building into not more than two dwelling units	P	10,000 SF	60	15	8	15	NA	NA
8. Home occupation	SE	NA	NA	NA	NA	NA	NA	NA
9. No-impact home based business	P	NA	NA	NA	NA	NA	NA	NA
MR-C. Public or Private Recreation								
1. Parks, recreation areas, historic areas and conservation areas	P	1 acre	100	40	20	50	15	25
2. Recreation facilities intended to primarily serve residents of a residential development	SE	1 acre	100	40	20	50	15	40
MR-D. Governmental, Institutional, Educational & Utility								
1. DAS	P	NA	NA	NA	NA	NA	NA	NA
2. Day care homes and centers, and nursery schools	SE	1 acre	100	40	20	50	20	70
3. Place of worship	SE	2 acres	150	40	20	50	20	60
4. Public or private elementary, middle, junior high, or high school	SE	8 acres	200	100	50	100	15	50
5. Essential Services.	P	2 acres	150	40	20	50	20	50
6. Public utility facility.	P	2 acres	150	40	20	50	20	50
MR-E. Retail, Commercial, Business, Professional Service								
1. Planned neighborhood convenience center	SE	2 acres	150	50	35	50	30	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
PC Planned Commercial District – Dimensional Requirements								
PC-A. Rural Agriculture								
1.	Flower and vegetable gardening; outdoor plant nurseries with no buildings or structures	P	NA	NA	NA	NA	NA	NA
2.	Forestry, excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA
3.	Nurseries for the growing of flowers, trees and shrubs not for sale on the lot and with open structures	P	NA	NA	NA	NA	NA	NA
4.	Tilling of the soil	P	NA	NA	NA	NA	NA	NA
PC-B. Residential								
1.	Dwelling unit in conjunction with a principal non-residential use	P	NA	50	10	5	10	NA
2.	Conversion of a single-family dwelling or other building into not more than two dwelling units	P	10,000	60	15	8	15	NA
3.	Home occupation	SE	NA	NA	NA	NA	NA	NA
4.	No-impact home based business	P	NA	NA	NA	NA	NA	NA
PC-C. Public or Private Recreation								
1.	Commercial outdoor recreation facilities including, but not limited to, miniature golf, driving ranges, swimming pools, tennis courts and the like	SE	2 acres	200	80	35	50	NA
2.	Indoor recreation facilities, including, but not limited to, bowling alleys, theaters, skating rinks, tennis courts and the like	P	2 acres	200	80	35	50	15
3.	Parks, recreation areas, historic areas and conservation areas	P	1 acre	100	40	20	50	15
4.	Private or membership clubs or lodges not operated commercially, or conducted primarily as a business enterprise	P	1 acre	100	40	20	50	20
5.	Recreation facilities intended to primarily serve residents of a residential development	SE	1 acre	100	40	20	50	15
PC-D. Governmental, Institutional, Educational & Utility								
1.	Civil buildings, including township administration building, community centers, museums, post offices, libraries, fire stations, and the like	SE	2 acres	150	40	20	50	20
2.	Crematory	P	2 acres	150	40	20	50	20
3.	DAS	P	NA	NA	NA	NA	NA	NA
4.	Public utility facility	P	2 acres	150	40	20	50	20
5.	Place of worship	SE	2 acres	150	40	20	50	20
6.	Private commercial education institutions including schools for dance, music, art and drama	P	2 acres	150	40	20	50	20
7.	Public or private elementary, middle, junior high or high school	SE	8 acres	200	100	50	100	15
8.	Essential services	P	2 acres	150	40	20	50	20

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
<i>PC-E. Retail, Commercial, Business, Professional Service</i>								
1. Automobile, truck, mobile homes, boat or recreational vehicle sales establishments	P	1 acre	100	50	35	50	35	75
2. Automotive service station	SE	1 acre	200	100	35	50	30	75
3. Banks or other financial institutions, not including drive-in service	P	30,000 SF	100	50	30	40	35	75
4. Banks or other financial institutions with drive-in service	SE	1 acre	100	50	35	50	30	75
5. Business, administrative and corporate offices	P	1 acre	150	50	35	50	35	75
6. Business and professional services including business offices, real estate and insurance agencies, law, engineering, accounting and other consultant offices	P	30,000 SF	100	50	30	40	35	75
7. Car washes	SE	1 acre	100	50	35	50	30	75
8. Eating and drinking places not including drive-in service	P	30,000 SF	100	50	30	40	35	75
9. Eating and drinking places with drive-in service	SE	1 acre	100	50	35	50	30	75
10. Food markets and neighborhood grocery stores	P	30,000 SF	100	50	30	40	35	75
11. Funeral homes, mortuaries	P	1 acre	100	50	35	50	30	75
12. Hotels and motels	SE	5 acres	250	50	50	50	25	75
13. Indoor wholesale and warehouse activities involving products and services of other allowable uses in the district	P	1 acre	100	50	35	50	30	75
14. Medical or dental offices or clinics for out-patient treatment, including accessory laboratory facilities	P	30,000 SF	100	50	30	40	35	75
15. Personal services and convenience retail stores including beauty salons, barber shops, shoe repair shops, watch repair, small appliance repairs, dry cleaning and tailors	P	30,000 SF	100	50	30	40	35	75
16. Planned business center development	SE	10 acres	400	100	80	80	25	70
17. Planned commerce unit development	SE	(As Specified for Planned Commerce Unit Development - Article IX)						
18. Planned neighborhood convenience center	P	2 acres	150	50	35	50	30	75
19. Retail stores for hardware, dairy products, drugs, meat, clothing furniture and the like	P	30,000 SF	100	50	30	40	35	75
20. Veterinary office	P	30,000 SF	100	50	30	40	35	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)	
				Front	Side	Rear			
PIO Planned Industrial-Office District – Dimensional Requirements									
<i>PIO-A. Rural Agriculture</i>									
1.	Flower and vegetable gardening; outdoor plant nurseries with no buildings or structures	P	NA	NA	NA	NA	NA	NA	
2.	Forestry, excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA	
3.	Nurseries for the growing of flowers, trees and shrubs not for sale on the lot and with open structures	P	NA	NA	NA	NA	NA	NA	
4.	Tilling of the soil	P	NA	NA	NA	NA	NA	NA	
<i>PIO-B. Residential</i>									
1.	Home occupation	SE	NA	NA	NA	NA	NA	NA	
2.	No-impact home based business	P	NA	NA	NA	NA	NA	NA	
<i>PIO-C. Public or Private Recreation</i>									
1.	Indoor recreation facilities, including, but not limited to, bowling alleys, theaters, skating rinks, tennis courts and the like	SE	2 acres	200	80	35	50	15	75
2.	Parks, recreation areas, historic areas and conservation areas	P	1 acre	100	40	20	50	15	25
<i>PIO-D. Governmental, Institutional, Educational & Utility</i>									
1.	Civil buildings, including township administration building, community centers, museums, post offices, libraries, fire stations, and the like	SE	2 acres	150	40	20	50	20	50
2.	Crematory	SE	2 acres	150	40	20	50	20	50
3.	DAS	P	NA	NA	NA	NA	NA	NA	NA
4.	Essential services	P	87,120	150	40	20	50	20	50
5.	Place of worship	SE	2 acres	150	40	20	50	20	60
6.	Public Utility Facility	P	2 acres	150	40	20	50	20	50
7.	Vocational and trade schools	P	3 acres	180	80	35	50	15	50

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
<i>PIO-E. Retail, Commercial, Business, Professional Service</i>								
1. Automobile repair garages and auto body shops with all work performed in an enclosed building	P	1 acre	200	100	35	50	30	75
2. Automobile, truck, mobile homes, boat or recreational vehicle sales establishments	SE	1 acre	100	50	35	50	35	75
3. Automotive service stations	SE	1 acre	200	100	35	50	30	75
4. Banks or other financial institutions	SE	1 acre	100	50	35	50	30	75
5. Business, administrative and corporate offices	P	30,000 SF	100	50	30	40	35	75
6. Business and professional services including business offices, real estate and insurance agencies, law, engineering, accounting and other consultant offices	SE	30,000 SF	100	50	30	40	35	75
7. Funeral homes, mortuaries	SE	30,000 SF	100	50	30	40	35	75
8. Hotels and motels	SE	5 acres	250	50	50	50	25	70
9. Indoor wholesale and warehouse activities involving products and services of other allowable uses in the district	P	1 acre	100	50	35	50	30	75
10. Medical or dental offices or clinics for out-patient treatment, including accessory laboratory facilities	SE	30,000 SF	100	50	30	40	35	75
11. Personal services and convenience retail stores including beauty salons, barber shops, shoe repair shops, watch repair, small appliance repairs, dry cleaning and tailors	SE	30,000 SF	100	50	30	40	35	75
12. Planned business center development	SE	10 acres	400	100	80	80	25	75
13. Planned commerce unit development	SE	(As Specified for Planned Commerce Unit Development - Article IX)						
14. Planned neighborhood convenience center	P	2 acres	150	50	35	50	30	75
15. Veterinary office	SE	30,000 SF	100	50	40	50	40	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
PIO-F. Industrial and Employment-Oriented								
1. Building material sales yard, including the sales of rock, sand, gravel and the like as an incidental part of the main business; and contractors' equipment storage yard or plant	SE	2 acres	150	50	40	50	40	75
2. Bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials	SE	2 acres	150	50	40	50	40	75
3. Dry cleaning plants	SE	2 acres	150	40	50	50	40	75
4. Light metal processing such as metal machining, finishing, grinding and polishing, metal stamping and extrusion of small products (such as costume jewelry and kitchen utensils) and the manufacturing of light metal products, tools and hardware (such as hand tools, bolts, nuts)	P	2 acres	150	50	40	50	40	75
5. Manufacturing or assembling the following from prepared materials; musical instruments, clocks or watches, toys, or novelties, electrical appliances, electronic devices, office equipment, light sheet metal products, machine tools and machinery not requiring the use of a punch press over 100 tons rated capacity or a drop hammer	P	2 acres	150	50	40	50	40	75
6. Manufacturing, compounding or assembling of articles using the following prepared materials: bone or shell; cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stone, rubber, textiles or cloth products, tobacco and wood or wood products	P	2 acres	150	50	40	50	40	75
7. Manufacturing, compounding, processing, or packaging of food and food products, and cosmetics, toiletries, and pharmaceuticals; except fish and meat products, vinegar, yeast, and the rendering or refining of fats and oil	P	2 acres	150	50	40	50	40	75
8. Manufacture of ceramic products and building materials using only previously pulverized clay and kilns fired by electricity or gas	SE	2 acres	150	50	40	50	40	75
9. Planned industrial parks	P	20 acres	400	100	100	100	NA	75
10. Railroad facilities (*Rail served facilities may be placed as close as necessary to side or rear lot lines to accommodate rail siding. Otherwise, normal setbacks for districts shall be required.)	SE			*	*	*		75
11. Research, experimental or testing laboratories	P	2 acres	150	50	40	50	40	75
12. Self storage	P	2 acres	150	50	40	50	40	75
13. Stone cutting and monument manufacture and sales, soap and sodium compounds manufacture	SE	2 acres	150	50	40	50	40	75
14. Wholesale business, warehouses, trucking terminals, & similar non-processing storage and distribution uses; except bulk storage of chemicals, petroleum products, and other flammable, explosive or noxious materials	P	2 acres	150	50	40	50	40	75
15. Any uses of the same general character as any of the uses listed in Items 1 through 14 above.	SE	2 acres	150	50	40	50	40	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use		Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
					Front	Side	Rear		
<i>PIO-G.</i>	<i>Airport-Related Uses</i>								
1.	Airline catering business	SE	(In Accordance with Appendix II)					75	
2.	Public, private or personal use heliport	SE	1 acre	150	50	50	50	40	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
PUD Planned Unit Development District – Dimensional Requirements								
<i>PUD-A. Rural Agriculture</i>								
1. Forestry excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA	NA
2. Tilling of the soil	P	NA	NA	NA	NA	NA	NA	NA
<i>PUD-B. Residential</i>								
1. Planned residential development (PRD).	P	(As Specified for Planned Residential Developments - Article VIII)						
2. Single family attached dwelling	SE	3,000 SF (and max. 6 DU/ac)	20	15	10	25	30	50
3. Low rise apartments	SE	3,000 SF (and max. 8 DU/ac)	200	50	40	50	25	60
4. Dwelling unit in conjunction with a principal non-residential use	P	NA	50	10	5	10	NA	NA
5. Home occupation	SE	NA	NA	NA	NA	NA	NA	NA
6. No-impact home based business	P	NA	NA	NA	NA	NA	NA	NA
<i>PUD-C. Public or Private Recreation</i>								
1. Commercial outdoor recreation facilities including, but not limited to, miniature golf, driving ranges, swimming pools, tennis courts and the like	SE	2 acres	200	80	35	50	NA	70
2. Indoor recreation facilities including, but not limited to, bowling alleys, theaters, skating rinks, tennis courts and the like.	SE	2 acres	200	80	35	50	15	75
3. Parks, recreation areas, historic areas and conservation areas	P	1 acre	100	40	20	50	15	25
4. Private or membership clubs or lodges not operated commercially or conducted primarily as a business enterprise	SE	1 acre	100	40	20	50	20	50
5. Recreation facilities intended primarily to serve residents of a residential development	P	1 acre	100	40	20	50	20	50
<i>PUD-D. Governmental, Institutional, Educational & Utility</i>								
1. Civil buildings, including township administration building, community centers, museums, post offices, libraries, fire stations, and the like	SE	2 acres	150	40	20	50	20	70
2. Convalescent or nursing homes	SE	2 acres	200	50	35	50	20	70
3. DAS	P	NA	NA	NA	NA	NA	NA	NA
4. Day care homes and centers, and nursery schools.	SE	1 acre	100	40	20	50	20	70
5. Essential services	P	2 acres	150	40	20	50	20	50
6. Place of worship	P	2 acres	150	40	20	50	20	60
7. Private commercial education institutions including schools for dance, music, art and drama	SE	2 acres	150	40	20	50	20	50
8. Public or private elementary, middle, junior high or high school	SE	8 acres	200	100	50	100	15	50
9. Public utility facility	P	2 acres	150	40	20	50	20	50
10. Vocational and trade schools	SE	3 acres	180	80	35	50	15	50

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)
				Front	Side	Rear		
<i>PUD-E. Retail, Commercial, Business, Professional Service</i>								
1. Automotive service stations	SE	1 acre	200	100	35	50	30	75
2. Eating and drinking places not including drive-in service	SE	1 acre	100	50	35	50	30	75
3. Hotels and motels	SE	5 acres	250	50	50	50	25	75
4. Indoor wholesale and warehouse activities involving products and services of other allowable uses in the district	P	1 acre	100	50	35	50	30	75
5. All other non-residential uses otherwise listed	CU							
<i>PUD-F. Industrial and Employment-Oriented</i>								
1. Manufacturing, compounding or assembling of parts using the following pre pared materials: bone or shell, cello phone, fur, glass, leather, plastics, precious or semiprecious metals or stone, rubber, textiles or cloth products, to bacco and wood or wood products	SE	2 acres	150	50	40	50	40	75
2. Planned industrial parks	SE	20 acres	400	100	100	100	NA	75
3. Railroad facilities	SE			(d)	(d)	(d)		75
4. Food processing, preparation, packaging and related distribution	CU	1 acre	150	50	35	50	40	75

Table B - Hanover Township Dimensional Criteria

DECEMBER 2025

Use	Use Permissions	Min. Total Lot or Land Area	Min. Lot Width (ft.)	Min. Yard Width (ft.)			Max. Building Coverage (%)	Max. Lot (Impervious) Coverage (%)	
				Front	Side	Rear			
AI Airport-Industrial District – Dimensional Requirements									
AI-A. Rural Agriculture									
1.	Flower and vegetable gardening; outdoor plant nurseries with no buildings or structures	P	NA	NA	NA	NA	NA	NA	
2.	Forestry, excluding buildings, structures and open storage	P	NA	NA	NA	NA	NA	NA	
3.	Nurseries for the growing of flowers, trees and shrubs not for sale on the lot and with open structures	P	NA	NA	NA	NA	NA	NA	
4.	Tilling of the soil	P	NA	NA	NA	NA	NA	NA	
AI-B. Public or Private Recreation									
1.	Commercial outdoor recreation facilities including, but not limited to, miniature golf, driving ranges, swimming pools, tennis courts and the like	SE	2 acres	200	80	35	50	NA	70
2.	Parks, recreation areas, historic areas and conservation areas	SE	1 acre	100	40	20	50	15	25
AI-C. Governmental, Institutional, Educational & Utility									
1.	DAS	P	NA	NA	NA	NA	NA	NA	NA
2.	Essential services	P	2 acres	150	40	20	50	20	50
3.	Public utility facility	P	2 acres	150	40	20	50	20	50
AI-D. Industrial and Employment-Oriented									
1.	Commercial solar energy system	SE	2 acres	150	50	40	50	NA	75
2.	Planned industrial parks	SE	20 acres	400	100	100	100	NA	75
3.	Wholesale business, warehouses, trucking terminals, and similar non-processing storage and distribution uses; except bulk storage of chemicals, petroleum products, and other flammable, explosive or noxious materials	SE	2 acres	150	50	40	50	40	75
AI-E. Airport-Related Uses									
1.	Air passenger terminal and supporting passenger services, including public use heliport	P	2 acres	150	50	40	50	40	75
2.	Airline catering business	SE	2 acres	150	50	40	50	40	75
3.	Automotive service stations	SE	1 acre	200	100	35	50	30	75
4.	Charter aircraft and pilot instruction facilities, including public and private use heliport	P	2 acres	150	50	40	50	40	75
5.	Corporate aircraft office, storage and service facilities, including public and private use heliport	P	2 acres	150	50	40	50	40	75
6.	General aviation sales and services	P	2 acres	150	50	40	50	40	75
7.	Hotels and motels	SE	5 acres	250	100	50	50	25	75
8.	Industrial and office uses allowed in the PIO District provided it is demonstrated that such uses are directly related to the function and activities of the airport or that such uses are highly dependent upon air passenger and/or air freight transportation	SE	2 acres	150	50	40	50	40	75
9.	Planned airport development	SE	5 acres	250	100	50	50	40	75