

Bethel Township
Delaware County, Pennsylvania

Ordinance No. 182

ZONING ORDINANCE

Bethel Township Board of Supervisors

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Adopted June 10, 2008

BETHEL TOWNSHIP
Delaware County, Pennsylvania

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ZONING CODE

Table of Contents

ARTICLE I:	Administration.....	3
ARTICLE II:	Zoning Hearing Board.....	4
ARTICLE III:	Amendments, Remedies, Penalties, Complaints and Effective Date.....	11
ARTICLE IV:	Objective, Purposes, Interpretation, Short Title, Definition of Terms..	12
ARTICLE V:	Classification of Districts.....	20
ARTICLE VI:	R-1 Residential District	21
ARTICLE VII:	R-2 Residential District (Reserved)	23
ARTICLE VIII:	R-3 Planned Residential Development Districts	24
ARTICLE IX:	R-4 Residential District	31
ARTICLE X:	R-M Mobile Home District	35
ARTICLE XI:	C-1 Commercial Districts	49
ARTICLE XII:	C-2 General Business Districts	51
ARTICLE XIII:	LI-1 Industrial Districts	53
ARTICLE XIV:	LI-2 Limited Industrial Districts	56
ARTICLE XV:	T – Tank Farm Districts	58
ARTICLE XVI:	AACOD	67
ARTICLE XVII:	Signs	76
ARTICLE XVIII:	Off-Street Parking and Loading	88
ARTICLE XIX:	General Regulations	95
ARTICLE XX:	Performance Standards	108
APPENDIX A:	Diagram of Requirements	

ARTICLE I: ADMINISTRATION

SECTION 100 Enforcement

It shall be the duty of the Zoning Officer, and he is hereby given the power and authority, to enforce the provisions of this Ordinance by the issuance of stop, cease, or desist orders or by other means. Permits for construction and uses, which are a special exception to the requirement of this Ordinance, shall be issued only upon order of the Zoning Hearing Board.

SECTION 101 Zoning Permit Requirements

A permit shall be required prior to the erection or alteration of any building, structure, or portion thereof, and prior to the use or change in use of a building or land, and prior to the change or extension of a non-conforming use.

SECTION 102 Zoning Permit Application

Applications for permits shall be made to the Zoning Officer on such forms as may be furnished by the Township. Each application shall contain all information necessary for such official to ascertain whether the proposed erection, alteration, use or change of use complies with the provisions of this Ordinance.

SECTION 103 Issuance of Permits

No Building or Plumbing Permit or Use and Occupancy Certificate shall be issued until the Building Inspector has certified that the proposed building or alteration and proposed use of the property complies with all the provisions of this Ordinance. No Construction shall begin and no building or property shall be used or occupied until all Township fees have been paid, a Building Permit has been issued, or Occupancy Certificate has been issued and all fees paid to Bethel Sewer Authority.

ARTICLE II: ZONING HEARING BOARD

SECTION 200 Establishment and Membership

A Zoning Hearing Board, consisting of three members [with two alternates] appointed by the Supervisors of overlapping terms of three years each, is established for the purpose of carrying out the functions of a Zoning Hearing Board as provided by law. Members of the Board shall be residents of the Township except that no more than one member of the Board may also be a member of the Planning Commission.

SECTION 201 Organization of Zoning Hearing Board

The Board shall elect a chairman from its membership, and, within the limits of funds appropriated by the Township Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.

1. Procedures Before the Board

SECTION 202 Hearings

The Board shall meet within 60 days of receipt of an application to hear and consider all such matters, which shall properly come before it. All such meetings shall be open to the public.

SECTION 203 Persons Entitled to Initiate Action before the Board

Appeals from the Zoning Officer pursuant to Section 216 hereof and proceedings to challenge an Ordinance under Section 217 hereof may be filed by an officer or agency of the Township or by any person aggrieved. Requests for a variance under Section 218 and for a special exception under 219 hereof may be filed by any landowner or tenant with the permission of such landowner.

SECTION 204 Manner of Initiating Action before the Board

All action before the Board shall be initiated by a written application for hearing, which shall be filed with the Zoning Officer at which the particular matter is to be heard. All applications shall be made on forms specified by the Board, and no application form shall be accepted unless the same shall be fully and legibly completed and unless all exhibits and supplemental material required by the application shall be attached.

SECTION 205 Time Limitations

All appeals from the Zoning Officer and all requests for variances, as provided in Sections 216 and 217 hereof, respectively, shall be filed within thirty (30) days following the refusal of the Zoning Officer to grant a building permit.

SECTION 206 Notice of Hearings

Notice of the time and place of all hearings shall be given by mail to the applicant and to all persons who shall own real estate within five hundred (500) feet of any property, which shall be the subject of the application. Notice of the hearing of any particular application shall also be given to any person who shall timely request the same in writing. Notice of the time and place of all hearings shall be given by publishing the same in a newspaper of general circulation within the Township. All notices required by this Section shall be given at least five (5) days prior to the date of the hearing for which notice is given.

In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

SECTION 207 Parties

Parties to any hearing shall be any person entitled to notice under Section 206 without special request therefore who has given timely appearance of record before the Board and any other person permitted to appear by the Board.

SECTION 208 Witnesses

The chairman or acting chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

SECTION 209 Representation

The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and cross-examine adverse witnesses on all relevant issues.

SECTION 210 Rules of Evidence

Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

SECTION 211 Record

The Board shall keep a record of the proceedings, stenographically, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

SECTION 212 Communications

The Board shall not communicate, directly or indirectly, with any party or his representative in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surrounding after commencement of hearings, with any party or his representative unless all parties are given an opportunity to be present. "Board" as used herein shall include not only the members, but also the secretary, clerk, legal counsel or consultant of the Board.

SECTION 213 Decisions

The Board shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the board. Each decision shall be accompanied by findings of fact and conclusion based thereon together with the reasons therefore. Conclusions based on any provisions of any statute, ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in light of the facts found. Where the Board has power to render a decision and fails to do so within the forty-five (45) day period above prescribed, the decision, shall be deemed to have been rendered in favor of the applicant.

SECTION 214 Copies of Decisions

A copy of the final decision or, when no decision is called for, of the findings, shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their names and addresses with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or finding and a statement of the place at which the full decision or findings may be examined.

SECTION 215 Appeals to the Courts

Zoning appeals may be taken to the court by any party before the Board or any officer or agency of the Township, as provided by law.

2. Functions of the Board

SECTION 216 Appeals from the Zoning Officer

The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of the Ordinance of map.

SECTION 217 Challenges to the Validity of the Ordinance or Map

Except as provided in Section 218 relating to variances, the Board shall have no power to pass upon the validity of any provision of the Ordinance or map adopted by the Supervisors. Recognizing that challenges to the validity of the Ordinance or map may present issues of fact and of interpretation which may lie within the special competence of the Board, and to facilitate speedy disposition of such challenges by the Court, the Board may hear all challenges wherein the validity of the Ordinance or map presents any issue of fact or of interpretation, not hitherto properly determined at a hearing before another competent agency or body, and shall take evidence and make a record thereon as herein prescribed. At the conclusion of the hearing, the Board shall decide all contested questions of interpretation and shall make findings on all relevant issues of fact, which shall become part of the record on appeal to the Court.

SECTION 218 Variance

The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the appellant. The Board may grant a variance provided that the following findings are made where relevant in a given case:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;
2. That because of such physical circumstances or condition, 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;
3. That such unnecessary hardship has not been created by the appellant;

4. That the variance, if authorized, will not alter the essential character of the 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; and
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification 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 purpose of this Ordinance

SECTION 219 Special Exceptions

Where this Ordinance has provided for stated special exceptions to be granted or denied by the Board pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purpose of this act and the Zoning Ordinance.

1. Standards for Review of Special Exceptions

- A. In any instance where the Board is required to consider a request for a special variance, the Board shall consider the following factors where appropriate:
 - (1) That the proposed use is appropriate for the site in question in terms of size, topography, natural features, drainage, sewage disposal, water supply, accessibility, and availability of public services, and that adequate provisions will be made to protect sensitive environmental features such as streams, lakes, wetlands, slopes, and mature trees.
 - (2) That the proposed use is compatible with the character of the surrounding neighborhood and will not interfere with or detract from legitimate uses and adjacent properties, and that adequate measures will be provided through building design, site layout, landscaping, planting, and operational controls to minimize any adverse impacts caused by noise, lights, glare, odors, smoke, fumes, traffic, parking, loading and signage.
 - (3) That the proposed special exception will serve the best interest of the Township, and convenience of the community, and the public health, safety and welfare.
 - (4) That the proposed use is consistent with the Bethel Township Comprehensive Plan.
 - (5) That the proposed use promotes orderly development, proper population density, and the provision of adequate community facilities and services, including police and fire protection.
 - (6) That the proposed use is suitable in terms of its effect on highway safety and traffic circulation, and that access, on-site circulation, and parking are adequate in view of anticipated traffic.
 - (7) That the proposed use will provide for adequate off-street parking, as required in Article XVIII.

- B. Financial hardship shall not be construed as a basis for granting special exceptions.
- C. In granting any special exception, the Board may attach reasonable conditions and safeguards in addition to those expressed in this Zoning Code as it may deem necessary to implement the purposes of the Planning Code and this Zoning Code, which conditions and safeguards may relate to, but not be limited to screening, lighting, off-street parking, noise, safety, aesthetics and the minimization of noxious, offensive or hazardous elements. Such special exceptions shall be clearly authorized by the provision in this Zoning Code and shall comply with the more specific standards relating to such special exception contained in sections of this Zoning Code relating to uses by special exception.

2. Standards of Proof

- A. **For Variances:** An applicant for a variance shall have the burden of establishing both:
 - (1) That a literal enforcement of the provisions of this Zoning Code will result in unnecessary hardship, as the term is defined by law, including court decisions; and,
 - (2) That the allowance of the variance will not be contrary to the public interest.
- B. **For Special Exceptions:** An applicant for a special exception shall have the burden of establishing both:
 - (1) That his application falls within the provisions of this Zoning Code which affords to the applicant the right to seek a special exception, and
 - (2) That the allowance of a special exception will not be contrary to the public interest.
- C. **Evaluation of the Impact of an Application on the Public Interest:** In determining whether the allowance of a special exception or variance is contrary to the public interest, the Board shall consider whether the application, if granted, will:
 - (1) Adversely affect the public health, safety and welfare due to changes in traffic conditions, drainage, air quality, noise levels, neighborhood property values, natural features, and neighborhood aesthetic characteristics;
 - (2) Be in accordance with the Bethel Township Comprehensive Plan;
 - (3) Provide required parking in accordance with Article XVIII;
 - (4) Adversely affect the logical, efficient and economical extension or provision of public services and facilities such as public water, sewers, refuse collection, police, fire protection and public schools.
 - (5) Otherwise adversely affect the public health, safety or welfare.

3. Expiration of Special Exception and Variances

Unless otherwise specified by the Board, a special exception or variance shall expire if the applicant fails to obtain a building permit within six months from the date of authorization thereof.

4. Conditional Uses Where Specific Dimensional Standards Are Not Provided

In cases where this Zoning Code does not provide specific dimensional standards for uses permitted by special exception, the following general dimensional standards will be applied by the Board of Supervisors:

- A. In residential districts, the area, bulk and any other applicable requirements shall be not less than those for single-family dwellings in that district or in the next more restrictive district in which single family dwellings are permitted.
- B. In non-residential districts, the area, bulk and any other applicable requirements shall be not less than those for the use which requires the greatest dimensions in the applicable non-residential district.
- C. The governing body may require additional, reasonable but more stringent requirements than those required in Article 16 hereof, provided that the Board of Supervisors makes one or more of the following determinations:
 - (1) Insufficient to accommodate the proposed building, facility, or use, and that larger dimensional requirements would substantially alleviate that condition.
 - (2) Insufficient to provide adequate area for parking and loading, as required by Article XVIII, and that larger dimensional requirements would substantially alleviate that condition.
 - (3) Insufficient to provide for lot areas and dimensions necessary to protect the adjacent area from the potential adverse impacts of the proposed use, such as noise, vibration, air pollution and similar impacts, and that larger dimensional requirements would substantially alleviate that condition.
- D. All parking requirements of Article XVIII must be followed.

5. Regulations for Home Occupations

Home occupations with employees shall be permitted as special exception in the R-1, R-3.

- A. The occupation (or profession) shall be conducted entirely within the dwelling and shall be clearly incidental and secondary to the residential use of the dwelling.
- B. Only one occupation per dwelling shall be permitted.
- C. Not more than one person other than the resident shall be engaged as an employee or volunteer.
- D. Not more than twenty-five percent of the gross floor area of the dwelling shall be used for the home occupation. Areas used for storage shall be included in this calculation.
- E. No external alterations inconsistent with the residential use shall be permitted.
- F. There shall be no display of materials or products visible from outside the dwelling.
- G. No noise, vibration, smoke, glare or any other impact shall be noticeable at or beyond the property line.

- H. There shall be no outdoor storage of equipment, materials or supplies.
- I. Parking shall be provided subject to Article XVIII.
- J. Deliveries from commercial suppliers may not be made more than once each week and shall not restrict traffic circulation.
- K. A home occupation shall in no case be operated before 7:00 a.m. or after 10:00 p.m. Monday through Friday.
- L. All home occupations shall be subject to periodic inspection by a local official.
- M. A special exception shall not be granted when it appears to the Zoning Hearing Board that the proposed home occupation will constitute a fire hazard to neighboring residences, will adversely affect neighboring property value or will constitute a nuisance or otherwise be detrimental to the neighbors because of excessive traffic, noise, odor, or other negative circumstances.

ARTICLE III:
AMENDMENTS, REMEDIES, PENALTIES, COMPLAINTS AND EFFECTIVE DATE

SECTION 300 Amendments

The Board of Supervisors may from time to time amend this Ordinance, including the zoning map.

SECTION 301 Public Hearings Prior to Amendment

Before voting on the enactment of any amendment, the Board of Supervisors shall hold a public hearing. "Public Notice" as used in this section shall mean notice given not more than thirty (30) days and not less than fourteen (14) days in advance of the said hearing. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall include the full text of the amendment and shall state the time and place of the hearing. If, after any public hearing held upon an amendment, the proposed amendment is revised to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

SECTION 302 Submission to the Township Planning Commission

In case of an amendment, the Board of Supervisors shall submit each such amendment to the Township Planning Commission and to the Delaware County Planning Commission at least thirty (30) days prior to the hearing in order to provide the Planning Commission an opportunity to submit recommendations.

SECTION 303 Enforcement Penalties

Any person, partnership or corporation who shall violate the provisions of this ordinance shall be subject to a civil penalty which penalty shall amount to Six Hundred Dollars (\$600.00) per day each day the violation shall continue.

SECTION 304 Enforcement Remedies

In case any building, structure, or land is, or is proposed to be erected, constructed, reconstructed, altered, converted, maintained, or used in violation of any of the provisions of this Ordinance, the Board of Supervisors or, with the approval of the Board, an officer of the Township, in addition to other remedies, may institute in the name of the Township any appropriate action or proceedings to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

SECTION 305 Complaints of Violations

Whenever a violation of this Ordinance occurs any person may file a written complaint with the Zoning Officer in regard thereto. The Zoning Officer shall promptly investigate all complaints and make report thereon to the Board of Supervisors.

SECTION 306 Effective Date

This Ordinance shall become effective the 10th day of June, A.D., 2008.

ARTICLE IV:
OBJECTIVE, PURPOSES, INTERPRETATION, SHORT TITLE, DEFINITION OF TERMS

SECTION 400 Statement of Community Development Objectives

It shall be, and is hereby declared to be, the objective of the Bethel Township to provide for the orderly development of the Community through its Zoning Ordinance and Subdivision Regulations as presently in effect or hereafter amended in order to carry into effect the purposes, plans and guidelines as set forth in the Bethel Township Comprehensive Plan, which plan is herein incorporated by reference.

SECTION 401 Purposes

This Ordinance is enacted in accordance with the Pennsylvania Municipal Planning Code, for the following purposes:

1. To promote, protect and facilitate one or more of the following:

- X the public health,
- X safety,
- X morals,
- X general welfare,
- X coordinated and practical community development,
- X proper density of population,
- X civil defense,
- X disaster evacuation,
- X national defense facilities,
- X the provisions of adequate light and air,
- X police protection,
- X vehicle parking and loading space,
- X transportation,
- X water,
- X sewerage,
- X schools,
- X public grounds,
- X other public requirements, and
- X protect the environment.

2. To prevent one or more of the following:

- X overcrowding of land,
- X blight,
- X danger and congestion in travel and transportation,
- X loss of health, life or property from fire, flood or panic dangers.

Zoning Ordinance shall be made in accordance with the spirit and intent of the Comprehensive Plan, and with consideration for the character of the municipality, its various parts and the suitability of the various parts for particular uses and structures.

SECTION 402 Interpretation

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

SECTION 403 Short Title

This Ordinance shall be known and may be cited as *The Bethel Township Zoning Ordinance of 2008*.

SECTION 404 Definition of Terms

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meaning herein indicated. The singular shall include the plural, and the plural shall include the singular. The word "used" shall include the words "arranged", "designed", "or intended to be used". The word "building" shall include the word "structure". The present tense shall include the future tense. The word "shall" is always mandatory.

1. ***Accessory Building***
A building subordinate to the main building on a lot and used for purposes customarily and clearly incidental to those of the main building.
2. ***Accessory Use***
A use subordinate to the main use of land or of a building on the same lot and customarily and clearly incidental thereto.
3. ***Alteration***
An alteration, as applied to a building, is any change or rearrangement in the structural parts, or any enlargement, whether by extending on any side by increasing in height, or moving from one location or position to another.
4. ***Basement***
A story, partly underground, but having more than half of its clear height above average level of adjoining ground.
5. ***Buffer Yard***
A strip of required yard space adjacent to the boundary of a property or district, not less in width than is designated in this Ordinance, and on which is placed year-around shrubbery, hedges, evergreens, or other suitable plantings.
6. ***Building***
Any structures, including a trailer, having a roof supported by columns, piers, or walls used for the housing or enclosure of persons, animals.
 - A. Detached a building which has no party wall.
 - B. Semi-detached a building which has only one party wall in common with an adjacent building.
 - C. Attached a building which has two party walls in common with adjacent buildings.

7. ***Building Area***
The aggregate of the maximum horizontal cross-section areas of all buildings on a lot, excluding cornices, eaves, gutters, or chimneys projecting not more than thirty (30) inches; steps, one story open porches, or chimneys not extending more than one (1) story and not projecting more than five (5) feet; and balconies and terraces.
8. ***Building Line***
The line parallel to the street line at a distance there from at least equal to the depth of the front yard required for the district in which the lot is located.
9. ***Cellar*** (See Basement)
10. ***Center Line of Street or Road***
A line midway between and parallel to the two street or road property lines, or as otherwise defined by the Township Supervisors.
11. ***Corner Lot***
A lot fronting on two streets at their intersection.
12. ***Density, overall***
The total number of dwelling units on a given tract divided by the total number of acres in the tract, not including existing dedicated roads, but including all residential streets to be built in conjunction with subdivision development and all land set aside and dedicated for public use.
13. ***Dwelling***
 - A. **Single Family** A building, on a lot, designed and occupied exclusively as a residence for one family.
 - B. **Two-family** A building, on a lot designed and occupied exclusively as a residence for two families with one family living wholly or partly over the other.
 - C. **Multi-family** A building, on a lot, designed and used exclusively as a residence for three (3) or more families.
 - D. **Single-family Semi-Detached**
A building designed for and occupied exclusively as a residence for only one family and having a party wall in common with an adjacent building; a single family twin dwelling. Where a private garage is structurally attached to such building, it shall be considered as a part thereof.
 - E. **Two-family Detached**
A building designed for and occupied exclusively as a residence for two families living independently of each other with one family living wholly or partly over the other and having no party wall in common with an adjacent building; a detached duplex dwelling. Where a private garage is structurally attached to such building, it shall be considered as a part thereof.

F. Two-family Semi-Detached

A building designed for and occupied exclusively as a residence for two families living independently of each other with one family living wholly or partly over the other and having a party wall in common with an adjacent building; a semi-detached duplex dwelling. Where a private garage is structurally attached to such building, it shall be considered as a part thereof.

G. Townhouse

One of a structurally connected series of three or more buildings arranged in a row, each designed for and occupied exclusively as a residence for only one family, and each having a party wall in common with one or more of the other buildings in a series adjacent to it, any or all of which buildings may be under different ownership.

14. ***Dwelling Unit***

One (1) or more rooms designed and equipped for one (1) family, or persons living together as one (1) family, to occupy as a residence, but shall not include tourist homes, or cabins, lodging, houses, hotels, motels, or other similar places offering overnight accommodations for transients.

15. ***Electric Substation***

An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public, provided that in Residence Districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, or housing of repair crews.

16. ***Employees or Number of Employees***

The greatest number of persons to be employed on the premises in question at any one time of the day or night.

17. ***Farm***

A tract of land comprised of at least ten (10) acres used for agricultural purposes.

18. ***Farm Building***

Any building used for storing agricultural equipment or farm produce, housing livestock or poultry, and processing dairy products. The term Farm Building shall not include dwelling.

19. ***Floor Area or Gross Floor Area***

The sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls and from the centerline of walls separating two (2) buildings. The term shall include basement, elevator shafts and stairwells at each story, floor space used for mechanical equipment (with structural headroom of six feet, six inches or more), penthouses, attic space (whether or not a floor has actually been laid providing structural headroom of six (6) feet, six (6) inches or more), interior balconies, and mezzanines. It shall not include stair and elevator penthouses or cellars unless said cellars are utilized for anything other than storage rooms, utility rooms, mechanical equipment rooms, etc.

20. ***Height of Building***
 A buildings vertical measurement from the main level of the ground abutting the building to the highest point in the roof line of a flat roof or a roof having a slope of less than fifteen (15) degrees from the horizontal, and to a point midway between the peak and the eaves of a roof having a slope of fifteen (15) degrees or more; provided that chimneys, spires, towers, elevator penthouses, tanks, and similar projections of the building shall not be included in calculating the height.
21. ***Home Occupation or Accessory Professional Office Use***
 An occupation or professional use, which is carried on in a dwelling unit, or a structure accessory thereto, clearly secondary and incidental to the dwelling in which the practitioner resides.
22. ***Lot***
 A parcel of land, which conforms to the Zoning Requirement for the zone in which it is located and has frontage on a street.
23. ***Lot Area***
 Lot area shall not include any public easement, public right-of-ways, and does include wetlands and floodplains.
24. ***Motor Vehicle Service Station***
 Any area of land, including structures thereon, or any building or part thereof, that is used for sale of gasoline or other vehicle fuel or accessories, and which may or may not include facilities for lubrication, washing, or otherwise servicing motor vehicles, but which shall not include painting, body and fender repairs, or sale, rental and storage of vehicles.
25. ***Non-Conforming***
 A building or other structure, use or lot, lawful when created which for reason of design, size, or use does not conform to the requirements of the district or districts in which it is located.
26. ***Off-Street Loading Space***
 An on-the-property space for the standing, loading, and unloading of vehicles to avoid undue interference with the public use of streets and alleys. Such space shall be not less than fourteen (14) feet in width, fifteen (15) feet in height, and fifty-five (55) feet in length, exclusive of access aisles and maneuvering space.
27. ***Off-Street Parking Space***
 A space containing a minimum area of two hundred (200) square feet with a minimum width of ten (10) feet, for the parking of an automobile. In determining the dimension of such space, access drives and aisles shall not be included. Minimum vertical clearance shall be six and one-half (6 1/2) feet.
28. ***Principal Building***
 A building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located. In residential districts, only one principal building may be erected on each lot.
29. ***Private Garage***
 An accessory building used for the storage of motor vehicles and farm equipment, which may include one (1) commercial vehicle, and for the storage of not more than two (2) private non-commercial vehicles owned and used by persons other than the owner or tenant of the premises.
30. ***Professional Office Use***
 (See Home Occupation)

31. **Public Garage**
A building, not a private garage, used for the repair or servicing of motor vehicles owned and used by persons other than the owner-tenant of the premises and/or for the storage of more than two (2) motor vehicles owned and used by persons other than the owner or tenant of the premises, excluding a truck depot.
32. **Public Sewer**
A public sewer is any municipal or privately owned sewer system in which sewage is collected from buildings and piped to an approved sewage disposal plant or central septic tank disposal system and approved by the Department of Environmental Resources.
33. **Public Water**
Public water is any municipally or privately owned water system for the distribution and sale of water, in accordance with the laws of the Commonwealth of Pennsylvania.
34. **Seats**
The seating capacity of a particular building as determined by the specifications and plans and filed with the Zoning Officer; in the event individual seats are not provided, each twenty (20) inches of benches or similar seating accommodations shall be considered as one seat for the purpose of this Ordinance.
35. **Sign**
Any structure, device, display, or part thereof, or device attached thereto, or painted or represented thereon, located outside, on, or within the building in such a manner that the sign is viewed from outside the building, which shall be used for the purpose of bringing the subject thereof to the attention of the public or which displays or includes any letter, work, motto, banner, flag, insignia, device or representation which is in the nature of an advertisement, announcement, direction, or attraction, but not including the flag, insignia of the United States of America, the Commonwealth of Pennsylvania or any political subdivision thereof.
36. **Single and Separate Ownership**
The ownership of a lot by one (1) or more persons, partnerships, or corporations, which ownership is separate and distinct from that of any adjoining lot.
37. **Story**
That part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest story having seventy-five (75) percent or more of that wall area above grade level.
38. **Street**
A public street, road, highway which is legally open or officially plotted by the Township or a private street, road, or way, over which the owners or tenants of two (2) or more lots held in single and separate ownership have the right-of-way. Maximum of two houses is permitted on a private street.
39. **Street Line**
The division line between a lot and a street. The street line shall be determined by the legal right-of-way of street, provided that the no street line shall be considered to be less than twenty-five (25) feet from the centerline of said street.

40. **Structure**
 Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including trailer.
50. **Swimming Pool**
 A swimming pool (above or below ground level) excluding any container designed to hold 18" in depth or less of water, and the apparatus and equipment pertaining to the swimming pool maintained by an individual for the sole use of his household and guests without charge for admission and not for the purpose of profit or in connection with any business operated for profit, located on a lot as an accessory use to a residence.
51. **Trailer (Mobile Home)**
 Any vehicle designed, intended, arranged, or used for living, eating, sleeping, business or other similar purposes, whether arranged to stand on wheels or rigid supporters.
52. **Township Specifications**
 Specifications duly adopted by the Board of Supervisors by formal resolution for a specific purpose.
53. **Trailer Court**
 A lot or premises used for occupancy by two (2) or more house trailers or mobile home units for any length of time.
54. **Yards**
- A. **Front:** the required open space, the full width of the lot extending from the street line to the nearest structure on the lot, exclusive of overhanging eaves, gutters, or cornices.
 - B. **Side:** the required open space, from front to rear, extending from the side line of the lot to the nearest structure on the lot, exclusive of steps, overhanging eaves, gutters, or cornices.
 - C. **Rear:** the required open space, the full width of the lot extending from the rear property line of the lot to the nearest structure on the lot, exclusive of steps, overhanging eaves, gutters, or cornices.
 - D. **Interior:** the open space separating any buildings situate on a lot held single and separate ownership.
55. **Warehouse or Warehouse Storage Facility**
 A structure for the temporary storage of merchandise or commodities. Such use may include the storage of goods and equipment for other businesses or storage of articles for private individuals. Warehouse uses do not include retail activities.
56. **Retail Store/Trade**
 Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, such as, but not limited to hardware store, pharmacy, grocery, vehicles sales, magazine/book store, florist, or clothing store. Such uses are primarily housed in buildings, but may include limited outdoor retail space.

57. ***Contractor Establishment.***

The business or operating location of construction and related trades, which may include heavy equipment storage and maintenance. These uses may include office facilities indoor fabricating and storage space and/or large outdoor storage space and/or large outdoor storage areas for equipment and materials. Such establishments may include, but are not limited to, electrical contractors, masonry and concrete contractors, framing and carpentry contractors, and similar trades and businesses.

58. ***Light Manufacturing***

The manufacturing, predominantly from previously prepared materials, of finished products or parts, including the processing fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products or parts, but excluding basic industrial processing of raw materials.

59. ***Multi-Use***

An area of a building, or a building designed for use either as office, assembly, warehouse/storage or light manufacturing. Each multi-use space area shall have not less than ten (10%) percent of the area used for office space. Assembly of parts or other like use shall occupy no more than ninety (90%) Percent of the individual multi-use area.

ARTICLE V: CLASSIFICATION OF DISTRICTS

SECTION 500 Classes of Districts

For the purpose of this Ordinance, the Township of Bethel is hereby zoned in districts as follows:

R-1	Residence District
R-2	Residence District (Reserved)
R-3	Residence District
R-4	Residence District
C-1	Commercial District
C-2	Commercial District
LI-1	Industrial District
LI-2	Industrial District
T	Tank Farm
M-H	Mobile Home District

SECTION 501 Zoning Map

The boundaries of said districts shall be shown on the map attached to and made a part of this Ordinance, which map shall be known as The Zoning Map of Bethel Township. Said map and all notations, references, and dates, shown thereon are hereby incorporated by reference into this Ordinance, and shall be as much a part of this Ordinance as if all were fully described herein.

SECTION 502 District Boundaries

1. The boundaries between districts are, unless otherwise indicated, either the centerlines of streets or railroad rights-of-way, or such lines extended or lines parallel thereto.
2. Where a district boundary line divides a lot in simple and separate ownership at the effective date of this Ordinance, the use regulations applicable to the more restricted district shall apply.

ARTICLE VI: R-1 RESIDENTIAL DISTRICT

SECTION 600 General

In R-1 Residence District, the following regulations shall apply:

SECTION 601 Use Regulations

A building may be erected, altered or used, and a lot or premises may be used, for any of the following purposes and for no other:

1. Single-family detached dwelling.
2. Educational, religious or philanthropic use, hospital, when authorized as a special exception.
3. Municipal recreational use, railway or bus passenger station.
4. Agricultural use including the keeping of livestock, animal and/or poultry, customarily incidental to such use or nursery; provided, however, that the following specialized uses will be permitted only when authorized as a special exception: animal farms, riding academy, mushroom house, commercial greenhouse, permanent roadside stand for sale of farm products, and provided any such use is in compliance with state statutes and Township ordinances, and provided, further, that no piggery shall be permitted. The minimum lot area for agricultural use is 10 acres. A veterinary office is permitted by special exception.
5. The sale of farm products produced on the property where offered for sale, provided that no building or structure other than a portable stand shall be constructed for such sale, and provided that any such stand shall be removed during seasons when products are not being offered for sale.
6. Accessory use on the same lot with and customarily incidental to any of the above permitted uses, shall include a professional use or studio for home occupation if located in a dwelling in which a practitioner resides, or in a building accessory thereto, if no goods are publicly displayed on the premises, when authorized as a special exception.

SECTION 602 Area and Height Regulations

1. *Lot Area and Width*
 - A. For every principal building hereafter erected or used for any use permitted in this district, a lot without either an approved public sanitary sewage system and/or an approved public water supply shall have an area of not less than 40,000 square feet and a lot width of not less than 140 feet at the building line and a frontage not less than 25 feet wide at the street line.
 - B. For every principal building hereafter erected or used for any use permitted in this district, a lot served by both an approved public sanitary sewer system and an approved public water supply shall have an area of not less than 30,000 square feet and a lot width of not less than 125 feet at the building line and a frontage not less than 25 feet wide at the street line.
2. *Building Area*

The building area shall not exceed fifteen percent of the lot area.

3. *Front Yards*
There shall be a front yard on each street or road on which the lot abuts the depth of which shall be at least sixty (60) feet measured from the street or road line.
4. *Side Yards*
 - A. For any building or use served with either on-site water and on-site sewer facilities there shall be two side yards not less than 75 feet in aggregate width and neither less than 30 feet in width.
 - B. For any building or use served with public water and sewer facilities there shall be two side yards not less than 60 feet in aggregate width and neither less than 25 feet in width.
5. *Rear Yard*
There shall be a rear yard, the depth of which shall be at least thirty feet.
6. *Height Regulations*
The height of any principal building shall not exceed thirty-five feet.
7. *Accessory Building*
Accessory buildings shall comply with Article 19, Section 1906. Minimum setback shall comply with Article 19, Section 1907. All accessory buildings must be behind the dwelling or main building.
8. *Uses Accessory to Dwellings:*
 - A. Private garage, private parking space.
 - B. Swimming pool, tennis courts for use of family and guests only.
 - C. Private greenhouse and storage buildings for garden tools.
 - D. Stables; barn; shelter for pets, gazebos and applicable in residential districts;
 - E. Living quarters for household employees, caretakers, or watchmen.
 - F. Uses authorized in this Ordinance as necessary to a dwelling shall not be deemed to include a hospital, clinic, barbershop, beauty parlor, mortuary, other personal service shop, tearoom, hotel or any other similar use.
 - G. The renting of rooms within the same dwelling in which the lessor resides, or in a building accessory thereto for not more than four (4) non-transient persons, with or without the provisions of table board for such persons by special exception.
 - H. Offices of physician, dentist, minister, lawyer, teachers tutoring a maximum of three (3) students at one time, accountant and other similar type uses, provided that such offices may only be situated in the dwelling of such practitioner, and shall be regularly employed therein, and no colleagues or associates shall use such office. Approval for these accessory uses must be granted by special exception of the Zoning Hearing Board.

ARTICLE VII: R-2 RESIDENTIAL DISTRICT (RESERVED)

ARTICLE VIII: R-3 PLANNED RESIDENTIAL DEVELOPMENT DISTRICTS

SECTION 800 Purposes

The R-3 Planned Residential Development District is hereby established for the following purposes:

1. To respond to the increasing urbanization and of growing demands for housing of various types and designs;
2. To encourage innovations in residential development and renewals so that the growing demand for housing may be met by greater variety and type, design and layout of dwelling and by the conservation an more efficient use of open space ancillary to said dwellings;
3. To provide a procedure which can relate to type, design and layout of residential development to the particular site involved in a manner consistent with the preservation of property values within existing neighboring residential areas;
4. To encourage a more efficient use of land and of public services through private initiative;
5. To insure that the increased flexibility of regulations over land development as authorized herein is carried out under such administrative standards and procedures and shall encourage the disposition of land development proposals without undue delays; and,
6. To encourage a pattern of development, which preserves open space, trees, natural topography, prevent soil erosion and provide for parks, playgrounds and recreational areas.

SECTION 801 Administrative

The administration of the procedures concerning the application for and approval of Planned Residential Developments (PRD) shall be vested solely in the Board of Supervisors, however, all applications for preliminary and final approval of plans for such developments shall be first referred to the Delaware County and Bethel Township Planning Commissions for their review and comment, before the Board of Supervisors considers said plans.

SECTION 802 Conditions to Qualify for Planned Residential Development

1. Any tract of land shall be in one ownership, or be the subject of preliminary and final applications filed jointly by the owners of the entire land;
2. All ownership interests in any tract shall be disclosed in the preliminary and final plans;
3. Ownership interests in adjacent lands shall also be disclosed in the preliminary plans;
4. If the owner or owners intend to develop said land over a delayed time schedule, said time schedule and plan must be approved by the Board of Supervisors;
5. In order to qualify under this Ordinance as a Planned Residential Development (PRD), said development shall provide for a minimum of fifty (50) acres of land.
6. The land being used to qualify under this Ordinance shall be located in any area of the Township designated R-3 Planned Residential Development Districts with the following exceptions which shall not be areas where Planned Residential Development shall be permitted:

- A. Manufacturing districts
 - B. Flood plain areas (as designated by the Bethel Township Comprehensive Plan unless authorized by the Board of Supervisors).
 - C. Recreational areas
 - D. Institutional areas
7. In order to qualify under this Ordinance, the tract of land must be served by public water and public sanitary sewer systems.

SECTION 803 Uses Permitted

In all districts designated upon the zoning map or in this Ordinance as R-3" uses permitted in R-1 residential districts shall be permitted and the following:

1. Individually owned dwelling units as follows:
 - A. Single family detached homes;
 - B. Single family semi-detached homes;
 - C. Single family attached homes, which shall be arranged as townhouses and shall provide common areas between and around groups or clusters of houses subject to the provisions of an agreement providing for ownership and maintenance of said common areas as hereinafter provided; the terms of said agreement shall be subject to the approval by the Board of Supervisors.
2. Open space set aside under this Ordinance may be used in whole or in part in any of the following ways, subject to approval by the Board of Supervisors;
 - A. Boating and fishing;
 - B. Golf course;
 - C. Hiking and horseback riding;
 - D. Parks;
 - E. Playfields;
 - F. Playgrounds;
 - G. Picnic areas with fireplaces, tables, etc.;
 - H. Ice skating rink;
 - I. Swimming pool;
 - J. Tennis courts;
 - K. Ponds and lakes;
 - L. Woodlands;
 - M. Ski and toboggan runs.
 - N. Athletic fields
3. In tracts of land of two hundred (200) or more acres, additional uses may be permitted if approved by the Board of Supervisors.
4. Any property in the R-3 Zoning District which is not part of a Planned Residential Community shall comply with the zoning standards for the R-1 Residential Zoning District.

SECTION 804 Density

The following standards shall govern the density of dwelling units on the land within a Planned Residential Development (PRD):

1. Subject also to any other applicable density limitations set forth herein, no more than one (1) dwelling unit shall be permitted for each twenty thousand (20,000) square feet of land of the total tract being considered.
2. At least fifty (50) percent of the total tract under consideration shall be set aside and devoted to open space. Said open space shall be planned in accordance with the applicable provisions of this Ordinance, subject to the approval of the Board of Supervisors.
 - A. The plan for use of open space shall take into consideration the physical characteristics of the natural land, preservation of aesthetic beauty, necessity of recreational areas and facilities in the community, accessibility from the dwelling units in the tract and the effect on surrounding areas of the township.
 - B. The Board of Supervisors shall have the power and discretion to require unimproved open space areas to be improved prior to completion of the development of said tract or of the development of any stage of said tract if the tract is developed in stages.
 - (1) In the case of a Planned Residential Development (PRD) proposed to be developed over a period of time and in stages, a variation in the density of a stage to be developed may be permitted by the Board of Supervisors, subject to the condition that the density and uses as defined in this Ordinance and as shown on the final plan which is approved by the Board of Supervisors shall not be changed thereafter if the entire tract is not developed in stages, unless approved by the Board of Supervisors.
 - (2) There shall be a variety in types of dwelling units in any Planned Residential Development, which variety shall be approved by the Board of Supervisors.

SECTION 805 Areas and Arrangement of Housing Units

Within the overall use and density requirements as set forth in Sections 403 and 404 herein, flexibility in the arrangement of housing units on individual lots, and clusters of single family detached homes, semi-detached homes, and attached homes arranged as townhouses shall be permitted, subject to the following guidelines and the approval of the Board of Supervisors. All PRDs must have public sewer and water.

1. Single Family Detached Homes:
 - A. Lot area: not less than ten thousand (10,000) square feet;
 - B. Lot width: not less than eighty (80) feet;
 - C. Frontage: not less than twenty-five (25) feet;
 - D. Building Area: not more than twenty (20) percent of lot area;
 - E. Front Yard on abutting street: not less than forty (40) feet in depth;
 - F. Side Yards: one on each side of building, together having an aggregate minimum width of twenty-five (25) feet, but neither being less than ten (10) feet in width;
 - G. Rear Yard: not less than thirty (30) feet in depth.
2. Single Family Semi-Detached Homes and End Unit of Town Houses:
 - A. Lot area: not less than eight thousand (8,000) square feet;
 - B. Lot width: not less than fifty (50) feet at the building line;

- C. Frontage: not less than fifty (50) feet;
- D. Building Area: not more than thirty (30) per cent of lot area;
- E. Front Yard on abutting street: not less than forty (40) feet in depth;
- F. Side Yards: at least one for each home not less than fifteen (15) feet in width;
- G. Rear Yard: not less than thirty (30) feet in depth.

3. Single Family Attached Homes: Interior Lot

- A. Lot area: not less than four thousand (4,000) square feet;
- B. Lot width: not less than twenty (20) feet at the building line;
- C. Frontage: not less than twenty (20) feet at the street line;
- D. Front Yard: not less than forty (40) feet from an interior road right of way of the Planned Residential Development;
- E. Floor Area: not less than one thousand two hundred (1,200) square feet of habitable floor area;
- F. Rear Yard: not less than thirty (30) feet in depth;
- G. Height of Buildings: not more than thirty-five (35) feet from ground slab;
- H. Number of Homes: not more than six (6) townhouses in each group or cluster of single family attached homes;
- I. No part of a cluster or group of single-family attached homes shall be erected within one hundred fifty (150) feet of any other building in the Planned Residential Development. This shall serve as a buffer area between clusters or groups of single family attached homes and shall be part of the open space of the planned Residential Development.
- J. Parking: each single family attached home shall have three (3) off-street parking spaces, at least one of which shall be in a garage on the premises;
- K. In no event shall more than ten (10) per cent of the entire tract be occupied by dwellings;
- L. The Township shall not be obligated to accept the dedication of streets and/or roads within a Planned Residential Development (PRD), but shall have the option of doing so. The roads and streets within a Planned Residential Development (PRD) however, must conform to all the requirements applicable to the size, design and construction of township roads and streets.
- M. Flexibility of development to complement the existing neighboring properties and the Township as a whole is a prime objective of this Ordinance; the combination of well-designed architecture and site planning in a Planned Residential Development (PRD) is encouraged.

4. Accessory Building

Accessory buildings shall comply with Article 19, Section 1906. Minimum setback shall comply with Article 19, Section 1907. All accessory buildings must be behind the dwelling or main building.

5. Uses Accessory to Dwellings:

- A. Private garage, private parking space.
- B. Swimming pool, tennis courts for use of family and guests only.
- C. Private greenhouse and storage buildings for garden tools.
- D. Stables; barn; shelter for pets, gazebos and applicable in residential districts;
- E. Living quarters for household employees, caretakers, or watchmen.
- F. Uses authorized in this Ordinance as necessary to a dwelling shall not be deemed to include a hospital, clinic, barbershop, beauty parlor, mortuary, other personal service shop, tearoom, hotel or any other similar use.
- G. The renting of rooms within the same dwelling in which the lessor resides, or in a building accessory thereto for not more than four (4) non-transient persons, with or without the provisions of table board for such persons by special exception.

- H. Offices of physician, dentist, minister, lawyer, teachers tutoring a maximum of three (3) students at one time, accountant and other similar type uses, provided that such offices may only be situated in the dwelling of such practitioner, and shall be regularly employed therein, and no colleagues or associates shall use such office. Approval for these accessory uses must be granted by special exception of the Zoning Hearing Board.

SECTION 806 Open Space

1. Areas set aside for open space under this Ordinance shall be consistent with the comprehensive plan of the Township for future land use. Any such areas shall not contain any structure other than one related to a recreational use as provided by Section 803, (2), within the Planned Residential Development (PRD). Common Open Space shall be set aside for the use and benefit of the residents in the Planned Residential Development (PRD).
2. The deed or deeds to any land set aside as open space must contain a restriction, in a form acceptable to the Board of Supervisors, to be duly recorded in the Office for Recording of Deeds, in and for Delaware County, eliminating the possibility of further subdivision of said open space in the future. All persons or corporations with an interest in said tract must agree in writing to said restrictions, including all mortgages.
3. The developer of a Planned Residential Development (PRD) shall make adequate provision for the ownership and continuing maintenance of open space and improvements thereon by the establishment of a homeowner's organization which is approved by the Board of Supervisors. Such homeowners organization shall not be dissolved nor shall it dispose of any or all of the open space in any manner whatsoever, except to a separate organization of homeowners conceived and established to own and maintain said open space. Nothing contained herein, however, shall preclude all or parts of the open space from being dedicated to the public by the acceptance of a deed of dedication by the Board of Supervisors, at their sole discretion.
4. The developer of a Planned Residential Development (PRD) shall submit full details concerning the proposed homeowners organization, its powers, rights, duties, responsibilities, etc., in regard to ownership, maintenance, etc. of the common open space, which shall be subject to approval by the Board of Supervisors. The Board of Supervisors without such prior approval shall approve no final plan.

SECTION 807 Application for Preliminary Approval of Planned Residential Development

1. An application for preliminary approval of a Planned Residential Development (PRD) by the Board of Supervisors shall be filed and signed by the owner or owners of all the land contained in the tract and shall be accompanied by a fee of fifty dollars (\$50.00) per dwelling unit in said application. Said application shall be filed with the Township Secretary.
2. An application for preliminary approval of a Planned Residential Development (PRD) shall be informative and shall contain a detailed plan consisting of the following:
 - A. The location, size and topography of the entire tract and adjacent properties, including a detailed site analysis which must include existing slopes (topography), vegetation, flood plain areas, soil erosion, existing man-made facilities and adjacent land use;
 - B. The nature and interest of any and all owners of all adjacent neighboring tracts of land;
 - C. The density of land use to be allocated to parts of the tract to be developed;

- D. The specific details of the proposed homeowners= organization created to own, homeowners agreements, etc., concerning ownership and maintenance of said maintain and improve the open space, along with the proposed deed, restrictions, open space;
 - E. The specific location of public water and public sanitary sewer lines;
 - F. The use, dimensions, location, architectural design, and elevations of all buildings and structures, including architectural schematics;
 - G. The covenants, restrictions, grants of easements of any other restrictions to be imposed on the use of land, buildings, and structures, including the location of the proposed easements for public utilities;
 - H. The provisions for parking of vehicles and the location and width of all proposed streets and public and/or private rights-of-way;
 - I. The existing zoning applicable to said tract;
 - J. The specific uses of the open spaces, and the condition of said open space at such time it is turned over to the Homeowners = Organization, and the proposed date or dates thereof;
 - K. In the event that the application for preliminary approval calls for a development of the entire tract over a period of time, the time schedule proposed for such development, as well as a time schedule showing approximately when applications for final approval of all sections will be filed; all such time schedules shall be updated annually until development is completed and accepted, and shall be changed only with the approval of the Board of Supervisors.
3. The application for preliminary approval of a Planned Residential Development (PRD) shall include a written statement by the landowner or owners setting forth the reasons why in his opinion, a Planned Residential Development (PRD) would be in the public interest and would be consistent with the Comprehensive Plan for the development of the Township.

SECTION 808 Application for Final Approval of Planned Residential Development (PRD)

- 1. An application for final approval shall be for all the land included in a development plan. Said application shall be made to the Township and within the time or times specified by the official written communication granting preliminary approval. The application shall include any drawings, specifications, covenants, easements, performance bond, and such other requirements as may be specified by this Ordinance as well as any conditions set forth in the official written communication from the Board of Supervisors at the time of preliminary approval, or by the subdivision and sanitary sewer ordinances, or by the ordinance and regulations of Bethel Township, as amended as of the date of application.
- 2. Plans submitted for final approval of a Planned Residential Development (PRD) shall be prepared in accordance with the requirements for final subdivision plans not inconsistent herewith.
- 3. The design of streets, sewers, storm drainage, sidewalks, curbing, and all public improvements shall be in strict accordance with the Bethel Township building, zoning, subdivision, and other applicable ordinances consistent herewith.
- 4. The Bethel Township Ordinances, as amended, shall govern the construction and acceptance of all public improvements including the provisions for requirement of performance and maintenance bonds.

The Planned Residential Development (PRD) Ordinance and all applications for preliminary and final approval of a Planned Residential Development shall be interpreted by the Board of Supervisors in relation to the Comprehensive Plan of Bethel Township, as amended from time to time.

ARTICLE IX: R-4 RESIDENCE DISTRICTS

SECTION 900 Purposes

The R-4 Residence District is hereby established as a district in which regulations are intended to permit and encourage a variety of housing types in an attempt to provide for the expanding regional population.

SECTION 901 Use Regulations

A building or group of buildings may be erected or used and a lot may be used or occupied for any of the following purposes, and no other:

1. Any use permitted in R-1 Residence District subject to all regulations contained in ARTICLE VI.
2. Low-density multi-family dwellings, after approval of the plan in accordance with planned development provisions, and provided that the proposed use complies with the special area, buffer and other requirements.
3. Single-family semi-detached.
4. Two-family detached.
5. Two-family semi-detached.
6. Townhouse.
7. Accessory use on the same lot with and customarily incidental to the above permitted use. Accessory use shall not include a business, except as permitted below where such use is located within an apartment building.
 - A. Private garage or off-street parking lot or area.
 - B. In conjunction with an apartment development, accessory office of commercial use, such as a restaurant or personal service shop, and provided that:
 - (1) Each accessory use is located entirely within an apartment building and is located on the ground floor.
 - (2) The total area devoted to accessory use shall not exceed five percent of the total floor area of the building in which located, excluding basement and garage, except that in the case of a building four stories or more in height, an additional five percent of the total floor area of a building may be utilized, for accessory use.
 - (3) The gross floor area of any one office, store, shop, or similar use, except in the case of a restaurant, shall not exceed 1,500 square feet.
 - (4) There shall be no entrance to any office, store, shop, restaurant, or similar use except from inside the apartment building.

There shall be no display of merchandise, signs, or advertising visible from the street or property line

8. Accessory Building
Accessory buildings shall comply with Article 19, Section 1906. Minimum setback shall comply with Article 19, Section 1907. All accessory buildings must be behind the dwelling or main building.

9. Uses Accessory to Dwellings:
 - A. Private garage, private parking space.
 - B. Swimming pool, tennis courts for use of family and guests only.
 - C. Private greenhouse and storage buildings for garden tools.
 - D. Stables; barn; shelter for pets, gazebos and applicable in residential districts;
 - E. Living quarters for household employees, caretakers, or watchmen.
 - F. Uses authorized in this Ordinance as necessary to a dwelling shall not be deemed to include a hospital, clinic, barbershop, beauty parlor, mortuary, other personal service shop, tearoom, hotel or any other similar use.
 - G. The renting of rooms within the same dwelling in which the lessor resides, or in a building accessory thereto for not more than four (4) non-transient persons, with or without the provisions of table board for such persons by special exception.
 - H. Offices of physician, dentist, minister, lawyer, teachers tutoring a maximum of three (3) students at one time, accountant and other similar type uses, provided that such offices may only be situated in the dwelling of such practitioner, and shall be regularly employed therein, and no colleagues or associates shall use such office. Approval for these accessory uses must be granted by special exception of the Zoning Hearing Board.

SECTION 902 Area and Height Regulations

1. Multi-family Dwellings

A. *Lot Area and Width*

Every lot on which multi-family dwellings or group of multi-family dwellings is hereafter erected or used shall have an area of not less than twenty (20) acres, and such lot shall not be less than 750 feet in width at the building line. The total number of dwelling units shall not exceed 15 per acre.

B. *Building Area*

Not more than 10 per cent of the area of each lot, exclusive of garage area, may be occupied by buildings, and the total floor area 50 percent of the lot area.

C. *Building Placement*

No building shall be located less than 250 feet from a street right-of-way line, nor less than 300 feet from a side or rear property line, and no parking, loading or service area shall be located less than 150 feet from a street right-of-way or other property line.

D. *Height Regulations*

No multi-family dwelling shall exceed three (3) stories or 45 feet in height exclusive of basement.

2. Every tract used or occupied for any of the following uses shall have an area of not less than ten acres and each dwelling shall satisfy the following regulations and in no event shall the gross density exceed six dwelling units per acre.

	Minimum Lot Area per Dwelling	Minimum Lot Width
Single-family semi-detached	4,000 square feet	40 feet
Two-family detached	3,000 square feet	60 feet
Two-family semi-detached	2,500 square feet	50 feet
Townhouse - Single Family Attached	2,000 square feet	20 feet

A. *Front Yards*

There shall be a front yard on each lot, which shall be not less than twenty-five feet in depth.

B. *Side Yards*

(1) On each interior lot side yards shall be provided in accordance with the following:

	Min. # Yards	Min. Agg. Width	Min. for Any One
Single-family semi-detached	1	15 feet	15 feet
Two-family detached	2	25 feet	10 feet
Two-family semi-detached	1	15 feet	15 feet
Townhouse - End Unit	1	15 feet	15 feet

C. *Rear Yards*

There shall be a rear yard on each lot the depth of which shall be not less than twenty-five (25) feet, except that an accessory use structure may be erected within the rear yard not closer to the rear property line than seven (7) feet.

D. *Building Coverage*

The maximum percentage of the area of each lot, which may be occupied by buildings, shall be in accordance with the following:

	Maximum Coverage
Single-family semi-detached	25 %
Two-family detached	30%
Two-family semi-detached	35%
Townhouse - End Unit	40%

G. *Height Regulations*

No structures or building shall exceed thirty-five (35) feet in height exclusive of basement.

SECTION 903 Special Regulations

1. Along each side or rear property line which directly abuts a single-family residence district in the Township or an adjoining municipality, a buffer yard of not less than thirty (30) feet in width shall be provided for all uses other than single-family dwellings. The Buffer Yard shall contain Landscape plantings in accordance with Section 2000.
2. In R-4 Residence Districts all streets shall have a minimum cartway width of 35 feet and a minimum right of way of 60 feet.
3. In addition to the requirements of this Article, all applicable regulations contained in Articles XII: Signs, XIII: Off-Street Parking, XIV: General Regulations, and SV: Performance Standards shall be satisfied.
4. At least 50 percent of the off-street parking area shall be under cover (such as underground private garage).
5. No less than 20 percent of a total tract shall be used for permanent open space. Buffer yards may be used in computing open space but no individual lot area, private or public street right-of-way, or parking area shall be used for permanent open space.
6. Not more than six townhouses in each group or cluster of single-family attached dwelling units shall be permitted.
7. Community facilities shall be provided in accordance with Section 413 of the Township Subdivision and Land Development Regulations except that for every 30 dwelling units of fraction thereof, there shall be a lot of 20,000 sq. ft. set aside for recreational purposes with facilities to be approved by the Board of Supervisors. Steep slopes (exceeding 15%), wooded areas, and flood plains may make up as much as 50 percent of the required common open space land. A minimum of 50 percent of the open space land must be relatively flat, dry ground, not exceeding the average percent of slope of the development and shall be suitable for the intended purpose. Whenever storm water management facilities or retention basins are utilized as a portion of recreation open space, it is recommended that the basic design be such as to provide for appropriate dual use as recreation.
8. Any tract of land to be developed, other than R-1 single-family dwellings, shall be served by public water and public sanitary sewer systems.
9. There shall be a variety in types of dwelling units, such variety to be approved by the Board of Supervisors.
10. Trash shall be stored behind the front of the house.

ARTICLE X: R-M MOBILE HOME DISTRICT

SECTION 1000 Statement of Intent

The Board of Supervisors of the Township of Bethel is of the opinion and finds that this proposed Zoning District would promote, protect and facilitate the public health, safety, morals and general welfare and would provide for reasonable community development, proper density and to provide a variety of housing types.

SECTION 1001 Definitions

Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this section the meanings given in the following clauses.

1. **Accessory Building or Structure:** A subordinate building or structure which is an addition to or supplements the facilities provided by a mobile home, such as awnings, cabanas, ramadas, storage structures, carports, porches, fences, skirting or windbreaks.
2. **Awning:** A shade structure supported by posts or columns and partially supported by a mobile home installed, erected or used on a mobile home lot.
3. **Awning, Free Standing:** A shade structure supported entirely by columns or posts and not attached to or supported by a mobile home or structure.
4. **Awning Window:** A shade structure supported wholly by the mobile home or building to which it is attached.
5. **Carport:** An awning or shade structure for a vehicle or vehicles, which may be freestanding or partially supported by a mobile home.
6. **Common Area:** Any area or space designed for joint use of residents of Mobile Home Developments.
7. **Community Management:** The person who owns or has charge, care or control of the Mobile Home Development.
8. **Density:** The number of Mobile Homes or Mobile Home Stands per acre of gross area.
9. **Diagonal Tie:** Any tie down designed to resist horizontal or shear forces and which deviates not to less than 30 degree from a vertical direction.
10. **Driveway:** A minor private way used by vehicles and pedestrians on a mobile Home lot or common access to a small group of lots or common facilities.
11. **Easement:** A vested or acquired right to use land, other than as a tenant, for a specific purpose; such right being held by someone other than the owner who holds title to the land.
12. **Electrical:** Park Electrical Wiring System: All of the electrical wiring, fixtures, equipment and appurtenances related to electrical installations within a mobile home park or subdivision, including the mobile home service equipment.

13. **Feeder Assembly:** The overhead or under chassis feeder conductors, including the grounding conductor, together with the necessary fittings and equipment, or a power supply cord listed for mobile home use, designed for the purpose of delivering energy from the source of electrical supply to the distribution panel board within the mobile home.
14. **Fence:** A vertical structure or enclosure designed as a barrier and erected as a freestanding unit.
15. **Ground Anchor:** Any device at the mobile home stand designed for the purpose of securing a mobile home to the ground.
16. **Lot Area:** The total area reserved for exclusive use of the occupants of a mobile home.
17. **Lot Line:** A line bounding the lot as shown on the accepted plot plan.
18. **Mobile Home:** A structure, transportable in one or more sections, which when erected on site measures eight body feet or more in width and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Each mobile home shall be constructed in accordance with the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C., 5402 et. seq. and in conformance with the provisions of the BOCA Code adopted by the Township of Bethel and the requirements of the Manufactured Housing Construction and Safety Standards Authorization Act of 1982.
19. **Mobile Home Community:** A mobile home development and related facilities including the mobile homes and all residents within the development.
20. **Mobile Home Lot:** A parcel of land for the placement of mobile home and the exclusive use of its occupant.
21. **Mobile Home Park:** A parcel (or contiguous parcels) of land which has been so designed and improved that contains fifteen (15) or more mobile home lots available to the greater public for rent and the placement thereon of mobile homes for occupancy which shall be held under one ownership.
22. **Mobile Home Stand:** The outline of the actual mobile home including the paved portions of any outdoor living area. Proposed or anticipated structural additions to a mobile home such as carports, cabanas, or attached storage area shall be considered part of the mobile home stand.
23. **Person:** A person within the meaning of this Ordinance shall include any individual, corporation, partnership, limited partnership who owns, has charge of or care of and control of any mobile home development.
24. **Pier:** A concrete pillar 12 to 16 inches in circumference usually placed 3 feet in the ground and used for support of mobile homes.
25. **Porch:** An outside walking area having the floor elevated more than eight inches above the grade.
26. **Private Street:** A private way, which affords principal means or access to abutting individual mobile home lots and community service facilities. Community Management shall be responsible for the maintenance of all private streets.
27. **Public Water and Public Sewer:**

- A. **Public water** or any municipally or privately owned water system with a Certificate of Public Convenience from the Pennsylvania Public Utilities Commission for the distribution and sale of water, in accordance with the laws of the Commonwealth of Pennsylvania.
 - B. **Public sewer** or any municipally or privately owned sewer system in which sewage is collected from buildings and piped to an approved sewage disposal plant or central septic tank disposal system and approved by the Pennsylvania Department of Environmental Resources. It may also be referred to an off-lot or off-site sewer. All sewage systems shall be constructed in accordance with the Bethel Township Sewer Authority construction standards.
- 28. **Sewer Riser Pipe:** That portion of the sewer lateral to which extends vertically to the ground elevation and terminates at each mobile home space.
 - 29. **Skirts:** Panels specifically designed for the purpose of screening the underside of a mobile home by forming an extension of the vertical exterior walls for the mobile home and covering the entire distance between the bottom of the exterior walls and the ground elevation below.
 - 30. **Storage Structure:** A structure located on a mobile home lot which is designed and used solely for the storage and use of personal equipment and possessions of the mobile home occupants; said structure to comply with the requirements of Article II, Sec. 302 (9) of this Ordinance.
 - 31. **Tiedowns:** Any device designed for the purpose of anchoring a mobile home to ground anchors.
 - 32. **Windbreak:** A vertical wall structure designed and erected as a freestanding unit, the vertical surface of which is not more than 50 percent open.
 - 33. **Travel Trailer:** A trailer used for temporary residence or for vacation purposes designed to be mobile with permanently attached tires.

Section 1002 Permits and Certificate of Registration

- 1. **Permits Required:** It shall be unlawful for any person to maintain, construct, alter or extend any mobile home park within the limits of Bethel Township unless he holds a valid certificate or registration issued by the Pennsylvania Department of Environmental Resources in the name of such person and also a permit issued by the Township of Bethel.
- 2. **Application to Bethel Township:** A copy of any required State application shall be concurrently filed with the Board of Supervisors, and the applicant shall also submit an application to the Board of Supervisors using a form furnished by the Board of Supervisors for a permit to operate a mobile home park in Bethel Township.
- 3. **Renewal Permits:** Renewal permits shall be issues annually by the Board of Supervisors conditioned upon the Applicant furnishing proof that his park has continued to meet the standards prescribed by the Pennsylvania Department of the Environmental Resources and this Ordinance.

A representative of the Board of Supervisors may inspect a mobile home park at reasonable intervals, and at reasonable times, to determine compliance with this Ordinance.

The permit shall be conspicuously posted, in the office or on the premises of the mobile home park at all times.

- 4. Compliance of Existing Mobile Home Parks:** Mobile home parks in existence at the date of the adoption of this Ordinance and duly authorized to operate as same by the Department of Environmental Resources may be continued so long as they otherwise remain lawful.

Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a mobile home park permit as required under Sections 901 and 902 of this Ordinance.

Any subsequent new construction, alteration or extension of an existing mobile home park shall comply with the provisions of this Ordinance.

Any existing mobile home park shall be required to comply with the Bethel Township Fire Code, the requirement of the Pennsylvania Department of the Environmental Resources and the requirements of this Ordinance within a reasonable period of time after the enactment of this Ordinance as determined by the Board of Supervisors.

Section 1003 Fees

The initial permit fee for each mobile home park shall be \$100.00 plus an additional \$5.00 for each mobile home space shown by plot plan and due when the plot is filed.

The annual renewal permit fee for each mobile home park shall be \$100.00.

The fee for transfer of a permit shall be \$5.00.

In addition to the above, the Applicants shall reimburse the Township for all reasonable engineering, planning and legal expenses incurred by the Township for services rendered by the Township Engineer, Township Planner and the Township Solicitor with respect to the review of the Application for Permit.

Section 1004 Application for Permit

The application shall be on a form prepared by the Township and shall be signed by the Owner.

The Board of Supervisors shall act on the application within 120 days of the time of the application is submitted on the fees paid.

The Board of Supervisors shall submit a copy of the application and plans to the Planning Commissions for their review and recommendation.

Upon the recommendation of the Planning Commission, the Board of Supervisors shall consider the application and Mobile Home Park plan to determine the compliance with the provision hereof. Upon favorable determination of same, and upon being furnished a copy of the certificate of registration issued by the Pennsylvania Department of Environmental Resources to the owner, and payment of the fee prescribed herein, said Board of Supervisors shall issue a mobile home park permit to the owner which shall be valid for a period of one (1) year thereafter.

Section 1005 Site Requirements

- 1. Site Location:** The location of all mobile home parks shall be in a mobile home park zoning district and shall comply with the following minimum requirements:

Free from adverse influence by swamps, marshes, garbage or rubbish disposal area or other potential places for insects or rodents.

Not subject to flooding.

Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.

2. **Site Layout and Minimum Requirements:** Every site to be used as a mobile home park shall have a total area of 10 contiguous acres or more, served by both an approved public water supply and an approved public sanitary sewer system.

Minimum single mobile lot size shall be 6,000 sq. ft.

Density shall not exceed 5 mobile homes or mobile home stands per acre of gross area of entire tract excluding flood plan areas and areas of excessive slope.

Minimum setback from cartway shall be 30'.

Minimum side yards shall be 10'.

Minimum rear yards shall be 10'.

Lot width at building line shall be 60' min.

Lot depth from edge of cartway to rear line shall be not less than 100'.

Accessory Building; Accessory buildings shall comply with Article 19, Section 1906. Minimum setback shall comply with Article 19, Section 1907. All accessory buildings must be behind the dwelling or main building.

3. **Building Area:** The Building area shall not exceed twenty-five percent (25%) of the lot area.

4. **Buffer Yards**

- A. A buffer yard of 100 feet shall be maintained between the mobile home district and all other districts.

- B. The buffer yard shall contain landscape plantings according with Section 2000.

Section 1006 Design Standards Drainage

1. **Site Drainage Requirements**

- A. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.

- B. Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled in a manner approved by the Pennsylvania Department of Environmental Resources.

- C. Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile park.

Section 1007 Roads, Street Design and Parking Standards

1. General

Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance and exit and allow free movement of traffic on adjacent public roads. At least two (2) points of egress shall be provided. The second point of access when provided for emergency purposes only may traverse open space, grass, etc. Exception to this standard may be permitted when main entrance to developments are designed with one-way ingress and egress points. All ingress and egress points must be on Pennsylvania Highways or Township roads.

The overall circulation system should be designed to create a functional circulation pattern for safe and convenient access not only for pedestrians, but for vehicles as well. The primary concern should be as follows:

- A. Create a separation of automobile and pedestrian circulation through a hierarchy of entrance, secondary, primary and walkway systems;
- B. Create efficient and safe connections with the existing road systems of the municipality on order to ensure proper ingress and egress to and from the development;
- C. To minimize auto intrusion into neighborhood unit;
- D. Encourage curvilinear road systems with flowing horizontal and vertical alignments, designed for slow moving vehicles;
- E. All streets, whether intended to be dedicated or not, are to be paved in conformity with Bethel Township road and street specifications.

The street design should discourage the unnecessary removal of trees or open space.

Section 1008 Classification of Streets

New residential streets in a mobile home park may be classified as follows:

1. **Entrance Road:** To provide direct access to a public street and should be designed to allow free movement of traffic on such adjacent public streets.
2. **Secondary Residential Road:** This road should be designed to conduct traffic to and from common parking areas and individual lots.
3. **Primary Residential Road:** The function of this street is to conduct traffic between secondary and collector roads.
4. **Parking Entrance Road:** No parking shall be permitted on the entrance road for a distance of 100 feet from its point of beginning.

Entrances may be focused on community buildings, facilities or natural features rather than on residential living areas.

1. Street Intersections

Multiple intersections involving junction of more than two (2) streets or driveways shall be avoided.

Streets entering opposite sides of any street should be laid out either directly opposite one another or with a minimum offset of one hundred fifty (150) feet between their centerlines.

Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than sixty (60) degrees.

2. Rights-of-Way and Cartway Widths

The following table is a general guide to the dimension standard for the various classifications of the above streets.

Table 7				
	R.O.W. (ft.)	Cartway (ft.)	Curb or gutter	Sidewalk
Entrance Road	50	28	Curb	Optional
Secondary Road	50	24	Rolled gutter	Optional
Primary Road	50	28	Curb	Mandatory

3. Street Grades

The maximum street grades, wherever feasible, shall not exceed the following:

- A. Entrance Road: Six (6) percent. At any intersection this grade shall not be greater than four (4) percent.
- B. Secondary Road: Eight (8) percent. Short lengths with a maximum grade of ten (10) percent may be permitted, provided traffic safety is assured.

Cul-de-Sacs

Dead end streets (cul-de-sac) designed to be so permanent shall be provided at the closed end with a turnaround having an outside cartway radius of at least forty (40) feet and a right-of-way line radius of at least fifty (50) feet. Such streets shall be not longer than five hundred (500) feet, measured from its intersection centerline to the center of the turnaround, except where topographical or other conditions make this limitation impracticable as determined by the Planning Commissions and Board of Supervisors.

4. Sidewalks/Walkways

Sidewalks shall be provided in locations where pedestrian traffic is concentrated; for example, to the entrance, and to the office and other important facilities. Walkways shall preferably be through interior areas removed from the vicinity of streets.

Width, alignment and gradient of walkways shall be appropriate for safety, convenience and appearance, and shall be suitable for pedestrian use and for the circulation of small-wheeled vehicles such as wheelchairs, baby carriages and service charts.

Width shall generally be at least four (4) feet for common walks. Individual walks to units may be reduced to three (3) feet; all walks shall be constructed of concrete or brick.

Sudden changes in alignment and gradient shall be avoided.

Walks shall not be used as drainage ways.

5. Driveways

Driveways shall be provided on the individual mobile home lot where necessary for convenient access to the mobile home stand. Where units are clustered and using common parking areas, lots are not required to provide individual driveways.

The driveway designed to serve a single mobile home lot shall be a full-width driveway. It shall be a minimum of 10 feet.

The entrance shall have a minimum radius of 5 feet for adequate safe and convenient ingress and egress.

6. Parking Standards

Off street parking spaces shall be provided in sufficient number to meet needs of the occupants of the development and their guests. Each unit shall be provided with a minimum of two (2) off-street parking spaces plus an additional car space for each four (4) lots to provide for guest parking.

Required car parking spaces shall be located for convenient access to the mobile home stands. At least one car space shall be located on each lot and the other space may be located in adjacent parking bays.

Each parking space shall have a minimum area of 200 square feet.

Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space without the moving of any other motor vehicles.

The standard for common parking areas designed for ten (10) or more cars shall comply with the following table.

The design standards listed in Table 5 below shall be required for all off-street parking facilities.

A) The minimum dimensions of stalls and aisles shall be as follows:

			Maneuvering Aisle	
Position	Stall Width	Stall Depth	One-way	Two-way
90	10	20	20	24
60	10	20	18	20
45	10	20	16	18
30	10	18	14	18
Parallel	8	23	12	18

Section 1009 Plan Requirements

The plan of a proposed Mobile Home Park shall be clearly land legible drawn to a scale of one (1) inch equals fifty (50) feet, except that larger scales may be used for Mobile Home Parks in excess of twenty (20) acres.

A registered surveyor or engineer, landscape architect, land planner or other similarly qualified person shall prepare Mobile Home Park plans.

The plan shall show:

Name of the proposed mobile home park

North point, graphic scale and date, including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision, if any.

Name of the record owner and developer.

Name and address of registered surveyor or engineer, landscape architect, land planner or other similarly qualified person responsible for the plan.

Names of all abutting property owner, if any, with the County Recorder of Deeds book and page numbers where recorded.

A key map, for the purpose of locating the property being subdivided, showing the relationship to adjoining property and to all streets, roads, municipal boundaries, and recorded sub-division plans existing within on-thousand (1,000) feet of any part of the property.

Total tract boundaries of the property being subdivided, showing bearings and distances, and a statement of total acreage of the property.

Contour lines at vertical intervals to two (2) feet to land with average natural slope of four (4) percent or less, and at intervals of five (5) feet for land with average natural slopes exceeding four (4) percent.

Location and elevation of the datum to which contour elevations refer; where reasonably practicable, datum used shall be a known, established benchmark.

All existing sewer lines, water lines, underground pipe lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, water courses, flood plains and significant man-made or natural features within the proposed mobile home park and within fifty (50) feet from the boundaries of the proposed mobile home park.

All existing building or other structures, and the approximate location of all existing tree masses, within the proposed mobile home park.

All existing streets, including streets of record (recorded but not constructed), on or abutting the tract, including names, right-of-way, widths, cartway (pavement) widths and approximate grades.

The full plan of proposed development, including:

Location and width of all streets and rights-of-way, with a statement of any condition governing their use.

Proposed building setback lines along each street.

Lot lines with dimensions.

A statement of the intended use of all nonresidential lots and parcels.

Lot numbers and a statement of the total number of lots and parcels.

Sanitary and/or storm sewers (and other drainage facilities) with the size and material of each indicated, and any proposed connections with existing facilities.

Parks, playgrounds, street and other areas dedicated or reserved for public use, with any conditions governing such use.

The plan shall be accompanied by the following drawing(s) for all proposed streets. Cross-section drawings may be shown on either the plan of on the profile sheets.

Streets to be offered for public dedication shall have profiles prepared along the top of the cartway (pavement) edges or along the top of curb for both sides of each proposed street shown on the plan. Such profiles shall show natural and finished grades at the following scale, or a ratio thereof.

One (1) in equal to ten (10) feet horizontal and one (1) inch equals one (1) foot vertical.

Designs of any bridges or culverts, which may be required. Such designs shall meet all applicable requirements of the water and power resources board and/or the Pennsylvania Department of Highways. The developers shall supply the Township at the time of the filing of the plan with a copy of the proposed Rules and Regulations for the management of the park.

Section 1010. Water Supply

1. General Requirements

A supply of public water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Ordinance and approved by Pennsylvania D.E.P.

2. Water Distribution System

All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations.

A public supply of water must be provided and fire hydrants shall be installed as agreed upon by the Board of Supervisors and the agency responsible for supplying water.

An as-built drawing of the water distribution systems shall be submitted to the Township.

3. Individual Water-Riser Pipes and Connections

Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

The water-rise pipe shall have a minimum inside diameter of 3/4 inches and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with cap when a mobile home does not occupy the lot.

Adequate provisions shall be made to prevent freezing of service lines valves and rise pipe and to protect risers from heaving a shoving actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless their types of manufacture and their method of installation are approved by the Board of Supervisors.

Section 1011 Sewage Disposal

1. General Requirements

An adequate and safe sewage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service building and other accessory facilities. Such system shall be connected to a Public Sewage System. All sewage disposal systems are built to the specifications and approved by the Bethel Township Sewer Authority and D.E.P.

2. Individual Sewer Connections

Each mobile home stand shall be provided with at least a four-inch (4") diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.

The sewer connection (see definition) shall have a minimal inside diameter of not less than three inches (3") and the slope of any portion thereof shall be at least on fourth inch (1/4") per foot. All joints shall be watertight.

All material used for sewer connections shall be semi rigid, corrosive, non-adsorbent and durable. The inner surface shall be smooth.

Provisions shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half inch (2") above the ground elevation.

3. Sewer Lines

Sewer and water lines each shall be laid in separate trenches with a horizontal distance of at least ten feet (10') from each other, except that these lines may be laid in the same trench by placing the water pipe on a shelf of undisturbed earth above and to one side of the caulked tight sewer line.

Developer or owner shall supply Township with an as-built plan for the sewage disposal facilities.

Section 1012 Electrical Distribution System

1. General Requirements

Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances that shall be installed and maintained in accordance with local electric power company's specifications regulating such systems. All wiring to be installed underground. An as-built plan of the electric distribution system shall be delivered to the Township.

2. Power Distribution Lines

All direct burial conductors or cable shall be buried at least eighteen inches (18") below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one-foot (1') radial distance from water, sewer, gas or communication lines.

3. Individual Electrical Connections

Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 60 amperes.

The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a make attachment plug.

Where the calculated load of the mobile home is more than sixty (60) amperes either a second outlet receptacle shall be installed or electrical service shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment. All outside electrical outlets and bathroom outlets in mobile homes shall be provided with Ground Fault Interrupters.

Section 1013

1. Refuse Collection Stations

Outdoor collection stations shall be provided for garbage and trash removal when individual collection is not made and indoor storage is not provided.

Collection stations shall be located so as to be separated adequately from habitable buildings to avoid being offensive but, at the same time, be convenient for both collectors and residents. The station shall be screened and landscaped.

The method of trash disposal shall be stated in the application for a mobile home park.

All refuse shall be stored in flytight, watertight, rodent proof containers, which are safe from use or misuse by children. Containers shall be provided in sufficient numbers and capacity to properly store all refuse. Rubbish shall be collected and disposed of as frequently as may be necessary to insure that the containers shall not overflow. The owner of the Park shall be responsible for trash pickup and disposal.

Section 1014 Open Space and Recreation Area

1. A minimum of twenty-five percent (25%) of the total site shall be used for open space. Up to one-half (1/2) of this requirement (12.5) percent of the total site, may be met in areas of flood plains, steep slopes, required setbacks and buffer areas or other undevelopable areas. The remaining one-half (1/2) (12.5 percent of the total site) must be developed on useable open space exclusive of required buffers, and may include swimming facilities, community buildings, tot lots, and other recreational uses as needed. All open space shall be free of traffic hazards and located so as to be easily accessible to most residents of the park. It shall be maintained without extra charge by the park management.

Where no existing trees are retained along street right-of-way; trees shall be planted at intervals of not less than fifty (50) feet, depending on species; and preferably in a mixture of types rather than in a pure stand of one type.

2. Travel Trailer Lots and Campsites

Travel trailer lots and campsites shall be located in a special and separate area than those lots provided for mobile homes. These lots shall have a minimum gross area of one thousand (1,000) square feet; the minimum width shall be twenty (20) feet. All travel trailer lots shall meet all other standards contained in this Ordinance for mobile home lots and for mobile home stands.

The ratio of travel trailer lots and campsites shall not exceed ten percent (10%) of the mobile home sites, and in no case shall the total number exceed fifteen (15) sites.

Under no circumstances shall this provision be considered as adding to the number of units allowed pursuant to Sec. 1005.2 (Density Requirements) of this Ordinance.

Section 1015 Fire Protection

Every mobile home is to be equipped with a fully charged fire extinguisher, approved by the Fire Underwriters Laboratories (a B-C classification type 10lb capacity) bearing the Underwriters label.

Each mobile home is to be equipped with a working smoke detector approved by the Fire Underwriters and bearing the Underwriters label.

No open fires shall be permitted at any place, which may endanger life or property. No fires shall be left unattended at any time.

Park area shall be kept free of litter, rubbish and other flammable materials.

The Township Fire Marshall shall inspect the mobile home park at least once each year.

Section 1016 Fuel

1. All piping from outside fuel storage tanks or cylinders to mobile homes shall be copper or other acceptable metallic tubing and shall be permanently installed and securely fastened in place. All fuel be permanently installed and securely fastened in place and shall not be located inside or beneath the mobile home or less than twenty (20') feet from any mobile home exit.

2. Liquefied Petroleum Gases

The storage and handling of liquefied petroleum gases in all parks shall be in conformance with the standards and regulations contained in Pamphlet 58. Storage and Handling Liquefied Petroleum Gases, 1969, published by the National Fire Protection Association International, 1969 revision. Said publication and any further revision thereto are herewith incorporated as a part of these regulations; in the event that the local servicing gas companies rules and regulations shall apply to handling and storage of Liquefied petroleum gases.

Section 1017

1. Responsibilities of the Park Management

The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

The park management shall supervise the placement of each mobile home stand, which includes securing its stability and installing all utility connections.

The park management shall give the Board of Supervisors or their representative free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.

The park management shall keep a register of all mobile home park occupants, including their names and ages, the date of entry into and departure from the park and their last permanent address.

The management shall notify the local Pennsylvania Department of Environmental Resources immediately of any suspected communicable or contagious disease within the park.

Section 1018 Severability

1. If any section, subsection, paragraph, sentence clause or phrase of this Ordinance should be declared invalid for any such reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect; and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 1019 Penalty

1. Summary Offense

Any person who violates any provision of this Ordinance shall be subject to Enforcement Penalties as established in Section 303.

Any Ordinances or parts thereof inconsistent herewith be and are hereby repealed.

ARTICLE XI: C-1 COMMERCIAL DISTRICTS

SECTION 1100 Purpose

The C-1 Commercial Districts are hereby established as districts in which regulations are intended to provide for the special requirements of retail, convenience type commercial establishments which serve primarily the day-to-day needs of the immediately surrounding neighborhood, and encourage attractive, compact retail commercial development in locations that are close to the individuals served.

SECTION 1101 Procedural Requirements

Applications for permits pursuant to this Article shall be submitted in accordance with the requirements of Article XX.

SECTION 1102 Use Regulations

A detached or semi-detached building may be erected or used and a lot may be used or occupied for any one of a combination of the following purposes. Such uses shall be in conformity with the performance standards set forth in Article XX.

1. Retail store designed primarily to provide daily service to residents of the immediately surrounding area and with a gross floor area not in excess of 10,000 square feet.
2. Restaurant or similar establishment.
3. Personal service shop, such as barbershop, beautician, or clothes cleaning and pressing pick-up point, but not including laundry, dry cleaning or clothes pressing establishment.
4. Retail service shop, such as a bakery, ice cream, or similar shop, custom tailoring or millinery shop, clock, watch, or jewelry shop, or household appliance repair shop provided that
 - A. Any processing activity shall be not less than 15 feet from the front of the building and shall be screened by a wall or partition from the front portion of the building used by customers;
 - B. Any article made shall be sold at retail from the premises; and,
 - C. the area devoted to processing shall constitute not more than 30 percent of the gross floor area.
5. Office or studio.
6. Bank or similar financial institution.
7. An automatic self-service laundry, when authorized as special exception providing public sewers provided.
8. Accessory use on the same lot and customarily incidental to the above permitted uses.
9. Motor vehicle service stations and fuel dispensing stations limited to minor repairs and excluding auto body repair by special exception

SECTION 1103 Area and Height Regulations

1. *Lot Area and Width*
 - A. A lot served by both an approved public sanitary sewage system and an approved public water supply shall have an area of not less than 30,000 square feet, a lot width of not less than 80 feet, a frontage of not less than 80 feet at the building line and one (1) Principal Building.
2. *Building Area*

Not more than 20 percent of the area of a lot 40,000 square feet or larger may be occupied by buildings and not more than 30 percent of the area of a lot of 30,000 to 40,000 square feet may be occupied by buildings.
3. *Front Yards*

Any building or use served with public water and public sewer facilities shall have a front yard on each street or road on which the lot abuts, the depth of which shall be at least 50 feet measured from the street line.
4. *Side Yards*

Any building or use served with public water and public sewer facilities shall have two side yards not less than 40 feet in aggregate width and neither less than 15 feet in width.
5. *Rear Yards*

Any building or use served with public water and public sewer facilities shall have a rear yard, the depth of which shall be at least 30 feet.
6. *Height*

No building shall exceed two stories or 35 feet in height.

SECTION 1104 Special Regulation

In order to encourage sound and attractive development, the following special requirements shall apply:

1. Every use other than a parking lot shall be completely enclosed within a building.
2. No restaurant or similar use shall be conducted as a drive-in service establishment, providing food directly to customers in automobiles.
3. Along each side or rear property line, which directly abuts a residential district, a 50 foot wide buffer yard shall be provided.
4. The buffer yard shall contain landscape plantings according with Section 2000.
5. No permanent storage of merchandise, articles or equipment shall be permitted outside a building and no goods, articles, or equipment shall be stored, displayed, or offered for sale beyond the front lines of the building.
6. No outdoor vending machine, self-service fuel station, or similar use shall be allowed in any required yard setback.
7. Off-street parking and loading zones shall be in accordance with Article XVIII.

ARTICLE XII: C-2 GENERAL BUSINESS DISTRICTS

SECTION 1200 Purpose

The C-2 General Business Districts are designed to provide opportunities for neighborhood commercial uses of the type, which primarily serve the needs surrounding residential areas. These districts are intended to have access to a major road and to be comparable with adjoining non-commercial uses and districts.

SECTION 1201 Use Regulations

A building may be erected, altered or used and land may be used, for any of the following purposes and no other:

1. Permitted Principal Uses
 - A. Retail store, office or office buildings, post office, bank or other financial institution.
 - B. Restaurant.
 - C. Beauty shop or barbershop
 - D. Jewelry, radio, television, refrigerator or similar appliance shop, including service and repairs.
 - E. Newspaper or job printing shops employing not more than seven (7) persons.

2. Accessory Uses to Permitted Principal Uses
 - A. Uses on the same lot, which are customarily incidental to the principal use.
 - B. Parking in accordance with Section XVIII
 - C. Signs in accordance with Section XVII
 - D. Specifically permitted accessory uses include storage, within a completely enclosed building or in an area not visible from an adjoining street of residential use, which storage is customarily incidental to the principal use of the lot.

3. Uses Permitted by Special Exception
 - A. Motel, hotel or inn
 - B. Laundry, dry-cleaning, dyeing or clothes-pressing establishment, provided that nonflammable solvents are used in the cleaning process and that the process shall be free from obnoxious odors, fire and explosion.
 - C. Personal service or custom shop other than a use permitted in this section.
 - D. Automobile agency franchised by a recognized automobile manufacturer, provided that used automobile sales and service is limited to accessory use to new automobile sales.
 - E. Places of amusement.
 - F. Children and/or Adult Day care centers
 - G. Mortuary, funeral establishment.
 - H. Animal hospital and veterinary clinic of office, provided that all kennels are completely enclosed within a building.
 - I. Automobile auctions, gas stations, auto body repair and car wash operations.

SECTION 1202 Area and Bulk Regulations

1. Permitted Principal Uses
 - A. Minimum Lot Area..... one (1) acre for each principal permitted building.
 - B. Minimum Lot Width at the building lineone hundred (100) feet.
 - C. Minimum Lot Width at street line [frontage].....one hundred (100) feet.
 - D. Maximum impervious surface area sixty-five percent (65%)
 - E. Maximum building coverage..... thirty percent (30%)

- F. Minimum depth of front and rear yard..... seventy-five (75) feet
- G. Minimum aggregate width of side yards..... sixty (60) feet
- H. Minimum width of each individual side yard twenty-five (25) feet
- I. Minimum yard abutting the street on a corner lot seventy-five (75) feet

2. Special Uses

- A. Minimum Lot Area.....two (2) acres for each principal permitted building.
- B. Minimum Lot Width at the building line one hundred fifty (150) feet.
- C. Minimum Lot Width at street line one hundred fifty (150) feet.
- D. Maximum impervious surface area fifty percent (50%)
- E. Maximum building coverage.....twenty percent (20%)
- F. Minimum depth of front and rear yard.....one hundred (100) feet
- G. Minimum aggregate width of side yards.....eighty (80) feet
- H. Minimum width of each individual side yard forty (40) feet
- I. Minimum yard abutting the street on a corner lot one hundred (100) feet

3. Special Design and Development Requirements

A. *Access*

Any lot area used for off-street parking or for the storage or movement of motor vehicles shall, except for the necessary accessway, be separated from the street or highway by a raised curb, planting strip, wall or other suitable barrier against unchanneled motor vehicle entrance or exit. The layout of any such parking lot or area shall be designed in such a manner as to prohibit vehicles from backing out onto the street, and the capacity and arrangement of the lot shall be adequate for all related uses and sufficient to prevent the back-up of vehicles on a street while awaiting entry on the lot.

B. *Outdoor Lighting*

All driveways, parking areas and vehicle maneuvering areas shall be adequately illuminated, and all exterior or outdoor lighting shall be arranged in such a manner so as to protect adjoining property and traffic from any glare of hazardous interference of any kind. All such lighting shall be equipped with glare-shielding devices and not be more than twenty (20) feet high.

C. *Buffering*

Along each property line which directly abuts any residential district, a buffer yard not less than one hundred (100) feet in width shall be provided. The buffer yard shall contain landscape plantings according with Section 2000. Along any property line which abuts any other use along any street line, a buffer yard of not less than twenty-five (25) feet in width, of which not less than fifteen (15) feet shall be landscaped, shall be provided, installed and maintained.

D. *Rubbish*

All trash and rubbish storage areas shall be screened from public view and from view of any surrounding uses. The screening of such storage areas shall be shown on the landscaping plan. The proposed methods for storing and removing trash and rubbish shall be noted on plans submitted for approval.

E. *Public Water and Public Sewer*

All development in the C2 district shall be served by public water and public sewer.

ARTICLE XIII: LI-1 INDUSTRIAL DISTRICTS

SECTION 1300 General

In LI-1, Limited Industrial-Office Districts, the following regulations shall apply:

SECTION 1301

A building may be erected or used, and a lot may be used or occupied, for any of the following and similar purposes, and no other:

1. Scientific research laboratory in which there is no commercial production or storage of any commodity or substance, except for storage necessary for scientific research, and said laboratory does not emit odors, dust, fumes, smoke, gas, or cause any objectionable vibration or noise.
2. Industrial research, engineering, laboratory, production, testing laboratory, and design center.
3. Offices for administration, business, and research oriented enterprise excluding any retail sales there from.
4. Packaging, final assembly, repair and distribution of pre-manufactured products including: printed products, communication equipment, optical goods, jewelry, time pieces, musical instruments, toys, cosmetics, tobacco products, drugs and the like.
5. Accessory use on the same lot with and customarily incidental to any of the above permitted uses, including cafeteria located within the main building and operated by the employer for the exclusive use of its employees.

SECTION 1302 Area and Height Regulations

1. Lot Area and Width
Public Water and Public Sewage System
Every principal building hereafter erected or used for any permitted use, must be served with public water and public sewage system and shall have an area of not less than two (2) acres and a lot width of not less than two hundred (200) feet at the building line and a frontage of not less than fifty (50) feet.
2. Building Area
A maximum of thirty (30) percent of the area of any lot may be occupied by buildings, and a total of not more than seventy-five (75) percent of the area of any lot may be occupied by buildings, parking areas, unloading areas, and access roads.
3. Front Yards
There shall be a front yard on each street or road on which the lot abuts, the depth of which shall be at least seventy-five (75) feet measured from the street or road line.
4. Side Yards
There shall be two side yards neither, of which shall be less than thirty (30) feet.
5. Rear Yards
There shall be a rear yard, the depth of which shall be at least fifty (50) feet.

6. Height Regulations
No building shall exceed thirty-five (35) feet or three (3) stories in height.
7. For an office building or office buildings, built pursuant to this Article, there shall be no fixed limit as to the number of occupants or users for each lot. However, any such office building shall be designed so that the tenants share common entrances and exits. For any Limited Industrial use permitted pursuant to this Article, the following shall apply:
 - A. The average density for occupancy of a building designated for a limited industrial space shall be one user per acre.
 - B. Each lot designated for Limited Industrial use shall be under the ownership and control of a single person, partnership, or single corporate entity.
 - C. For each Limited Industrial-Office Park designed under the provisions of this Article, a unified architectural theme shall be provided including the design control of permitted signs. The developer shall be responsible for assuring the continuity and presentation of all architectural plans to the Board of Supervisors.

SECTION 1303 Special Regulations

1. No building shall be located less than one hundred (100) feet from any property presently being used as a residence nor within one hundred (100) feet of any residential zoning district.
2. A buffer yard of not less than one hundred (100) feet from a residence or a residential zone shall be provided.
3. The buffer yard shall contain landscape plantings according with Section 2000.
4. No outdoor storage of any type shall be permitted.
5. A plan or plans shall be submitted to and approved by the Board of Supervisors showing the layout and development of the proposed improvements including, among other things, the following:
 - A. The scale shall be one (1) inch equals one hundred (100) feet with five (5) feet contour intervals and other topographical features.
 - B. The location, use, plan, dimensions, elevations, and height of each building and other structures, and the total gross floor areas to be built.
 - C. The location, dimensions, and arrangement of all open spaces, yards, access ways, entrances, off-street parking facilities, loading and unloading facilities, pedestrian ways, location and width of roads, streets, and sidewalks.
 - D. The capacity of all areas to be used for automobile access, parking, loading and unloading.
 - E. Location, dimensions and arrangement of all areas devoted to planting, lawns, trees, or similar purposes.
 - F. The provisions made for a location of sewage disposal, water supply, storm water drainage, and other utilities.

- G. Sufficient data in all instances, to enable the Board of Supervisors to judge the effectiveness of the design and the character of the entire LI-1, Limited Industrial-Office District, and to consider properly such things as its relationship to surrounding areas, anticipated traffic, public health, safety, and welfare.
- 6. If within eighteen (18) months after the approval, construction is not undertaken by or for the applicant, said approved plan shall be null and void, unless the Board of Supervisors grants an extension of time.
- 7. In addition to the requirements of this Article, limited industrial developments shall comply with the applicable regulations contained in Article XIX General Regulations and Article XX Performance Standards.

ARTICLE XIV: LI-2 LIMITED INDUSTRIAL DISTRICTS**SECTION 1400 General**

In LI-2, Limited Industrial Districts the following regulations shall apply:

SECTION 1401 Use Regulations**By Right Uses**

A building may be erected or used, and a lot may be used or occupied for any of the following purposes, and no other, provided such structure or use is in accordance with an approved Plan:

1. Scientific Research or medical laboratory as described in Section 901-1.
2. Light manufacturing.
3. An office building.
4. Accessory use on the same lot with and customarily incidental to any of the above permitted uses, including cafeteria located within the main building and operated by or for the employer for the exclusive use of its employees.

Conditional Uses

Multiple uses and/or buildings on a single lot may be permitted as a Conditional Use when approved by the Board of Supervisors. In addition to the Uses permitted by right, the following uses shall be permitted:

1. Warehouse
2. Personal service uses, only when planned as an integral part of a multi-use development.

Special Exception Uses

On both individual lots and in multi-use developments the additional following uses may be permitted as a Special Exception when authorized by the Zoning Hearing Board.

1. Child and/or adult day care center when planned as an integral part of a multi-use development.
2. Retail sales as an accessory use.
3. Contractor's establishment.
4. Communications and data centers, but excluding communications towers.
5. Wholesale sales, storage or distribution establishments.
6. Public park or recreation facility, or indoor athletic club.
7. Public utility installation, and municipal, county, state or federal use, including fire police or ambulance facility.
8. Other uses of the same general nature as those permitted by right.

Prohibited Uses

Accessory use structures of any kind and outdoor storage of materials and equipment shall be prohibited.

SECTION 1402 Area and Height Regulations

For Individual Lot Development

1. Lot Area and Width

Every lot shall have a lot area of ten (10) acres or more, which shall have at least five hundred (500) feet of frontage.

2. Sanitary Sewer and Water Service

All new buildings erected or used in the LI District must be serviced by public sewer and water.

3. Building Area

Not more than 33 1/3% of the area of each lot may be occupied by buildings, and a total of not more than sixty-six and two-thirds (66 2/3%) percent by buildings, parking, and parking access areas.

4. Yard Requirements

All buildings shall be set back at least one hundred fifty (150) feet from all street rights-of-way on which property abuts, and no side yard or rear yard shall be less than one hundred (100) feet.

5. Height Requirements

No building shall exceed three (3) stories, exclusive of basement, or forty-five (45) feet in height.

For Multi Lot or Multi-use Development

1. Lot Area and Width

Every lot shall have a lot area of twenty-five (25) acres or more, which shall have at least seven hundred and fifty (750) feet of frontage.

2. Sanitary Sewer and Water Service

All new buildings erected or used in the LI District must be serviced by public sewer and water.

3. Building Area

Not more than twenty-five (25%) of the area of each lot may be occupied by buildings, and a total of not more than fifty (50%) percent by buildings, parking, and parking access areas.

4. Yard Requirements

All buildings shall be set back at least one hundred fifty (150) feet from all street rights-of-way on which property abuts, and no side yard or rear yard shall be less than one hundred (100) feet.

5. Height Requirements

No building shall exceed three (3) stories, exclusive of basement, or forty-five (45) feet in height.

SECTION 1403 Special Regulations

In addition to the requirements of this Article, Limited Industrial Developments shall comply with the regulations contained in Section 1303 and the applicable regulations contained in Article XVII Signs, Article XVII Off-Street Parking and Loading, Article XIX General Regulations and Article XX Performance Standards.

ARTICLE XV: T - TANK FARM DISTRICTS

SECTION 1500 Defining Tank Farm District

1. The Zoning Ordinance of the Township of Bethel, as amended, is hereby further amended to create a zoning district to be designated as Tank Farm District.
 - A. The following uses shall be permitted in the T-Tank Farm District:
 - (1) The storage of liquid hydrocarbons together with the fixtures and appurtenances necessary for the satisfactory and efficient operation thereof.
 - B. The following use shall be permitted as a Conditional Use
 - (1) A communication tower and a building or buildings to be used to house the electronic equipment necessary for the satisfactory operation of the tower.
2. Definitions as used in this Ordinance
 - A. Atmospheric Tank
shall mean a storage tank, which has been designed to operate at pressures from atmospheric through 0.5 pounds per square inch gauge.
 - B. Low Pressure Tank
shall mean a storage tank, which has been designed to operate at pressures above 0.5 pounds per square inch gauge but not more than 15 pounds per square inch gauge.
 - C. Boilover
shall mean the expulsion of crude oil (or certain other liquids) from a burning tank. The light fractions of the crude oil burn-off producing a heat wave in the residue, which on reaching a water strata may result in the expulsion of a portion of the contents of the tank in the form of froth.
 - D. Weak Roof-to-Shell Seam
shall mean the same between the tank roof and the tank shell constructed to fail preferentially to any other seam in order to provide relief for preventing the development of excessive internal pressure.
 - E. Tank Farm
The storage of liquid hydrocarbons together with the fixtures and appurtenances necessary for the satisfactory and efficient operation thereof
3. Tank Storage:
 - A. Design and Construction of Tanks
 - (1) Atmospheric Tanks
Shall be built in accordance with the American Petroleum Institute Standard No. 650 - Welded Steel Tanks for Oil Storage.
 - (2) Low-Pressure Tanks
Low-pressure tanks shall be built in accordance with the American Petroleum Institute

Standard No. 620 - Recommended Rules for Design and Construction of Large, Welded, Low-Pressure Storage Tanks.

- (3) No tank shall exceed fifty-six (56) feet in height and two hundred and ten (210) feet in diameter unless authorized as a special exception by the Zoning Hearing Board.

B. Installation of Tanks

(1) Location With Respect to Property Lines and Public Ways

- a. all tanks shall be set back a minimum of 250 feet from the near side of a public right-of-way or street, and a minimum of 100 feet from any property lines. If a greater set back is required by the following subsection, the greater set back shall apply.
- b. every tank for the storage of liquid hydrocarbons except those liquids with boil-over characteristics shall be located in accordance with Table I.
- c. every tank for the storage of liquid hydrocarbons with boil-over characteristics shall be located in accordance with Table III.

(2) Spacing between tanks

The distance between tanks storing liquid hydrocarbons shall not be less than the diameter of the largest tank.

(3) Normal Venting for Tanks

- a. atmospheric storage tanks shall be adequately vented to prevent development of vacuum or pressure sufficient to distort the roof of a cone roof tank or exceeding the design pressure in the case of other atmospheric tanks, as a result of filling or emptying of atmospheric temperature changes.
- b. Normal vents shall be sized in accordance with the American Petroleum Institute Standard 2000 - Venting Atmospheric and Low-Pressure Storage Tanks.
- c. Low-pressure tanks shall be adequately vented to prevent development of pressure or vacuum exceeding the design of the tank.

(4) Emergency Relief Venting for Fire Exposure

- a. every tank shall have some form of construction or device that will relieve excessive internal pressure caused by exposure fires.
- b. in a vertical tank the construction referred to in Paragraph (4) (a) may take the form of a floating roof, lifter roof, or a weak roof-to-shell seam.
- c. where the entire dependence for emergency relief is placed upon pressure relieving devices, the total venting capacity of both normal and emergency vents shall be enough to prevent rupture of the shell or bottom of the tank.

(5) Drainage, Dikes, and Walls for Tanks

a. Drainage and Diked Areas

The area surrounding a tank shall be diked to prevent accidental discharge of liquid from endangering adjoining property or reaching waterways. Protection of adjoining property and waterways shall be accomplished by retaining the liquid around the tank by means of a dike, and the volume of the diked area shall comply with the following requirements:

- (i) the volumetric capacity of the diked area shall be not less than 125 percent of liquid that can be released from the tank within the diked area.
- (ii) walls of the diked area shall be of earth, steel, concrete, or solid masonry designed to withstand a full hydrostatic head. Earthen walls 3' or more in height shall have a flat section at the top not less than 2' wide. The slope of earthen wall shall be consistent with the angle of repose of the material of which the wall is constructed.
- (iii) where provision is made for draining water from diked area, drainage shall be provided at a uniform slope of not less than one (1%) percent away from tanks towards sump, drainbox, or other safe means of disposal located at the greatest practical distance from the tank. Such drains shall be controlled in a manner so as to prevent liquid hydrocarbons from entering natural watercourses, public sewers, or public drains. Control of drainage shall be accessible under fire conditions.

C. Testing

- (1) all tanks shall be strength tested before they are placed in service in accordance with the applicable paragraphs of the code (API Std. 650 or 620). The American Petroleum Institute (API) monogram on a tank shall be evidence of compliance with this strength test.

4. Piping, Valves, and Fittings

A. Design

The design (including selection of materials) fabrication, assembly, test and inspection of piping systems containing liquid hydrocarbons shall be suitable for the expected working pressures and structural stresses. Conformity with the applicable provisions of Pressure Piping, American National Standards Institute B31.4 code for Liquid Petroleum Transportation Piping Systems shall be considered prima facie evidence of compliance with the foregoing provisions.

B. Testing

All piping shall be hydrostatically tested to 150 percent of the maximum anticipated pressure of the system, or pneumatically tested to 110 percent of the maximum anticipated pressure of the system but not less than 5 pounds per square inch gauge at the highest point of the system. This test shall be maintained for ten minutes or a sufficient period of time to complete visual inspection of all joints and connections whichever is longer.

TABLE I	
Type of Tank	Minimum Distance in Feet from Property Line which May be Built Upon
Floating Roof	One-half times diameter of tank but need not exceed 100 feet
Fixed Roof with Weak Roof-to-Shell Seam	Diameter of tank but need not exceed 175 feet
Tanks with emergency relief venting to limit pressures to 2.5 pounds per square inch gauge	See Table II
Tanks with emergency relief venting pressures in excess of 2.5 pounds per square inch gauge	1 2 times Table II

TABLE II	
Tank Capacity in Gallons	Minimum Distance in Feet from Property Line which may be Built Upon
1,000,000 or less	100
1,000,001 to 2,000,000	135
2,000,001 to 3,000,000	165
3,000,001 or more	175

Table III		
Type of Tank	Minimum Distance in Feet From Property Line which May be Built Upon	Minimum Distance in Feet From Nearest Side of Any Public Way
Floating Roof	Diameter of tank but need not exceed 175'	250

5. Fire Protection

In addition to the fire protection requirements of the National Fire Prevention Association Code 30 and the Regulations of the Pennsylvania State Police, Fire Marshall Division, as a condition precedent to the issuance of a Building Permit hereunder, the lands zoned, Tank Farm District must be serviced by a public water supply. In addition, a minimum of 500 gallons of fire fighting foam shall be stored on the site of the land wherein the liquid hydrocarbons are stored.

6. Landscape Screening

At the time of application to the Township for a Building Permit for the erection and construction of a tank or tanks, the applicant shall file a landscape screening plan, which shall set forth existing and proposed trees and plantings screening the proposed tank or tanks from adjacent properties and/or public rights-of-way or streets. Screening shall consist of a minimum of a group of trees on 20 foot centers, the total length of said groupings to be not less than the diameter of the proposed tank or tanks nearest the property or street line.

7. Cellular Telecommunications Facilities

A. Purpose.

The cellular telecommunications facility article is designed to:

- (1) Accommodate the need for cellular telecommunications facilities while regulating their location and number in the Township;
- (2) Minimize adverse visual effects of cellular telecommunications facilities through careful design, siting and vegetative screening;
- (3) Avoid potential damage to adjacent properties from cellular telecommunications facilities failure and falling ice and debris through engineering and careful siting of cellular telecommunications facilities; and
- (4) Maximize the use of any new or existing cellular telecommunications facilities or other tall structure(s) so as to reduce the number of cellular telecommunications facilities needed in the future.
- (5) have no effects on any other electronic communications, electrical equipment or home entertainment broadcasts.

B. Application and interpretation.

In interpreting the provisions of this article to determine the extent of the restriction upon the use of the property, the provision shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted, as permitting the cellular telecommunications facilities sites that are appropriate and yet compatible with surrounding land uses.

8. Definition of terms.

For the purposes of this article, the following words, terms and phrases shall have the meanings indicated herein:

ANTENNA - A device used to collect or transmit telecommunications or radio signals. Examples are panels, microwave dishes and single poles known as "whips."

ANTENNA SUPPORT STRUCTURE - Any pole, telescoping mast, monopole, tower, tripod or any other structure which supports or has attached to it an antenna or antennas.

ANTENNA HEIGHT - The vertical distance measured from the base of an antenna support structure at grade to the highest point of the antenna support structure, including any antenna affixed thereto. If the antenna support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

CELLULAR TELECOMMUNICATIONS FACILITY - The equipment and structures involved in receiving telecommunication or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

LANDSITE - A tract or parcel of land that contains the cellular communications facility, tower, antenna and/or telecommunications equipment building.

TELECOMMUNICATIONS EQUIPMENT BUILDING - The building in which the electronic receiving and relay equipment for a cellular telecommunications facility is housed.

TOWER - A structure that is intended to support equipment used to transmit and/or receive telecommunications signals.

9. Use, area, landscaping, fencing and heights requirements. (cellular telecommunications facility)

A. A cellular telecommunications facility with antenna that is attached to an existing wireless communications, cellular communications or personal communications services tower, smokestack, water tower or other similar tall structure, together with any antenna support structure, shall not exceed the height of the existing structure by more than 15 feet nor a maximum height of 180 feet above the ground and shall require building and zoning permits.

B. A cellular telecommunications facility with antenna that is not mounted on an existing antenna support structure, shall not have an antenna height or tower height in excess of the minimum height necessary to effectively provide the wireless communications service, and not in excess of 180 feet, and shall require a building and zoning permit and land development approval pursuant to the provisions of the Subdivision and Land Development Chapter of the Code.

C. If a new antenna support structure is constructed (as opposed to mounting the antenna on an existing tall structure), the minimum distance between the base of the support structure (excluding any guy wire anchors) and any property line shall be the largest of the following:

(1) One-hundred feet.

(2) In addition, unless the communication tower is designed to collapse upon itself so as not to fall upon any adjoining property, the setback from each lot line shall be equal to the height of the tower. It shall be an applicant's burden to establish by clear and convincing evidence that a proposed communication tower has been so designed by a Pennsylvania Licensed Structural Engineer.

D. Any provisions of the Township Code, which are not addressed hereunder, shall remain in effect and shall not be considered altered or modified by this Section and shall apply to the proposed cellular telecommunications facilities and/or telecommunications equipment building.

E. Landscaping.

(1) Existing vegetation shall be preserved to the maximum extent possible.

(2) Landscaping shall be required to screen and buffer as much of the cellular telecommunications facility as possible, and the fence surrounding the cellular telecommunications facility, and any other ground-level features of the cellular telecommunications facility, from the abutting properties.

(3) Where the cellular telecommunications facility abuts residentially developed land, residential zoning districts, public land or streets, the cellular telecommunications facility perimeter shall be landscaped with at least one row of deciduous trees, not less than 3 1/2 inches in caliper, spaced not more than 30 feet apart, on center, and within 40 feet of the cellular telecommunications facility boundary, as well as at least one row of evergreen trees or shrubs, at least 14 feet high when planted and spaced not more than 15 feet apart and within 25 feet of the cellular telecommunications facility boundary.

F. Fencing.

A security fence shall be required around the cellular communications facility, unless the antenna is mounted on an existing tall structure. The security fence shall be a minimum of eight feet in height; the type of fencing shall be solid wood as approved by the Township.

G. In the event that a cellular telecommunications facility is attached to a nonresidential building or structure in a residential district, the maximum antenna height shall be 180 feet above the ground level.

H. In the event that a cellular telecommunications facility is attached to a mid-rise or high-rise apartment building in a residential district, the maximum antenna height shall be 180 feet above the ground level.

I. All uses ancillary to the cellular telecommunications facility, including without limitation a business office, maintenance depot, vehicle storage, etc. are prohibited from the landsite, unless otherwise permitted in the zoning district in which the landsite is located.

J. The cellular telecommunications facility shall be fully automated and unattended on a daily basis and shall be visited only for periodic maintenance.

10. Standards for approval; additional design standards.

The following standards of approval shall apply to all cellular telecommunications facilities:

A. The applicant shall demonstrate using accepted technological evidence, that the antenna and antenna support structure must be located where proposed in order to satisfy its function in the applicant's grid system.

B. If the applicant proposes to build a tower (as opposed to mounting the antenna on an existing tall structure), it is required to demonstrate that it contacted the owners of tall structures within a one-mile radius of the site proposed, requested permission to install the antenna on those tall structures and was denied permission for reasons other than economic reasons. The term "tall structures" includes smokestacks, water towers, antenna support structures of other cellular phone companies and other communications towers (fire, police, etc.). If the antenna can be physically and legally accommodated on an existing tall structure, the governing body may deny the conditional use application to construct a new tower.

C. The applicant shall demonstrate that the antenna height is the minimum required to function satisfactorily. No antenna height taller than this minimum height shall be approved, unless the applicant provides proof that another provider of wireless, cellular or personal communications services has already agreed to collocate on the applicant's antenna support structure at a greater height than is required by the applicant.

D. The applicant shall demonstrate that the proposed antenna and antenna support structure are safe and the surrounding properties will not be negatively affected by antenna support structure failure, falling ice or other debris. All antenna support structures shall be fitted with anti-climbing devices, as approved by the manufacturers and the Township.

E. In order to reduce the number of antenna support structures needed in the Township in the future, the proposed antenna support structure shall be required to accommodate, where possible, other users, including other wireless communication, cellular communication and personal communication service provider companies, and local police, fire and ambulance companies. Applicants shall provide evidence that all other authorized users have been contacted by the applicant with an offer of collocation on the applicant's proposed antenna support structure.

F. The applicant must demonstrate that it is licensed by the Federal Communications Commission to provide wireless communications, cellular communications and/or personal communications services.

G. If the wireless communications facility is fully automated, adequate parking shall be required for maintenance workers. The Bethel Township Zoning Officer shall determine the required number of Parking spaces.

H. Antenna support structures shall, to the extent possible, be finished so as to reduce the visual impact. Support structures must be painted green up to the height of nearby trees and shall meet all Federal Aviation Administration regulations.

I. A full site plan shall be required for all landsites, showing the antenna and antenna support structure, together with any building, fencing, buffering, access and all other items required in the code, Chapter 160, Subdivision and Land Development, for a land development application.

J. Towers shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EID-222-E Manual, as amended from time to time.

K. A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222-E, as amended, shall be submitted to the Township to document and verify the design specifications of the foundation for the tower and anchors for the guy wires, if used.

L. Towers and antennas shall be designed to withstand wind gusts of at least 100 miles per hour.

M. An antenna may not be located on a building or structure that is listed on the current Township's Historic Resources Map. Editor's Note: The Historic Resources Map is located at the Bethel Township Building.

N. No antenna or its support structure may be artificially lighted except when required by the Federal Aviation Agency.

11. Conditional use provisions.

In addition to the typical requirements for a Conditional Use, a conditional use for a cellular telecommunications facility with antenna shall not be granted except upon compliance with the following:

A. The applicant shall demonstrate that the tower for the cellular telecommunications facility is the minimum height necessary for the service area. The applicant shall also demonstrate that the facility must be located where it is to serve the company's system.

B. The applicant shall present documentation that the tower is designed in accordance with the standards cited in this article for cellular telecommunications towers.

C. The applicant shall demonstrate that the proposed tower complies with all state and federal laws and regulations concerning aviation safety.

D. The need for additional buffer yard treatment shall be evaluated.

E. The applicant shall demonstrate that the cellular telecommunications facility must be located where it is proposed in order to serve the applicant's service area.

F. Where the cellular telecommunications facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement for the proposed facility and that vehicular access is provided to the facility.

12. Maintenance; abandonment.

A. The cellular telecommunications facility shall be maintained and kept in good order and repair and in compliance with all applicable federal and state requirements and the Code of the Township.

B. In the event that a cellular telecommunications facility is not used by its owner/operator for a period of six months, it shall be conclusively presumed to be abandoned. All such abandoned facilities shall be removed within six months after the presumed abandonment.

13. Validity

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

ARTICLE XVI: AACOD - ACTIVE ADULT COMMUNITY OVERLAY DISTRICT

SECTION 1600 Purposes

The purposes for the creation of the Active Adult Community Overlay District and the development standards and other requirements are:

1. To recognize the need for the expansion of housing opportunities and particularly the growing housing needs of older members of the population.
2. To recognize that less community facilities and services impacts of elder communities and their lower average household size can justify a higher density of development.
3. To encourage the development of planned communities that offer a mix of housing and non-residential commercial retail and service uses, designed to serve the planned community, in order to reduce the need to travel off-site.
4. To encourage innovative residential community site design that meets the demand for varying dwelling unit types and provides for the recreational and open space needs of the community=s residents.
5. To encourage more flexible site design standards that will provide for the protection of the Township=s environmental resources and the preservation of its character.
6. To encourage the most efficient use of Township=s land and infrastructure resources.

SECTION 1601 Definitions

As used in this article, the following words and phrases shall have the meaning herein indicated.

Active Adult Community - A planned residential development designed and developed for the particular purpose of creating an environment that provides for the specific housing and related ancillary facilities needs of the population generally 55 years of age and older. Nothing in this article shall be construed to be a violation of the Fair Housing Act of 1968. Section 801-901, 42 U.S.C. ' ' 3601-3631 (1968).

Applicant - A landowner or developer, as hereinafter defined, who has filed an application for approval of an active adult community development plan, his heirs, successors and assigns.

Common Open Space - That land, which may include water, area of an active adult community that is designed and intended for the use and/or enjoyment of the residents of the community, not including streets, off street parking areas and areas set aside for public facilities. Common open space shall be free of structures except those intended for recreational purposes and specifically approved by the Board as part of the approved plan of the active adult community.

Community Center - A building or buildings together with related outdoor areas and facilities designed to provide for the recreational social and limited commercial retail and service needs of the residents and guests of an active adult community.

Contiguous Tract - A tract of land that is not separated in any manner by land owned by a person or persons other than the applicant, a public street right of way or a railroad fee simple interest, easement or right of way.

Developer - Any landowner or agent thereof or person having an equitable interest, who makes or causes to be made an application for approval of an active adult community development plan.

Development Plan - The written and graphic material as required by this article for the development of an active adult community.

Gross Residential Density - The number of dwelling units per acre in an active adult community, calculated by dividing the total number of dwelling units by the total acreage of the site exclusive of existing dedicated rights of way.

Independent Living Unit - A dwelling unit for senior citizens who can live independent of assistance and/or supervision that provides full living accommodations including full baths and full kitchens.

Landowner - The legal or beneficial owner or owners of land, the holder of an option or contract to purchase land or any other person having proprietary interest in the land.

Non-Profit Homeowners Corporation - An incorporated organization of homeowners within an active adult community to which all homeowners shall belong and established for the purpose of owning, maintaining and preserving the common open space and recreational facilities. All costs associated with the homeowner's corporations shall be shared equitably among the members of the association.

Residential Care Facility - A facility for senior citizens providing permanent residential accommodations including assisted living and independent living units operated by a legal entity and duly licensed by the Commonwealth of Pennsylvania.

Steep Slopes - Areas characterized by a change in elevation greater than or equal to 25% over 3 (three) or more consecutive contours using a two-foot contour interval. Steep areas remaining from previous land uses shall not be considered steep slopes.

SECTION 1602 Administrative

The administration of the procedures concerning the application for and approval of an Active Adult Community development shall be vested solely in the Board of Supervisors. However all applications for preliminary and final approval of plans for such developments shall be first referred to the Delaware County and Bethel Township Planning Commissions for their review and comment before said plans are considered by the Board of Supervisors.

SECTION 1603 Applicability

1. An Active Adult Community shall be permitted only as follows:
 - A. As a Conditional Use, the development plan of which must be approved by the Board of Supervisors.
 - B. As an Overlay Zoning District in the R-1, R-3, R-4 and T Zoning districts.
 - C. Only on a Contiguous Tract of a minimum of 75 acres in single ownership or single equitable ownership at the time of application.
 - D. Only in areas served by public sanitary sewer systems and public water supply systems.

2. An Active Adult Community development shall meet all requirements of this Zoning Ordinance except for those provisions specifically modified by this Article XVI.
3. Residents of an Active Adult Community development shall be limited to households including at least one permanent resident age 55 years or older, and shall prohibit occupancy by any person age 18 or younger. A person age 18 or younger may, however reside in a dwelling unit in an Active Adult Community on a temporary basis for no more than 120 days in any calendar year. Members of a household that met the residency requirements at initial occupancy shall not be required to terminate occupancy in the event of death, divorce, placement in a nursing home or similar circumstance of the resident age 55 or older.
4. An Active Adult Community shall be designed as a private community. No decision of public roads will be permitted and other services such as, but not limited to, snow removal and trash removal shall not be the responsibility of the Township. All taxes, sewer and water rates shall be levied at the same rate as all other residents.

SECTION 1604 Permitted Uses

The following uses shall be permitted in the Active Adult Community Overlay:

1. Single family detached dwelling units.
2. Single family attached dwelling units.
3. Single-family semi-detached dwelling units.
4. Multi-family semi-detached dwelling units.
5. Residential care facilities
6. Indoor and outdoor recreational facilities.
7. Community center
8. Accessory uses, accessory only to the overall Active Adult Community and customarily incidental to such communities, including administrative offices and maintenance and security facilities for the management of the Active Adult Community, community swimming pools, hot tubs, decks, uncovered landings, porches, patios, off-street parking and accessory utility facilities.
9. Other uses may be permitted, only if approved by the Board of Supervisors, on tracts of land in excess of 200 acres.

SECTION 1605 Density and Open Space Requirements

1. Density - The maximum gross density of an Active Adult Community shall not exceed 3.00 dwelling units per acre. Gross density shall be calculated on the entire tract excepting existing public rights of way.
2. Open Space - A minimum of 50% of the tract, exclusive of public rights of way, shall be set aside as common open space. No land area less than 20 feet in width may be included in the calculation of open space.

SECTION 1606 Bulk, Area and Dimensional Standards

1. No principal structure, accessory structure, excepting communications towers and utilities structures, or parking lot in an Active Adult Community shall be located less than 75 feet from a tract boundary, not shall a vehicular access drive, exclusive of ingress and egress facilities, communications towers and utilities structures be located less than 50 feet from a tract boundary. In instances of single-family detached and semi-detached dwelling units in an Active Adult Community abutting existing single family detached developments the setback of a principal structure may be reduced to 50 feet. When a tract boundary abuts permanently protected open space, the setback of a principal structure may be reduced to 50 feet. The 75-foot setback shall however be maintained in all instances of a tract boundary abutting a public road right of way. The area created by the setbacks shall constitute the required buffer yard.
2. An Active Adult Community shall contain a mix of at least three types of the permitted dwelling units: single family detached, single-family semi-detached, single family attached and multi-family. The multi-family units shall only be used to provide for assisted living accommodations, however, may be used for independent living units.
3. No group of attached dwelling units shall exceed 6 dwelling units and no more than 2 adjoining dwelling units shall have the same front and rear facade, each variation in facade being, at a minimum 4 feet.
4. An Active Adult Community shall have direct access to a public arterial or collector road and a minimum of 400 feet of frontage on at least one of the roads the tract may abut.
5. An all-weather surface pedestrian circulation system, interconnecting dwelling units, service areas, common facilities, recreational facilities, and parking areas, shall be provided and shall be a minimum of 4 feet in width.
6. The minimum paved roadway in and Active Adult Community for streets serving less than 12 dwelling units shall be 20 feet and 24 feet for all other roads in instances of one-way roads, the minimum road width shall be 14 feet.
7. The following are the required minimum lot area and dimensional requirements in an Active Adult Community.

A.	Single Family Detached	
	Minimum lot area	6,000 sq. ft.
	Minimum lot width	60 ft
	Minimum front setback	25 ft
	Minimum side yard	5 ft. (20-ft aggregate)
	Minimum rear yard	20 ft
	Maximum impervious cover	60% of lot area
	Maximum building height	2 stories, not to exceed 28 ft.

B.	Single Family Semi-detached	
	Minimum lot area	4,000 sq. ft.
	Minimum lot width	40 ft
	Minimum front setback	25 ft
	Minimum side yard	10 ft.
	Minimum rear yard	20 ft
	Maximum impervious cover	60% of lot area
	Maximum building height	2 stories, not to exceed 28 ft.
C.	Single Family Attached	
	Minimum lot area	2,500 sq. ft.
	Minimum lot width	26 ft
	Minimum front setback	25 ft
	Minimum rear yard	20 ft
	Minimum distance from other Principal structures	30 ft.
	Maximum impervious cover for End Units	60% of lot area
	Maximum impervious cover for interior attached unit	70% of lot area
	Maximum building height	2 stories, not to exceed 28 ft.
D.	Multi-family Detached and All Other Principal Structures	
	Minimum distance from other principal structures	20 ft. - plus 1 ft. for each additional foot of building height in excess of 20 feet.
	Minimum distance from internal roadway	20 ft.
	Minimum distance from parking areas	10 ft.
	Maximum impervious cover	impervious cover shall not exceed 60% over the entire tract less the required open space.
	Maximum building height	2 stories not to exceed 34 ft.

SECTION 1607 Parking Requirements

1. The minimum required off-street parking for single-family detached, semi-detached and attached dwelling units shall be 2 spaces that may be provided in a garage. At least one of the required spaces must be located behind the front yard setback.

2. The minimum required off-street parking for multi-family dwelling units shall be 1.5 spaces.
3. The minimum required off-street parking for all other uses in an Active Adult Community shall be 1 space for each 200 square feet of floor area.
4. Parking areas for 20 vehicles or more shall be screened from adjacent structures and roadways by hedges, planting screens, landscaped berms, walls, solid fences or changes in grade.
5. No more than 15 parking spaces shall be permitted in a continuous row without being interrupted by a landscaped island.

SECTION 1608 Design Standards

1. Landscaping

- A. Landscaping shall be considered an essential feature of all Active Adult Community development. Continuously planted visual barrier, or landscape screen shall be provided in the required buffer yard. Where appropriate the use of non-invasive existing vegetation, landscaped berms and solid walls and fences shall be utilized. The interior of the site, including all storage and parking areas shall also be landscaped and shall consist of deciduous trees, including fruit varieties, evergreen trees, shrubs and groundcover and shall be planted according to an overall landscape plan.
- B. The required landscape plan shall consider the integration of the structures on the site with the surrounding lands and open space in a manner that creates a total environment. The landscape plan shall also consider in the use of plant materials the following:
 - (1) Aesthetic values such as seasonal colors, flowers, bark and crown characteristics as well as die back.
 - (2) Susceptibility of plant material to insect infestation, disease and air pollution.
 - (3) Species longevity.
 - (4) Suitability of plant material to soil types.
 - (5) Wildlife habitat.
 - (6) Potential for destruction of pavements and utility lines.
- C. The protection of trees of 12 inch d.b.h. shall be a factor in determining the location of open space structures, paved areas, utilities, recreational areas and finished grade levels.
- D. Natural features on the tract such as streams and other water bodies, floodplains, woodlands, wetlands, steep slopes and wildlife habitat shall be preserved to the maximum extent possible and incorporated into the landscape plan. The applicant shall also demonstrate how the natural features will be protected during construction.
- E. Historic and other cultural resources such as views and view sheds shall be identified and to the maximum extent possible preserved.
- F. Shade trees shall be provided along both sides of all streets that are not naturally wooded at a minimum of two 2-inch d.b.h. trees per each 40-ft. of roadway. Trees, in the same amount required above may be arranged, however, in clustered formations as an alternative to strict lines and spacing.

2. Exterior Lighting
 - A. Lighting shall be required for all loading, parking, ingress and egress and interior vehicular circulation facilities.
 - B. All lighting shall have underground wiring.
 - C. All lighting shall be indirect and shielded to eliminate glare on site and shall be so directed to avoid disturbance off-site.

SECTION 1609 Open Space

1. The common open space shall be designed as a predominantly contiguous area, to preserve the natural features of the tract and to be readily accessible to the residents of an Active Adult Community.
2. A minimum of 25% of the open space shall be unconstrained developable land that is not wetland, floodplain nor steep slopes.
3. Structures in open space areas shall be limited to only those related to recreational or open space uses and, when necessary, utility and storm water management facilities. Recreational and open space structures may include picnic pavilions, paved court game surfaces and facilities, facilities associated with golf courses, swimming pools, hot tubs and associated facilities, restrooms and similar kinds of recreational and open space facilities.
4. In order to ensure the continuance and maintenance of the common open space, the developer shall provide for and establish a non-profit homeowners corporation, condominium or cooperative governed according to the following regulations.
 - A. The organization is established by the developer and operating before the sale of any dwelling units.
 - B. Membership in the organization is mandatory for all purchases of dwelling units therein and their successors.
 - C. The organization shall be responsible for the maintenance of and the insurance and taxes on the common open space.
 - D. The members of the organization shall share equitably the cost of development, maintenance, insurance and taxes.
 - E. The organization shall have or employ the necessary personnel to adequately administer and maintain the common open space.

SECTION 1610 Staged Development

A developer may construct an Active Adult Community in stages provided that the following conditions are met.

1. The application for subdivision and land development approval covers the entire Active Adult Community development and delineates the location and a schedule of development of each stage. The schedule shall show the proposed times for application for final approval and shall be, on the anniversary of subdivision and land development approval, updated annually.
2. At least 15% of the dwelling units in the plan given subdivision and land development approval are included in the first stage as well as the recreation, landscaping, roads and other essential facilities necessary to accommodate that stage. The Club House facility shall be built upon attainment of 50% lot conveyance.
3. All subsequent stages are completed consistent with the approved subdivision and land development plan and are of a size and location to constitute economically viable development. In no event shall subsequent stages contain less than 15% of the total dwelling units on the approved plan.
4. The gross residential density may be varied from stage to stage provided that final approval shall not be given to any stage if the gross density by type of dwelling unit, including stages with final approval and the stage for which final approval is sought exceeds by more than 10% the gross residential density for each type of dwelling unit allowed in the approved tentative plan for the entire Active Adult Community.

SECTION 1611 Conditional Use Requirements

The following analyses and assessments shall be submitted to the Board of Supervisors prior to the application for approval of a tentative plan. The Board of Supervisors will refer these analyses and assessments to the Planning Commission for their review and comment prior to scheduling a hearing before the Board.

1. Preliminary Analysis
 - A. Environmental Assessment

The applicant shall analyze the tract and identify those areas demonstrating constraints to development. The analysis shall include, at a minimum, the delineation and quantification of areas of the tract constrained by steep slopes, floodplains, wetlands, other water resource areas, woodlands and habitat areas. All trees in excess of 12 inches in caliper shall be individually inventoried and mapped except in areas where trees are anticipated to be preserved.
 - B. Historic and Cultural Resources Assessment

The applicant shall analyze all historic and cultural resources on the tract and the potential impact of the proposed development on those resources.
 - C. Traffic Impact Assessment

The applicant shall analyze the traffic generation from the proposed development and its potential impact upon the surrounding road system.
 - D. Public Utilities Assessment

The applicant shall assess the capability of the public water and sanitary sewer systems to accommodate the proposed development and the proposed method of storm water management.
 - E. Description and Development

The applicant shall describe in text and graphical format the general description of the proposed development, its ownership and management, proposed design and quantify all relevant information related to the development of the Active Adult Community. At a minimum, the

description shall include the number and type of dwelling units and density; the number, types and floor areas of other residential and non-residential uses; parking requirements; solid waste management; potential employment; need for the development; and the impacts of the development on the character of the community.

F. Fiscal Impact Assessment

The applicant shall analyze the costs to the Township for the provision of public facilities and services necessary to support the proposed development and the potential revenues to be realized as a result of the development.

2. Mitigation Plan

The applicant shall prepare a report detailing the impacts found in the assessments required in Section 1611.2 and describing the method of mitigation of all impacts.

3. Calculation of Allowable Uses

The applicant shall quantify, based upon the assessments and the Mitigation Plan required in Section 1611.2, the allowable number and types of dwelling units and the number, types and floor areas of other residential and non-residential uses.

4. Concept Plan

The applicant shall prepare and submit a conceptual plan in the form of a sketch plan rather than an engineered plan however in sufficient detail to demonstrate compliance with the development and design standards required by Article XVI.

5. Architectural Renderings

The architecture of the proposed development shall be designed to preserve and/or enhance the character of the surrounding community. The applicant shall prepare and submit architectural renderings, as part of the conditional use permit and upon approval shall agree to conditions necessary to ensure compliance.

6. Draft Proposed Homeowners Documents

The applicant shall prepare and submit draft documents pertaining to the required homeowner=s corporation, condominium or cooperative as well as any restrictive covenants related to ensuring compliance with the provisions of this Article XVI.

SECTION 1612 Application for Preliminary Approval of an Active Adult Community

1. An application for preliminary approval of an Active Adult Community shall contain a detailed plan consisting of all of the items contained in Section 807.2 (A) through (K) of this Zoning Ordinance.

SECTION 1613 Application for Final Approval of an Active Adult Community

1. An application for final approval shall be consistent with the provisions or Section 808 (1) through (4) of this Zoning Ordinance.

ARTICLE XVII: SIGNS

SECTION 1701 Purposes

The purposes of this Article are to regulate the type and dimensions of signs in the various zoning districts of Bethel Township, to recognize the commercial communication requirements of all sectors of the business community, to protect the public from damage or injury caused or attributable to distractions and obstructions caused by improperly designed or located signs, to safeguard property values and to assure that signs are consistent and harmonious in relation to the buildings and areas where they are placed.

SECTION 1702 Scope and Applicability

1. Any sign hereafter erected shall conform to the provisions of this Article and any other ordinance or regulations of the Township relating thereto. Any sign not specifically authorized by the provisions of this Article shall not be erected in the Township.
2. It shall be unlawful for any person, firm, corporation or individual to erect signs listed in Section 1706 without first obtaining a permit from the Township, except for those signs listed specifically in Section 1705.
3. No sign shall hereafter be erected or attached to, suspended from or supported on a building or structure, and no display sign shall hereafter be altered, rebuilt, enlarged, extended or relocated until a permit for the same has been obtained, except those listed specifically hereafter in Section 1705.
4. Applications for such permits shall be made in writing to the Township in accordance with Section 1706 and shall present full particulars as to size, shape, material, supports, location and height above the sidewalk or ground, together with the written consent of the owner of the property on which the sign is to be located. All applications shall be accompanied by a plan drawn to scale, showing the sign, its size and its location with respect to the building and to the boundaries of the lot upon which it is situated.
5. **Nonconforming Signs**
Signs and their respective illumination existing at the time of the passage of this Ordinance and which do not conform to the requirements of this Article shall be considered nonconforming signs and once discontinued for sixty (60) days, or damaged more than fifty (50) percent of their market value, or removed for any reason, shall be replaced with conforming signs. Nonconforming signs may be painted, repaired (including lighting) and altered in their wording provided such modifications do not exceed the dimensions of the existing signs.
6. **Abandoned signs**
No person shall maintain or permit to be maintained on any premises owned or controlled by him, a sign that has been abandoned. An abandoned sign for the purpose of this Article is a sign erected on and/or related to the use of a property which becomes vacant and unoccupied for a period of sixty (60) days or more; or any sign which was erected for a prior occupant or business; or any sign which relates to a time, event or purpose which is past. Any such abandoned sign shall be removed by the landowner or person controlling the property within ten (10) days of the abandonment as described above.
7. The Building Inspector is hereby authorized and empowered to revoke any permit issued by the Township, upon failure of the holder thereof to comply with any provision of this Article.

8. The provisions of this Article shall not apply where signage is erected and maintained by the Township for Township purposes, provided that all other required governmental permits are obtained by the Township prior to such Township use.

SECTION 1703 Determination of Size of Signs

1. The size of any sign shall be determined in accordance with the provisions of this Article and the following:
 - A. When a sign consists of letters, numbers and/or logos and not a lettered board and such sign is erected on or attached to a building wall or other similar surface, the size of such sign shall be measured by the geometric shape formed by the extreme outside edge of the largest letters, numbers or logos contained in the sign.
 - B. When a sign consists of a lettered board and such sign is erected on or attached to a building wall or other similar surface, the size of such sign shall be determined by calculating the area of the lettered board.
 - C. When a sign is a freestanding sign or ground sign, the size of such freestanding sign shall be determined by calculating the area of the lettered board or the area of the combination of letters, numbers and/or logos without a lettered board, as the case may be.

SECTION 1704 Sign Restrictions and Standards

1. Prohibited Signs

It is unlawful to erect or maintain the following signs:

- A. Flashing, blinking, twinkling, spinning, animated, inflatable, aerial, crane signs or lighted moving signs including automatic color changing and rotating lamps and other moving objects that call attention to the sign.
- B. Advertising cloth or paper banner or signs of any similar character suspended or hung on any property, except for temporary banners which may be permitted through special permission of the Township to be determined by the Board of Supervisors.
- C. Wall bulletins or any other signs painted directly on the facade of a building or other structure.
- D. Curb or sidewalk signs or signs painted, attached or suspended from any outdoor bench, chair or other structure.
- E. Swinging and hanging signs.
- F. Signs, letters, posters and advertisements which are tacked, pasted, tied or otherwise affixed to poles, posts, buildings, fences or other structures located on public property or within public right-of-way in the Bethel Township.
- G. No sign shall be temporarily or permanently placed, erected, attached or painted on any vehicle if such sign identifies, advertises or gives information with respect to a premises or a part thereof, or any sale or special event of other circumstances.
A sign is permitted on a vehicle when:

- (1) such sign is required by law;
- (2) such sign is in transit from one location to another, for permanent installation, for a time not to exceed three (3) days;
- (3) the sign which is permanently painted or affixed to a vehicle and is incidental to the use of a currently licensed vehicle when that use is a means of transportation; or
- (4) the vehicle, capable of sheltering a use or occupancy, is used as a construction shed or is located as prescribed for buildings in the zoning provision regulating the premises and is used and occupied for a purpose permitted by the zoning regulation. In such a case, the sign shall otherwise comply with this Article.

H. Signs placed, inscribed or supported upon the roofline or any structure, which extends above the roof line of any building.

I. Signs indicating the location and direction of premises in the process of development.

J. Signs which change lettering and/or displays in less than one (1) minute intervals.

2. Projecting Signs Prohibited

No new projecting signs shall be erected after the date of enactment of this Ordinance. Projecting signs in existence at the enactment of this Ordinance shall be considered nonconforming signs and shall be allowed to continue, however, such signs shall be removed after five (5) years from enactment of this Ordinance, as noted in Section 1709 2c or this Article.

3. Unsafe and Unlawful Signs

If the Building Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or is a menace to the public or has been constructed or erected or is being maintained in violation of the provisions of this Ordinance, he shall give written notice thereof to the permittee. If the permittee fails to remove or alter the structure so as to comply with the standards set forth herein within ten (10) days after such notice, such sign or other advertising structure may be removed or altered to comply by the Building Inspector at the expense of the permittee or owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign or other advertising structure, which is immediate peril to persons or property to be removed summarily and without notice.

4. Inspections

The Building Inspector shall cause a routine inspection of all signs in the Township to be made at least once every two years and at any other time when he deems such inspection necessary. He shall report to the Board of Supervisors all unsafe signs, all signs failing in any respect to conform to the requirements of this Article and all signs not licensed by the Township.

5. General Restrictions and Standards

The following restrictions shall apply to all permitted signs:

A. No sign shall be located, arranged or placed in a position where it will cause danger to traffic or will interfere with traffic through glare; blocking of required sight lines for streets, sidewalks or driveways; confusion with a traffic control device by reason of color, location, shape or other characteristics; or through any other means.

B. All signs constructed or erected under the provisions of this Article shall comply with the standards set forth in the latest applicable BOCA Code.

- C. No sign shall be erected within the right-of-way lines of any public street, nor shall any such sign be closer than five (5) feet to the right-of-way line of a public street, unless specifically authorized by other ordinances and regulations of Bethel Township or other governmental bodies or agencies having jurisdiction or regulatory authority in the matter.
- D. No sign shall be designed or lighted in such a manner or placed in such a position or location that it will cause danger to traffic on a street by obstructing or hindering the view.
- E. No sign shall be designed or lighted in such a manner or placed in such a position or location where it will present an unreasonable risk of injury to persons or damage to property.
- F. All external illuminated signs shall be turned off not later than one-half (2) hour after closing of the business or entity which they identify or advertise.
- G. No illuminated sign shall be lighted on days when the business or permitted use is not open for business.
- H. Every sign must be constructed of durable materials and shall be solidly and firmly attached, supported and/or anchored to the supports or framework.
- I. Every sign must be kept in good condition and repair. Any sign, which is allowed to become dilapidated, shall be removed by and at the expense of the landowner or lessee of the property on which it is located.

6. Double-Faced Signs

- A. A sign may be double-faced providing it has two (2) parallel surfaces that are directly opposite and matching in size and shape and are not over twenty-four (24) inches apart. Should the two (2) surfaces deviate from being parallel, the sign shall be considered as two (2) signs.
- B. Should the faces of a double-faced sign be parallel, the sign shall be considered, as one (1) sign and only one (1) face shall be used to calculate the total size of the sign.
- C. Each face of a double-faced sign shall be equal in size. Should the faces of a double-faced sign differ in size, then the area of both faces shall be used to calculate the size of the sign.

7. Multi-Faced Signs

A freestanding sign may be multi-faced beyond two (2) faces provided that:

- A. The combined area of all of the sign faces is no more than fifty (50) percent greater than the combined area of both faces of a permitted double-faced sign in that district.
- B. No plane or planes of any multi-face signs shall be open.
- C. All sign faces shall be of the same dimensions.

8. Freestanding Signs

- A. The bottom or lowest edge of any freestanding sign shall be no closer to the ground than seven (7) feet. At least five (5) feet of the upper portion of the seven (7) foot space shall be open and unobstructed. No more than two (2) feet above the ground level can be devoted to and maintained for flowers, ground covers and low spreading shrubs. If such plantings are installed, they shall be maintained at the maximum height of two (2) feet and shall be free of weeds, debris and other undesirable material.
- B. All single post freestanding signs shall be made of metal, except for those used in residential districts which may be made of pressure treated timbers. All such posts shall be embedded in the ground at least three (3) feet six (6) inches unless otherwise so directed by the Zoning Officer.
- C. Freestanding signs will be permitted in residential areas only when set back a minimum distance of ten (10) feet from the street line.
- D. Freestanding signs shall be illuminated only by concealed or indirect lighting attached to the sign itself.

9. Ground Signs

- A. The top edge of a ground sign shall be a maximum of five (5) feet above ground level and shall have an area of not more than thirty-six (36) square feet.
 - B. Ground signs shall be supported and permanently placed by embedding, anchoring or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.
 - C. Illumination. See subsection 8d above relating to freestanding signs.
10. Each sign shall be removed within ten (10) days of the time when the circumstances leading to its erection no longer apply, or as provided otherwise herein.
11. All sign provisions of this Article shall apply to smoke stacks, water towers, silos and other similar structures.

SECTION 1705 Signs for Which a Permit is Not Required (Exempt Signs)

The following signs, exactly as described below, are exempt from the need to secure a permit and are allowed within all zoning districts of the Township but are subject to the provisions of Sections 1702 and 1703.

1. Real Estate Signs

Signs advertising the sale or rental of the premises or lot upon which they are erected, provided that:

- A. No more than one (1) such sign shall be erected for any premises or lot held in single and separate ownership, unless such premises fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage.
- B. No such sign shall be illuminated.

- C. All such signs must be removed on or before the date of settlement.
 - D. All real estate signs, which do not exceed six (6) square feet, do not require a permit.
 - E. All real estate signs from six (6) square feet to twenty (20) square feet do require a permit pursuant to this Article.
 - F. No signs, which direct traffic to real estate, that is for sale or rent can be placed on another property.
 - G. Directional real estate signs pertaining to Open Houses may be placed one-half hour prior to the Open House and must be removed one-half hour after the Open House.
- 2. Decorations for a recognized officially designated holiday provided they do not create a traffic or fire hazard.
 - 3. Official and governmental signs which shall include safety signs, trespassing signs, signs indicating scenic or historical points of interest and traffic signs.
 - 4. Signs designated the name of the owner or occupant of a property, the address of such property, the private ownership or roadways or other property provided:
 - A. Such sign is not in excess of two (2) square foot in area.
 - B. Not more than one (1) such sign is erected for each use.
 - 5. Temporary yard sale or garage sale signs, provided signs:
 - A. Do not exceed two (2) square feet in area.
 - B. Shall be removed within twenty-four (24) hours after said sale.
 - 6. Temporary signs announcing a public, educational, charitable, civic, or religious event provided:
 - A. Such sign may be erected for a period not to exceed thirty (30) days nor more than three (3) times in any calendar year.
 - B. Such sign shall not exceed eight (8) square feet.
 - C. Such sign shall not be placed in such a position that it will cause danger to traffic on a street by obscuring the view.
 - D. Such sign shall be no closer than five (5) feet to the right-of-way line of a public street, unless specifically approved by the Township Zoning Officer.
 - E. All temporary signs shall be removed within 24 hours after the event.
 - 7. Window Signs
- Such signs shall be used to serve as an accessory sign to the sign associated with the principal use.
- A. Window signs shall be permitted in the commercial district and where nonconforming commercial uses occur in other districts.

- B. The total area of window signs shall not exceed twenty-five (25) percent of the total glass area of the window in which it is placed.
8. Official Traffic Signs
 9. Trespassing signs or signs indicating the private nature of a driveway or premises, provided that the size of any such sign shall not exceed two (2) square feet.
 10. Signs of contractors, mechanics and artisans, provided that:
 - A. Such signs shall be erected only on the premises or lot where such work is being performed.
 - B. The size of any such sign shall not exceed twelve (12) square feet.
 - C. No such sign shall be illuminated except that all signs for detours may be illuminated and flashing amber.
 - D. Such signs shall be removed promptly upon completion of the work by the contractor, mechanic or artisan.
 11. Signs advertising sale of farm products grown on the premises, provided that:
 - A. The size of any such sign shall not exceed six (6) square feet.
 - B. Not more than one (1) such sign shall be erected on the premises, unless such premises fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage.
 - C. No such sign shall be illuminated.
 - D. Such sign shall be displayed only when farm products are on sale.
 12. Informational signs such as entrance, exit, no parking, visitors parking, no hunting, no trespassing, keep off the grass, and the like, on the same lot as the use to which the sign relates or the prohibition of the use to which the sign relates, provided that:
 - A. The area of said sign shall not exceed two (2) square feet in area.
 - B. Such sign shall not contain any advertising.

SECTION 1706 Signs for Which a Permit is required

The following signs are permitted, provided a sign permit has been obtained for such sign.

1. Temporary Signs Advertising Political Parties or Candidates for Election
 - A. The size of any such sign is not in excess of four (4) square feet.

- B. The erector of such signs or an authorized agent of the political party or candidate applies for and obtains a permit for the Township Zoning Officer and deposits with the Township at the time of his application, the sum of twenty-five (\$25) dollars per each one hundred (100) such signs, or fraction thereof, as a guarantee that all such signs will be removed promptly within twenty (20) days after the date of the election to which such signs relate. If such signs are not removed at the end of thirty (30) days, the Township shall have them removed and keep the full sum deposited to reimburse the expenses incurred by it and for the general township purposes.

2. Signs in Residential and Similar Districts

The following types of signs and no others shall be permitted in R-1, R-3, Apartment, Townhouse, Mobile Home and Planned Residential Development Districts.

- A. Professional, accessory use or name signs indicating the name, profession or activity of the occupant of a dwelling, provided that:
 - (1) the size of any such sign shall not exceed two (2) square feet.
 - (2) not more than one (1) such sign shall be erected for each permitted use or dwelling.
 - (3) no such sign shall be illuminated except by lighting, concealed or indirect, attached to the sign itself.
- B. Identification signs for apartment complexes, schools, colleges, churches, hospitals, and other permitted uses other than dwellings, provided that:
 - (1) the size of any such signs shall not exceed twenty (20) square feet.
 - (2) not more than one (1) such sign shall be erected on the premises.
 - (3) no such sign shall be illuminated except by lighting, concealed or indirect, attached to the sign itself.
- C. Signs advertising the development of the premises upon which they are erected, provided that:
 - (1) the size of any such sign shall not exceed twenty (20) square feet.
 - (2) not more than one (1) such sign shall be erected on the premises or lot unless such premises fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage.
 - (3) no such sign shall be illuminated.
 - (4) all such temporary signs shall be removed upon settlement of all lots on the premises in all approved phases of the development.
 - (6) permanent signs designating the name of a development shall be limited to thirty-two (32) square feet, may be double-faced and are limited to one (1) such sign at each entrance to the development.

3. Signs in Nonresidential Districts

A. General Provisions

The following types of signs shall be permitted in the Commercial and Industrial Districts.

- (1) any sign permitted in a residential district.
- (2) real estate signs advertising the sale or rental of the premises upon which they are erected, provided that:
 - a. Not more than one (1) such sign shall be erected for any premises held in single and separate ownership, unless such premises fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage.
 - b. The size of any such signs shall not exceed thirty-two (32) square feet
 - c. No such sign shall be illuminated.
 - d. All such signs shall be removed not later than on the date of settlement.

B. Freestanding Signs

Except where specifically noted otherwise, not more than one (1) freestanding sign shall be erected for each building or group of buildings. However, one (1) additional freestanding sign may be erected in the case of a property with more than one street frontage.

- (1) the height of freestanding signs shall not exceed the following:
 - a. Commercial Districts - twenty-five (25) feet.
 - b. Limited Industrial Districts - thirty-five (35) feet.
- (2) Size of Freestanding Signs
 - a. Commercial Districts
 - X one sign with a maximum of fifty (50) square feet is permitted for a detached building or buildings with nine (9) or fewer attached establishments.
 - X one sign with a maximum of sixty (60) square feet is permitted for two (2) or more detached buildings in single ownership or buildings with ten (10) or more attached establishments.
 - b. Limited Industrial District
 - X one (1) freestanding sign listing all establishments in a development shall be erected at the main roadway and one (1) such sign in the interior of the development.
 - X the size of the roadway sign shall not exceed seventy (70) square feet while those in the interior shall not exceed twenty-five (25) square feet per building.

C. Freestanding Signs at Drive-through Restaurants

A restaurant with drive-through service may erect one (1) additional freestanding sign, which shall be a menu sign, provided that such sign shall not exceed twenty-five (25) square feet.

D. Temporary Mobile Signs

Signs on mobile stands, which can be moved from place to place and thereby not permanently affixed to the ground and other portable signs, be they freestanding, on the ground or temporarily attached to a building or other support. Said signs shall require a permit and a permit fee of twenty-five (25) dollars. Such temporary signs may be erected for a period not to exceed thirty (30) days nor more than three (3) times in any calendar year. Only one (1) sign per business shall be permitted.

E. Wall Signs

(1) not more than one (1) wall sign shall be permitted for every establishment with direct access to a parking area, except that establishments on corner properties may erect one (1) additional wall sign.

(2) Size of Wall Signs

a. Detached buildings in Commercial District - twenty-five (25) square feet.

b. Limited Industrial District - forty (40) square feet.

(3) Establishments with no direct access to parking area (establishments in interior of building) shall be permitted one (1) wall sign, which shall be no larger than six (6) square feet.

(4) Establishments on second or upper floors shall be permitted one (1) wall sign, the size of which shall not exceed ten (10) square feet.

F. Awning Signs

Awning signs shall conform to the dimensional regulations relating to wall signs in subsection e above.

SECTION 1707 Billboards

1. Billboards shall be permitted only in the C2 District.

2. No billboard shall be erected within one-thousand (1,000) feet of another billboard.

3. Size

The maximum size of billboards shall be as follows:

A. One hundred (100) square feet by right.

B. Two hundred (200) square feet by special exception.

4. The minimum distance from a street right-of-way shall be thirty-five (35) feet.

5. The maximum height of billboards shall be thirty-five (35) feet.

6. No billboard shall be placed within the sight triangle as defined in the Township=s Subdivision and Land Development Ordinance.

SECTION 1708 Permits

1. Except as otherwise provided in Section 1705, no sign shall be erected in the Township until a permit therefore has been obtained in the following manner:
 - A. An application in writing shall be made to the Townships Zoning Officer by the person desiring the permit.
 - B. The application submitted to the Townships Zoning Officer shall give full particulars regarding the size, shape, material and supports of the sign as well as a sketch or sketches showing the location of the sign on the building or lot, the distance from the curb line and the height of the sign. The application shall be sufficiently specific to enable the Zoning Officer to determine if the sign complies with the Townships zoning ordinance as well as any other ordinance or regulation of the Township relating thereto. Such application shall be accompanied by a fee as the Township Supervisors may establish.
 - C. If the person submitting the application is not the owner of the property upon which the sign is to be erected, the written consent of the owner of the property on which the sign is to be erected shall accompany the application.
2. Except as otherwise provided in Section 1709, whenever any sign is replaced by another sign, enlarged in any manner or altered, dismantled, damaged or otherwise destroyed to the extent of more than fifty (50) percent of its value, a permit shall be required as provided in paragraph 1 above before the sign is replaced, enlarged, altered or repaired.

SECTION 1709 Nonconforming Signs

1. Signs, which are nonconforming, and signs, which identify nonconforming uses, shall be permitted in accordance with the following regulations, except, as otherwise provided in this Ordinance.
 - A. A sign, which is nonconforming at the effective date of this Ordinance, may remain, but the size of any such nonconforming sign may not be enlarged.
 - B. A nonconforming sign may be changed to or replaced by another nonconforming sign, when authorized as a special exception by the Zoning Hearing Board.
 - C. A nonconforming sign which has been damaged, or otherwise destroyed to the extent of more than fifty (50) percent of its value, shall be repaired or rebuilt only as a conforming sign, unless the Zoning Hearing Board grants a special exception to allow the sign to be repaired or rebuilt as a nonconforming sign.
 - D. If a nonconforming use of a building ceases or is discontinued for a continuous period of one (1) year or more and such nonconforming use is deemed to be abandoned by virtue of the applicable provisions of other ordinances and regulations of the Township of Bethel, any nonconforming sign on the premises shall also be considered abandoned and any subsequent signs erected or maintained on the premises shall be in conformity with the provisions of this Article.

2. Amortization

The signs listed below shall be removed or otherwise brought into conformity with the provisions of this Ordinance in accordance with the following schedule.

- A. Temporary, sidewalk, sandwich or A frame signs, movable freestanding signs, banners, pennants and similar types of signs shall be abated, removed or brought into compliance within ninety (90) days after enactment of this Ordinance.
- B. Signs painted on buildings, walks, fences or benches shall be removed, abated or brought into compliance within two (2) years after enactment of this Ordinance.
- C. All other nonconforming signs shall be abated, removed or brought into compliance within five (5) years after enactment of this Ordinance.

SECTION 1710 Causes of Action

If any sign is in violation of this Article, the Township or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute an appropriate action or proceeding to prevent, restrain, correct or abate such violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township. No such action may be maintained until such notice has been given.

SECTION 1711 Jurisdiction

District justices shall have initial jurisdiction over proceedings brought under Article X-A of the Pennsylvania Municipalities Planning Code as amended.

SECTION 1712 Enforcement Remedies

- 1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than six hundred (600) dollars 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 payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continue 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. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid to the Township.
- 2. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
- 3. 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.

ARTICLE XVIII: OFF-STREET PARKING AND LOADING

SECTION 1800 Required Off-Street Parking Space

SECTION 1801 Purposes

The purposes of this Article are to adequately provide for the parking needs of all uses in the Township, to reduce traffic congestion on public streets by getting parking off streets and to allow faster emergency access. The secondary purposes include minimizing development problems with neighboring uses, providing for special parking needs of handicapped drivers and providing flexibility in meeting the Townships parking problems and needs by methods such as shared parking arrangements.

SECTION 1802 Applicability

1. Basic Requirements

Off-street parking shall be provided in accordance with the requirements in Section 1803 below. In all residential districts at least one parking space shall be located behind the front building line.

2. Existing Structures and Uses

No building or use of land lawfully in existence prior to the effective date of this Ordinance shall be subject to the following requirements so long as the kind or extent of use is not changed so as to require additional parking.

3. Provision and Retention of Facilities

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 in total extent except when such reduction is in conformity with this Article.

4. Change or Extension of Use

Whenever a structure is altered or a use is changed or extended which increases the parking requirements of Section 1803, then the total additional parking required for the alteration, change or extension shall be provided in accordance with Section 1803.

SECTION 1803 Required Parking Ratios

Spaces for off-street parking shall be provided as required below:

	USE	OFF-STREET PARKING SPACE REQUIREMENTS
1.	Agricultural Uses	
	Agriculture	One (1) for every two hundred (200) square feet of sales area, but not less than three (3) spaces.
2.	Residential Uses	
	Single-Family dwelling units	Three (3) for every dwelling unit

Residential Uses (continued)	
Townhouse	Two (2) for every dwelling unit, plus one (1) for every four (4) dwelling units for guests.
Multi-family dwellings and two-family dwellings and apartments	One (1) per dwelling unit for one (1) bedroom units. Two (2) per dwelling unit for two (2) and three (3) bedroom units, plus one (1) for every dwelling unit for guests in multi-family developments.
home occupations and home professional offices	One (1) for every two hundred (200) square feet of space devoted to office use of home occupation, plus residential requirement.
Mobile homes and mobile home parks	Two (2) for each dwelling unit, plus one (1) for every four (4) dwelling units for guests in developments of sixteen (16) or more units.
Community residence facilities	One (1) for every two (2) bedrooms, plus one (1) for every other two (2) rooms, excluding bathrooms.
3.	Public or Private Recreational Uses
Outdoor commercial recreation	One (1) for every four thousand (4,000) square feet of area devoted to such use.
Indoor commercial recreation	One (1) for every one hundred fifty (150) square feet of gross floor area.
4.	Governmental, Institutional and Educational Uses
Auditoriums, churches, and other places of public assembly	One (1) for every five (5) seats, plus one (1) for every one hundred fifty (150) square feet of meeting room area.
Community center, library or similar use	One (1) for every two hundred fifty (250) square feet of gross floor area.
Continuing care facility	One (1) for every dwelling unit, plus one (1) for every two (2) employees on the shift of greatest employment.
Intermediate day care center and group day care center	One (1) for every five hundred (500) square feet of gross floor area, plus one (1) for each adult attendant. This shall be in addition to the parking requirements of the primary use such as a school or church, if applicable.
Adult Day Care Center	One (1) for every five (5) clients, plus one (1) for each employee on the shift of greatest employment.
Primary and secondary schools	One (1) for each faculty member or other full time employee, plus two (2) for each classroom, plus one (1) for every twelve (12) students aged sixteen (16) years or older.

	<p>Recycling facilities <small>collection facility</small> Standard collection facility Processing facility</p>	<p>Two (2) per facility One (1) for every five hundred (500) square feet of area occupied by the facility, but in no case less than four (4). One (1) for every seven hundred fifty (750) square feet of gross floor area, plus one (1) for every employee on the shift of greatest employment.</p>
5.	Retail, Commercial and Other Business Uses	
	Retail Store or shop	One (1) for every two hundred (200) square feet of gross floor area on the first floor and one (1) for every four hundred (400) square feet of gross floor area on the second floor.
	Furniture or appliance store	One (1) for every three hundred (300) square feet of gross floor area on the first floor and one (1) for every four hundred (400) square feet of gross floor area on the second floor.
	Convenience Store	One (1) for every one hundred twenty-five (125) square feet of gross floor area.
	Supermarket	One (1) for every one hundred twenty-five (125) square feet of gross floor area.
	Personal service businesses such as barber shops, tailors, shoe repair, etc.	One (1) for every one hundred fifty (150) square feet of gross floor area on the first floor and one (1) for every four hundred (400) square feet of gross floor area on the second floor.
	Shopping Center	One (1) for every two hundred fifty (250) square feet of gross leaseable floor area.
	Professional and other offices	One (1) for every two hundred (200) square feet of gross floor area.
	Banks, credit unions, and savings and loans	One (1) for every two hundred (200) square feet of gross floor area.
	Restaurant	
	Sit-down	one (1) for every one hundred fifty (150) square feet of gross floor area, plus one (1) for every two (2) employees on the shift of greatest employment.
	Restaurant with drive-through service	One (1) for every seventy-five (75) square feet of gross floor area, plus one (1) for every two (2) employees on the shift of greatest employment.
	Movie Theater or place of amusement	One (1) for every three (3) seats, plus one (1) for every employee on the shift of greatest employment.
	Health Club	One (1) for every one hundred (100) square feet of gross floor area.
	Funeral Home	One (1) for every seventy-five (75) square feet of floor area in viewing rooms or parlors, plus one (1) for each official

		funeral car, plus two (2) for the resident family, plus one (1) for every two (2) employees exclusive of the resident family members.
	Hotel, motel or inn	One (1) for every guest room, plus one (1) for every two (2) full-time employees.
	Car wash	
	Standard car wash	Ten (10) per bay for stacking, plus four (4) for standing between the exit of the facility and the street, plus one (1) for each employee on the greatest shift.
	Self-service car wash	Four (4) per bay for stacking, plus one (1) for standing between the exit of the facility and the street.
	Laundromat - self-service	One (1) for every two (2) washing machines.
	Automobile, service and repair	Two (2) spaces, either within or outside the structure, for every two hundred (200) square feet of floor or ground area devoted to repair or service facilities and, in addition, such space as is necessary for vehicles purchasing gasoline or being stored. In no case shall the spaces for permitted motor vehicle storage in conjunction with a service station be less than five (5).
	Temporary places where Christmas trees, flowers, produce and other goods are sold	One (1) for every two hundred (200) square feet of sales space but in no case less than three (3) spaces. One (1) parking place for every 2 employees.
6.	Industrial and Other Related Uses	
	Research, development, light manufacturing and assembly	One (1) for every seven hundred fifth (750) square feet of gross floor area, plus one (1) for every employee on the shift of greatest employment.
	Storage, manufacturing, warehousing and distribution	One (1) for every thousand (1,000) square feet of gross floor area, plus one (1) for every employee on the shift of greatest employment.

SECTION 1804 General Regulations for Off-Street Parking

1. Where a use is not specifically listed in this Ordinance, the Zoning Officer shall apply the standards of the most similar use listed to determine the number of parking spaces required.
2. If the computation of the parking ratios listed in Section 1803 of this Ordinance results in a fraction, an additional parking space shall be required.
3. All parking areas, loading areas and driveways shall be graded and surfaced with asphalt or other suitable materials to prevent dust and erosion. Such areas shall also be drained in conformance with municipal standards to prevent excessive water flow onto streets or adjoining properties.
4. In parking areas with four (4) or more spaces, each space shall be clearly line-striped and maintained.
5. Free-standing establishments located adjacent to shopping centers or strip plazas shall have adequate parking as required in Section 1803 and will not rely on any common parking to meet the aforementioned requirements.

6. All parking areas with four (4) or more spaces shall be adequately lighted so as to assist in the safe maneuvering of motor vehicles and to provide security for users of the lot. All lighting shall be arranged to avoid glare on adjacent properties.
7. All commercial vehicle and trailers with more than single rear wheels shall not be parked or stored in the right of way of a public street.
8. Parking or storage of disabled, partially dismantled or junk cars, trucks, boats or other vehicles shall be permitted on a lot for a continuous period of not more than seven (7) days.

SECTION 1805 Design Regulations

1. The size of standard parking space shall be ten (10) feet wide and twenty (20) feet long, an area of two hundred (200) square feet.
2. Size and number of parking spaces for the handicapped shall be in accordance with the Pennsylvania Department of Labor and Industry Code, Title 34, Chapter 60 Universal Accessibility Standards.
3. All parking areas for three (3) or more vehicles shall be designed so that vehicles need not back directly into a public street but can enter and leave the parking area in forward motion.
4. All parking shall be accessible from a street or driveway.
5. Every parking lot or area with ten (10) or more off-street spaces shall be separated from the street or highway by a raised curb, planting strip, wall or other suitable barrier against unchanneled motor vehicle entrance or exit, except for necessary accessways or exits.
6. Drive-through establishments such as fast order and pick-up, automatic bank teller, and similar uses shall provide not less than five (5) waiting spaces for each drive-through lane. This is in addition to the space for the car being serviced.
7. Two-way aisles shall be a minimum of twenty-two (22) feet wide and a maximum of thirty-six (36) feet wide. One-way driveways shall be a minimum of sixteen (16) feet wide for angled parking (45 degrees) and twenty two (22) feet wide for 90 degree parking.

SECTION 1806 Common Parking

1. Nothing in this Article shall be construed to prevent collective provision of off-street parking facilities for two (2) or more non-residential buildings or uses, provided that the total of such off-street parking facilities provided collectively shall be not less than the sum or requirements for the various uses compiled separately.
2. Two (2) or more non-residential uses may provide for required parking in a common parking such uses. The number of spaces required in such a common parking area may be reduced below the sum of the total requirements if it can be demonstrated to the Zoning Officer that the hours or days of peak parking demand for the uses are so different that a lower overall total of parking spaced will adequately provide for the uses to be served. In such case, sufficient parking shall be provided to meet the minimum needs of the use, which requires the greater parking area.

SECTION 1807 Design and Layout of Off-Street Loading Facilities

1. In addition to the off-street parking spaces required in this Article, any building erected, converted and/or enlarged for any non-residential use shall provide off-street areas for loading and unloading and commercial vehicle parking spaces.
2. The minimum size loading space shall be fifty (50) feet long and twelve (12) feet wide, with an overhead clearance of fourteen (14) feet, exclusive of drives and maneuvering space, and located entirely on the lot being served. Any overhead canopy should extend a minimum of four (4) feet beyond a loading dock.
3. All loading space shall have adequate access from a street or way, which does not block or interfere with the required parking as specified in Section 1803. This required space will be provided in addition to established requirements for patron and employee parking.
4. In no case shall public rights-of-way be used for loading or unloading of materials. Furthermore, no loading dock or space shall be located or arranged in such a way that it is necessary to back any vehicle into or off any public right-of-way or require the use of any public right-of-way for maneuvering space.
5. All accessory driveways and entrance way shall be graded, paved and drained to Township standards to the extent necessary to prevent nuisance of dust, erosion or excessive water flow across streets and adjoining properties.
6. All off-street loading berths shall be provided on either the side or rear of the lot. In no case shall off-street loading berths be provided in the front of the lot.
7. Such facilities shall be designed and used in such a manner so as to at no time constitute a nuisance, a hazard or an impediment to traffic.

SECTION 1808 Screening and Landscaping Requirements

1. Screening between any parking area and the street line shall be effective at the time of occupancy, subject to the following provisions:
 - A. All off-street parking areas, which provide more than four (4) parking spaces, shall be screened from any abutting property in a more restrictive zoning district.
 - B. Effective screening may be accomplished through the use of the following: plant materials, fencing or walls and/or mounding through the use of an earthen berm forming a continuous visual buffer.
 - C. The area for planting and fencing, walls or earthen berms shall not extend beyond the street line.
 - D. When planted visual screens are employed, the following shall apply:
 - (1) A buffer planting street shall be provided. It shall be a minimum of ten (10) feet in width unless specifically required otherwise in this Ordinance.
 - (2) Planted visual screens shall be of sufficient height and density to constitute a continuous visual screen six (6) feet in height at the time of planting except as provided below. The type and spacing of plant materials shall be subject to review and approval by the Township Supervisors.

- E. Whenever fencing or walls are employed, the effective height of the continuous visual buffer shall be not less than five (5) or more than six (6) feet.
 - F. Whenever earthen berms are employed, the effective height of the continuous visual buffer shall not be less than five (5) feet.
 - G. In the case of a parking lot which is the main use, such lot shall be enclosed, except for entrances and exits, by an ornamental fence or wall or by a compact evergreen ridge not less than four (4) feet high, except when the boundary of such parking lot is an adjoining building.
2. Landscaping within any parking area which provides twenty (20) or more parking spaces shall be subject to the following provisions:
- A. Off-street parking areas shall be landscaped to reduce wind and air turbulence, heat, noise and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to improve storm water drainage problems; to replenish the groundwater table; and to provide for a more attractive setting.
 - B. Landscaped areas at least five (5) feet wide shall be provided around the periphery of parking areas. Such areas shall, at a minimum, extend the full length and width of the parking areas, except for necessary accessways, to prevent the encroachment of moving vehicles into parking areas.
 - C. Existing plant material and trees with a caliper of six (6) inches or more shall be preserved wherever possible during construction. Such existing plants may be credited toward the amount of required plantings.

ARTICLE XIX: GENERAL REGULATIONS

SECTION 1900 Applicability of Regulations

For the purposes of this Ordinance the following regulations shall govern in all districts.

SECTION 1901 Lot of Record

A lot, which is of public record and in singular and separate ownership at the time of the enactment of this Ordinance may be used for a permitted use in the district in which it is located, provided, however, that the minimum or maximum regulations of the district are met.

Section 1902 Nonconforming Uses, Buildings, Lots

A. Purpose.

1. Within the districts established by this chapter or amendments that may later be adopted there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this chapter was passed or amended, but which would be prohibited, regulated or restricted under the terms of this chapter or future amendment.
2. The regulations governing existing nonconforming uses are set forth in this article and are intended to provide a gradual remedy for the incompatibilities resulting from such nonconforming uses. While such uses are generally permitted to continue, these regulations are designed to restrict further investment in such uses, thereby keeping them from becoming more permanent establishments in inappropriate locations.
3. These regulations are thus designed to preserve the character of the districts established in this Zoning Code in the light of their peculiar suitability to particular uses, and thus to promote and protect health, safety and general welfare.

B. Continuation of lawful nonconforming condition or use.

1. Any lawful nonconforming condition or use of a building or lot existing at the effective date of this chapter or any subsequent amendment hereto or authorized by a building permit issued prior to the adoption of this chapter may be continued, although such condition or use does not conform to the provisions of this chapter, if all other requirements governing the condition or use are complied with, and subject to the provisions of Section 1902.G of the Zoning Ordinance.
2. Any lawful nonconforming condition or use of a building or lot existing at the effective date of this chapter or any subsequent amendment hereto or authorized by a building permit issued prior to the adoption of this chapter may be continued, although such condition of use does not conform to the provisions of this chapter, if all other requirements governing the condition or use are complied with.

C. Extension or alteration.

1. Nonconforming uses. A nonconforming use of a building or lot may be extended or enlarged either within an existing building or by an addition to it on the same lot, provided that:
 - (1) Such extension shall be permitted only by special exception.
 - (2) The extension conforms to all district regulations for buildings and lots.

- (3) The part of the building into which the use is to be extended has been manifestly arranged or designed for such use at the time such use became nonconforming.
- (4) The part of the lot into which the use is to be extended was reasonably held for future inclusion in such use at the time such use became nonconforming.

D. Nonconforming lots.

- 1. A building may be erected or extended on any lot or contiguous lots held at the effective date of this chapter or any amendment thereto in single and separate ownership, which lot is not of the required minimum area or width or is of such unusual dimensions that the owner would have difficulty in providing the required open spaces for the district in which such lot is situated, provided that the building shall comply with the front, side and rear yard requirements of the district in which such lot is situated, unless otherwise authorized as a special exception by the Zoning Hearing Board, and in any case where Zoning Hearing Board review is required, the building shall comply with the yard requirements of the district to the maximum extent practicable.
- 2. When two or more nonconforming lots with contiguous frontage are in single ownership, the Zoning Officer shall consider them a single piece of land, and use of it, or any portion of it, shall be in accordance with the Zoning Ordinance then in existence or receive approval from the Bethel Township Zoning Hearing Board.
- 3. A non-conforming lot which is one of a group of lots in a plan of subdivision recorded in the Office of the Recorder of Deeds, Delaware County and approved by the Township Supervisors in accordance with the Land Subdivision Ordinance as amended and the Regulations adopted thereunder, may be used for a permitted use in the district in which it is located, provided:
 - a. The square foot area is not less than forty (40) percent of the area required at the time a permit is requested and issued.
 - b. The streets and other improvements as indicated in the said plan and in the subdivision agreement with the Township have been completed and approved by the Township, whether or not said improvements have been accepted in dedication by the Township.

E. Nonconforming buildings.

- 1. If use is conforming:
 - (a) Nonconforming structures may be altered, reconstructed or enlarged, provided that such alteration, reconstruction or enlargement does not increase the extent of the nonconformity existing on the effective date of this chapter.
 - (b) If a nonconforming structure is moved wholly or partially within or off of the lot, the part moved must conform to the regulations of the district where it is moved.
- 2. If use is nonconforming:
 - (a) The extension or alteration in the structure must meet the requirement for the extension or alteration of a nonconforming use, as given in Subsection C.1.(1), (2), (3) and (4).

F. Restoration.

1. A nonconforming structure that has been damaged by fire, wind, storm, lightning or a similar cause may be rebuilt if certain qualifications listed below are met; if the procedure listed below is followed; and if the criteria listed below are conformed to.

A. Qualifications.

(1) The cause of destruction or damage is beyond the owner's control at the time of destruction or damage.

(2) Use may or may not be conforming.

(3) Damage in terms of replacement cost is 60% or less of the replacement cost of the entire structure before damage.

2. Procedure to be followed in order to apply for restoration permission.

A. Plans for rebuilding shall be handled as provided for in the case of new construction, but before granting a building permit, permission to rebuild must be sought from the Board of Supervisors and Zoning Hearing Board.

B. Criteria to be followed.

(1) If use is nonconforming, the reconstructed building cannot exceed the height, area and volume of the building destroyed. If the use is conforming, the reconstructed building may be built to any height, area or volume, provided that Township ordinances and codes are observed.

G. Abandonment or discontinuance.

1. If a nonconforming lot or building is abandoned and not used for a continuous period of one year or more, subsequent use of such lot or building shall be in conformity with the then provisions of this chapter governing the district in which the lot or building is located.

2. Abandonment of regulations shall not apply to agricultural uses.

3. All nonconforming junk storage areas, storage areas and similar nonconforming use of open land, when discontinued for a period of 90 days, shall not be continued, repaired or reconstructed.

4. Abandonment of signs is covered in section 1702.6.

H. Displacement.

1. No nonconforming use shall be extended to displace a conforming use.

I. Applicability to approved nonconforming plans.

1. Nothing contained in this chapter shall require any change in plans, construction or designated use of a structure for which a building permit was issued more than 30 days prior to the adoption of this chapter or change in zoning district and the construction of which is begun within three months after such adoption of change and diligently carried on. The approved plans shall not be altered in any way to increase the nonconformity.

J. Violations

1. A nonconforming building altered or erected or a nonconforming use created in violation of any previous provision shall be regarded as continuing in such violation and shall not enjoy the privilege of legal continuance conferred by this article upon other nonconforming buildings and uses.

K. Repairs and maintenance.

1. On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding 10% of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.

2. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

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

L. Nonconforming signs.

1. Nonconforming signs are covered in Sections 1702.5 & 1709

SECTION 1903 Reduction of Lot Area

No lot shall be so reduced that the area of the lot or the dimensions of the required open spaces shall be less than herein prescribed.

SECTION 1904 Modification of Front Yard Requirements

Where an unimproved lot of record is situated on the same street frontage with two (2) or more improved lots or one (1) unimproved and one (1) improved lot, the front yard requirements for the district may be modified so that the front yard shall be an average of the existing and required from yard.

SECTION 1905 Obstruction to Vision at Intersection

Clear sight triangles of seventy-five (75) feet measured along street right-of-way lines from their points of junction shall be provided at all intersections. Within the sight triangle, no wall, fence, or other structure shall be erected, altered, or maintained, and no hedge, tree, shrub, or other growth shall be planted or maintained which shall interfere with a free and unobstructed view down and across lands within sight triangle. Nothing shall be higher than 36 inches.

SECTION 1906 Accessory Uses

The area of the accessory building must be included within the maximum building coverage permitted within the specific Zoning District. Accessory uses authorized in this Ordinance may include the following:

1. Uses Accessory to Agriculture

Non-commercial greenhouses; barn; keeping, breeding, and management of livestock and poultry but in such quantities and to such extent as are customarily incidental to the principal use; preparation of products on premises for use and the disposal thereof by marketing or otherwise. Roadside stands for the sale of products produced on the premises on which the stand for the sale of products is located shall be permitted upon the following conditions:

- A. The locations shall not be within the boundaries of any street;
- B. The location shall not be nearer than sixty (60) feet of any intersection;
- C. Parking for stopping vehicles shall be provided off the paved portion of the street of a sufficient width so as not to interfere with the safety of persons stopping or using the street parking nearer than 30 feet of an intersection shall not be permitted; and,
- D. One stand not exceeding 400 square feet and one story high is permissible as an accessory use.
- E. The stand shall be of a construction approved by the Zoning Officer. It may be permitted to remain until a renewed permit is secured for a following year.

2. Uses Accessory to Dwellings:

- A. Private garage, private parking space.
- B. Swimming pool, tennis courts for use of family and guests only.
- C. Private greenhouse and storage buildings for garden tools.
- D. Stables; barn; shelter for pets, gazebos and applicable in residential districts;
- E. Living quarters for household employees, caretakers, or watchmen.
- F. Uses authorized in this Ordinance as necessary to a dwelling shall not be deemed to include a hospital, clinic, barbershop, beauty parlor, mortuary, other personal service shop, tearoom, hotel or any other similar use.
- G. The renting of rooms within the same dwelling in which the lessor resides, or in a building accessory thereto for not more than four (4) non-transient persons, with or without the provisions of table board for such persons by special exception.
- H. Offices of physician, dentist, minister, lawyer, teachers tutoring a maximum of three (3) students at one time, accountant and other similar type uses, provided that such offices may only be situated in the dwelling of such practitioner, and shall be regularly employed therein, and no colleagues or associates shall use such office. Approval for these accessory uses must be granted by special exception of the Zoning Hearing Board.

3. Accessory Use of Utility

The placing of a public telephone booth shall be permitted in any district upon the following conditions:

- A. The location shall be approved in writing by the owner of the land;
- B. The location shall not be in the right-of-way of any street;
- C. The location shall be approved by the Chief of Police of the Township;
- D. A permit is obtained from the Building Inspector; and,
- E. A permit fee of \$50.00 for each location is paid.

4. **Detached Garages or Barn**

The detached private garages or barns erected on any lot must be at least twenty (20) feet from the rear of the dwelling and shall not be less than thirty (30) feet from the rear property line and shall not be less than ten feet from the side property line. No detached garage or barn shall exceed eight hundred sixty (860) square feet in total area. The height of any residential garage or barn, regardless of the zoning district, shall not exceed sixteen (16) feet in total height (Top of peak), with a roof having a pitch of three inches or more to the foot, or twelve feet total height with a pitch of less than three inches to the foot measured from the ground level.

5. **Attached Garage**

Attached private garages, which are connected to any dwelling, with or without a breezeway, shall be considered a part of the dwelling for the purpose of measuring any required open spaces. All such attached garages shall be constructed in accordance with the building code.

6. **Accessory Building**

No minor accessory building, such as lawn shed, storage shed, garden shed or greenhouse shall exceed 200 square feet in floor area. No such building shall exceed a total height of 12 feet. Minimum setback shall comply with Article 19, Section 1907. All accessory buildings must be behind the dwelling or main building. Multiple accessory structures are permitted on one Lot subject to Section 1906.7.

7. **Number of Accessory Buildings**

In addition to the above the maximum number of accessory buildings on one Lot may not exceed the following:

- a. Lots containing less than 30,000 sf.: One (1) accessory building.
- b. Lots containing 30,000 sf. to 65,340 sf. (1.5 Ac): Two (2) accessory buildings.
- c. Lots containing over 65,340 sf. (1.5 Ac) to 217,800 sf. (5.0 Ac.): Three (3) accessory structures with a minimum separation distance of 50 feet required between the third accessory building and any other building.
- d. Lots containing over 217,800 sf. (5.0 Ac.): Five (5) accessory structures with a minimum separation distance of 50 feet required between the third through fifth accessory buildings and any other buildings.

8. **Accessory Uses**

Tennis court (with lighting is special exception).

SECTION 1907 Minimum Set Back of Accessory Uses

An accessory building may be erected within one side yard provided that the side and rear yards are not less than seven (7) feet each. All accessory buildings must be behind the dwelling or main building. An accessory building may be erected in conjunction with an accessory building on an adjacent property when separated by a masonry wall free of any opening and constructed on the common lot line, provided written consent, of the Zoning Officer, must be attached to and remain a part of the application for a building permit for the accessory building.

SECTION 1908 Conversions

The Zoning Hearing Board may allow, as a special exception, the conversion of a single family detached dwelling into a dwelling for a greater number of families, subject to the following requirements:

1. Petition in favor of such exception shall be filed with the Zoning Hearing Board, signed by the owners of sixty percent (60%) or more of the frontage in the same street within five hundred feet of the designated lot.
2. Each dwelling unit shall not have less than seven hundred fifty (750) square feet of floor area.
3. The lot area per family is not reduced thereby to an amount less than seventy-five (75%) of that required by this Ordinance for the district in which the designated lot is located.
4. The building must conform to the yard and building area requirements for the district in which the building is located.
5. There is no external alteration of the building except as may be necessary for reasons of safety. Fire escapes and outside stairways, shall, where practicable, be located on the rear of the building.
6. The Zoning Hearing Board shall specify the maximum number of the families permitted to occupy such buildings and may prescribe such further conditions and restrictions, as the Board may consider appropriate and reasonable.
7. Off-street parking requirements of this Ordinance must be met.
8. The conversion shall be authorized only for a dwelling with relatively little economic usefulness as a conforming use.
9. All conversions in this section shall be served by public water and public sewer.
10. All conversions in this section must have PA Department of Labor and Industry approval and conform to local building codes for two or more dwelling units.

SECTION 1909 Provision and Use of Water**1. General**

- A. All water requirements shall be stated in application.
- B. No permit for construction, building or use of building and/or land shall be issued until satisfactory proof of the availability and supply of water is furnished to the Zoning Officer or Code Enforcement Office.
- C. No wells may be dug or drilled on the premises except by permit
- D. Where available, all potable water services shall be supplied by water distribution companies operating and supervised as municipal or public utilities by virtue of the laws of the Commonwealth of Pennsylvania and the Ordinances of the Township.

2. Commercial and Industrial

- A. Water required on the premises for commercial or manufacturing purposes, including air conditioning, shall be supplied by water distribution companies, unless the water distribution companies are not available, and provided a permit is granted by the Township.

- B. Where surface or ground water sources are existing and available, or can be developed on the premises without impairment to similar services on adjacent or near property, or to public water supplies, they may be used for air conditioning with water recirculation upon special exception granted by the Zoning Hearing Board.

SECTION 1910 Ground Development

The following regulations shall apply where multi-family development is planned, Commercial District C-1, and C-2, Industrial Districts, Ll-1, and Ll-2 and in any case where group apartment development or more than one building or use is permitted on a lot.

1. The proposed development shall be constructed in accordance with an over-all plan and shall be designed as, or as part of single architectural and landscaping scheme. All buildings on a lot shall be arranged in a group of buildings, and a group of buildings as a unit shall comply with the area and yard regulations of the District.
2. The tract of land on which each permitted use is conducted shall be owned and operated as a single or common management and maintenance unit, with common open space, parking, utility, and maintenance facilities.
3. The distance at the closest point between any two buildings or groups of attached buildings shall be not less than thirty (30) feet, except in Limited Industrial Districts, where the distance shall be not less than sixty (60) feet. In no case shall the minimum distance between buildings be less than the average height of adjoining buildings.
4. All public utility lines and similar facilities servicing the proposed development and its area shall be installed underground, and electric transformers shall be installed underground or within the walls of a completely enclosed building.

SECTION 1911 Floodlighting

Floodlighting in all Districts shall be diffused or shielded in such a manner as not to create any hazardous situation for passing vehicular traffic or a nuisance to persons residing in the area.

SECTION 1912 Corner Lots

In all Districts, corner lots have no rear yards, but have two (2) front yards and two (2) side yards.

SECTION 1913 Retaining Walls

Retaining walls must be set back from any property line a distance equal to the height of the wall. All walls, which exceed four feet in height, must be designed by a registered engineer. All retaining walls shall require a permit.

SECTION 1914 Construction in Public Easements and Public Right-of-Ways

No permanent construction of garages or accessory structures, fences, walls, or signs shall be permitted in Public Easements and/or Public Right-of-Ways.

SECTION 1915 Private swimming pools

1. Definitions: Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

PRIVATE SWIMMING POOL: Any body of water, tank, pond, or other receptacle for water containment, whether artificially or semi-artificially constructed, or portable, having a depth at any point eighteen (18) inches or over, or containing over seven hundred fifty (750) gallons of water; used, or intended to be used, for swimming or bathing by the owner, his family, his tenants and guests of the residents, and constructed, installed, established or maintained in or outside of any building, in or above the ground, on any premises as an accessory use to the residence. Any pools less than eighteen (18) inches in depth; or with a capacity less than seven hundred fifty (750) gallons of water are excluded herefrom.

FENCE: An enclosure. Such enclosure shall be at least four (4) feet in height, constructed of masonry, wood, or metal, with apertures no larger than three (3) inches, equipped with a self closing gate and complete with a key—operated lock.

FRONT YARD: Shall mean the area of a lot lying between the street and the dwelling extending across the full width of the lot, and, in the case of a corner lot, extending the full depth of the lot,

2. Permits: It shall be unlawful for any person to construct, install, establish or maintain, or alter, remodel or reconstruct a private swimming pool, as herein defined, without having obtained a permit therefore in the manner as prescribed. Applications for permits shall be submitted to the Township Code Enforcement Office, together with a set of plans and specifications setting forth the details, area and depth of the proposed construction, alteration or remodeling, in all of its parts, together with a plot plan showing the location of the pool on the lot, the location of buildings on the lot, the fencing, existing and planned, and the height and aperture dimensions thereof, and all open spaces required by this Ordinance, drawn to scale and dimensions. Applications shall be made on forms supplied by the Building Inspector.

3. Permit Fees: A fee of Five Dollars (\$5.00) per each One Thousand Dollars (\$1,000.00) or fraction thereof cost of alteration or remodeling new construction one cent per gallon will be required.

4. Approval of Plot Plans and Specifications: The Building Inspector and Zoning Officer shall make such determinations of the plans and specifications submitted to assure the compliance with all requirements of this Ordinance, the Building and Plumbing Codes, and the Bethel Township Zoning Code. The Building Inspector shall determine the method and manner of emptying all pools, but no swimming pool of any type can be emptied into, or be connected to a sanitary sewer system.

5. Construction and Maintenance: All private swimming pools shall be constructed of materials so that they shall be waterproof and easily cleaned. Construction and design shall be such that they may be maintained and operated as to be clean and sanitary at all times. The owner of every private swimming pool shall be responsible to maintain said pool in such condition as to prevent breaks in the pool chassis or water from the pool overflowing onto adjacent property. Footings shall be provided, if required by Township Building Inspector.

6. Water Supply: There shall be: no physical connection between a portable public or private water supply system and private swimming pools, at a point below the maximum waterline of the pool or to a recirculating or heating system of said pool.

7. Location: No private swimming pool shall be constructed nearer than fifteen (15) feet to a property line, nor ten (10) feet from the rear of the house, nor shall it be constructed or placed in the front yard of such property. Accessory buildings such as locker rooms, bath houses, cabanas, shower rooms, toilets, and other physical facilities or equipment incident to the operation of any private swimming pool shall conform to the requirements of the Bethel Township Building, Plumbing and Zoning Code.

8. Fencing: Every private swimming pool shall be completely surrounded by a fence, as described in Section 1. Every person maintaining a private swimming pool shall keep the gate closed and locked at all times when said pool is not in use by the person maintaining the same, his family or his guests. Within thirty (30) days after the effective date of this Ordinance, any person maintaining a private swimming pool within the limits of Bethel Township, which has been constructed prior thereto, shall erect a fence surrounding said pool.

9. Lighting: No artificial lighting shall be maintained or operated in connection with private swimming pools, in such a manner as to be a nuisance or an annoyance to neighboring properties.

10. Vacant Properties: All private swimming pools shall be drained and maintained free of water, during the period that, the property is vacant, and the required fence shall at all times be secured and kept in proper repair by the owner.

11. Enforcement: Every private swimming pool constructed, installed, established or maintained or to be constructed, installed, established or maintained in the Township of Bethel shall at all times comply with the requirements of Bethel Township Ordinances and Building Codes. Any nuisance or hazard to health which may exist or develop in, or in consequence of, or in connection with, any such private swimming pool shall be abated and removed by the owner, lessee or occupant of the premises on which said pool is located within ten (10) days of receipt of notice from the Building Inspector, Code Enforcement Officer, Zoning Officer or the Health Officer of the Township of Bethel. It shall be the duty of the Code Enforcement Officer, Zoning Officer and the Health Inspector, respectively, to enforce the provisions of this Ordinance. The Building Inspector and/or Health Officer or any of their assistants or deputies shall have the right to enter any premises or any building or other structure for the performance of their duties to ascertain compliance with this Ordinance.

12. Appeals: Whenever the owner of any private swimming pool about to be, or in the course of being erected or altered, takes exception to the decision of the Building Inspector, Code Enforcement Officer or Zoning Officer in refusing to approve the issuance of a permit, or in refusing to approve the manner of construction, or the kinds of materials to be used in the construction or alteration, or to his decision as to its safety or its compliance with the provisions of this Ordinance, such owners their duly authorized attorney, or agent, may within ten (10) days after such decision, take an appeal there from to the Committee on Building Regulations of the Township Supervisors or the Zoning Hearing Board, whichever is applicable. Such appeal shall be in writing, shall state the decision of the Building Inspector, Code Enforcement Officer or Zoning Officer and the reasons for the exception taken thereto, shall be verified by affidavit, and shall be filed with the Township Secretary. The person appealing shall have the right to appear and to be heard, within fifteen (15) days from the filing of the appeal, if he states his desire so to do in his written appeal. A prompt decision of such appeal shall be made by the Committee on Building Regulations or Board of Supervisors within fifteen (15) days, or if applicable by the Zoning Hearing Board within the time frame established by Law and shall be duly recorded, and the decision shall be final.

13. Violations: Any owner or other person who shall construct, alter or repair any private swimming pool without the permit required by this Ordinance first having been obtained; or who shall fail to comply with any of the requirements of the permit, or of this Ordinance; or who shall fail to comply with: any regulation, order or direction of the Building Inspector; or shall in any way violate any of the provisions of this Ordinance, shall, upon conviction thereof, be sentenced to pay a Fine of not less than Ten (\$10.00) Dollars, nor more than One Hundred Dollars (\$100.00), and costs of, prosecution, and, in default of payment thereof, imprisonment for not more than thirty (30) days. And whenever such person shall have been notified by the Building Inspector, or by service of Summons in a prosecution, or in any other way, that he is committing such violation of this Ordinance, each day in which he shall continue violation of this Ordinance, after such notification, shall constitute a separate offense punishable by a like Fine or Penalty.

SECTION 1916 Fencing

1. Privacy Fencing:

A. Definition: Privacy Fence: Any fence or wall constructed in excess of four feet in height designed to shield the owner’s property from view, constructed of wood, steel, masonry, aluminum or plastic and cyclone fences with plastic inserts.

B. Regulations: No privacy fence shall exceed six feet in height measured from the ground level to the extreme top.

C. Location: Privacy fences may be erected along the rear property line, and the side property line. However, no privacy fence shall be erected past the front building line or front yard setback line, whichever is greater.

D. Corner Lots: Corner lots have no rear yards, but have two front yards and two side yards, regardless of which street the building faces.

E. Materials: All privacy fences shall be constructed of like materials of sufficient strength to prevent said fence from leaning over or encroaching on surrounding property. The face side of said fence shall face the adjoining property. If a masonry wall is used said wall must be finished in a workmanlike manner. Concrete block walls shall be properly coped and coated with two coats of stucco.

F. Maintenance: All privacy fences shall be maintained in a safe condition. All parts broken or missing shall be promptly replaced. Any fence deemed unsafe by the Building Inspector shall be, upon due Notice in Writing, removed or replaced immediately.

G. Exceptions:

- (1) A fence having a minimum of fifty- percent clear visual opening for each square foot shall not be governed by this Ordinance as it pertains to Privacy Fencing.
- (2) Open wire fencing shall not be governed by this Ordinance as it pertains to Privacy Fencing.

H. Permits: No privacy fence shall be erected until a permit for the construction of the same has been obtained from the Building Inspector and Zoning Officer, and the required permit fee paid. The provisions of this Section shall not apply to existing fences.

2. Fencing:

A. Definition: Fence: A structure erected to enclose, either partially or fully, a specific area and act as a barrier.

B. Regulations: No fence shall exceed four feet in height measured from the ground level to the extreme top.

C. Location: Fences may be erected along the rear property line, and the side property line. However, no fence shall be erected past the front building line or front yard setback line, whichever is greater.

D. Corner Lots: Corner lots have no rear yards, but have two front yards and two side yards, regardless of which street the building faces.

E. Materials: All fences shall be constructed of like materials of sufficient strength to prevent said fence from leaning over or encroaching on surrounding property. The face side of said fence shall face the adjoining property. If a masonry wall is used said wall must be finished in a workmanlike manner. Concrete block walls shall be properly coped and coated with two coats of stucco.

F. Maintenance: All fences shall be maintained in a safe condition. All parts broken or missing shall be promptly replaced. Any fence deemed unsafe by the Building Inspector shall be, upon due Notice in Writing, removed or replaced immediately.

3. Penalties: Any person found guilty after hearing by a District Justice for violating any of the provisions of this Ordinance shall be assessed to pay a fine of not less than Twenty-five Dollars nor more than One Hundred Dollars.

4. Severability: The provisions of this Ordinance shall be severable. Should any provision be found to be unconstitutional or improper, the other provisions shall remain in full force and effect.

5. Repealer: All Ordinance or parts thereof inconsistent with this Ordinance are hereby repealed.

SECTION 1917 Home Occupation

Home occupations with employees shall be permitted as Special Exception in the R-1 & R-3 Zoning Districts as outlined in Section 219.5.

1. The occupation (or profession) shall be conducted entirely within the dwelling and shall be clearly incidental and secondary to the residential use of the dwelling.

2. Only one occupation per dwelling shall be permitted.

3. Not more than twenty-five percent of the gross floor area of the dwelling, including accessory structures, shall be used for the home occupation. Areas used for storage shall be included in this calculation.

4. No external alterations inconsistent with the residential use shall be permitted.

5. There shall be no display of materials or products visible from outside the dwelling.

6. No noise, vibration, smoke, glare or any other impact shall be noticeable at or beyond the property line.
7. There shall be no outdoor storage of equipment, materials or supplies.
8. Deliveries may not be made more than one per day and shall not restrict traffic circulation.

ARTICLE XX: PERFORMANCE STANDARDS**SECTION 2000 Compliance**

The following Standards shall govern in all Districts:

Along each side or rear property line of a commercial, industrial, or multi-family housing use, which directly abuts a residential district in the Township or an adjoining municipality, a buffer yard shall be provided. The width of the buffer yard shall be established in accordance with the applicable commercial, industrial, or multi-family zoning district standards. The buffer yard shall be landscaped with a dense planting of evergreen trees, deciduous trees, shrubs and other plant materials to serve as a barrier to visibility, air borne particles, glare and noise. The following landscaping standards shall apply for the required buffer yards:

1. The outer perimeter of the buffer yard shall be landscaped with a double row of evergreen trees. The evergreen trees shall be a minimum of 6.0' tall at the time of planting. The type of evergreen trees shall be chosen considering soil conditions, longevity, aesthetic quality, and resistance to deer impact. The spacing of the individual trees shall be twelve (12) feet on center. Trees shall be planted no closer than 10 feet to the perimeter property line.
2. In addition to the evergreen trees, medium to tall growth deciduous trees shall be planted with an average spacing of one tree per 75 feet of the side and rear property lines. The deciduous trees shall be planted between the double row of evergreen trees and the inside limit of the required buffer yard.
3. Shrubs, evergreen bushes, and small flowering trees shall also be planted at interspersed locations within the buffer yard at the density of 20 trees/bushes per 100 feet of side and rear property lines.
4. For subdivision and land development applications, financial security shall be posted with the Township for the full value of the required landscaping. The landscaping shall be covered by an 18 month maintenance period following project completion acknowledged by the Township.
5. The screen planting shall be maintained permanently by the owner of the property.
6. A clear-sight triangle shall be maintained at all street intersections and at all points where private vehicular access ways intersect public streets in accordance with Section 1405.
7. Reduction of the required number of plantings may be allowed at the discretion of the Township Supervisors if a mature woods occupies the required buffer yard.
8. Buffer plantings may be interrupted only by underground utility lines that cross the buffer yards at or near right angles, and for pedestrian or vehicular points of access.
9. Berming (in addition to the required landscaping) shall be provided if topographically feasible and requested by the Township.
10. Special conditions may warrant the installation of privacy fencing in addition to the required landscaping. Fencing shall be provided if requested by the Township.
11. Landscape Plans for buffer yards shall be submitted for review and approval.

SECTION 2001 Smoke

1. No smoke shall be emitted from any chimney or other source a visible gray greater than No. 1 on the Ringelmann smoke chart as published by the United States Bureau of Mines.
2. Smoke of a shade not darker than No. 2 on the Ringelmann chart may be emitted for not more than four minutes in any thirty (30) minutes.
3. These provisions, applicable to visible gray smoke, shall also apply to visible smoke of a different color, but with an equivalent apparent capacity.

SECTION 2002 Noise

At no point on the boundary of a Residential, Industrial, or Commercial District shall the sound pressure level of any operation exceed the decibel levels in the designated octave band shown below for the districts indicated.

Octave Band in Cycles per Second	Along Residential District Boundaries Maximum Permitted Sound Level in Decibels	At any Other Point on the Lot Boundary Maximum Permitted Sound Level in Decibels
0 to 75	72	79
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1200	46	53
1200 to 2400	40	47
2400 to 4800	34	41
Above 4800	32	39

SECTION 2003 Odors

There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at lot boundary line. Any process, which may involve the creation or emission of any odors, shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fall. There is hereby established as a guide in determining such quantities of offensive odors Table III (Odor Threshold) in Chapter 4, Air Pollution Abatement Manual copyright 1951 current Edition by Manufacturing Chemists Association, Inc., Washington, D.C.

SECTION 2004 Glare or Heat

Any operation producing intense glare or heat shall be performed within an enclosed building or behind a solid fence in such manner as to be completely imperceptible from any point on the lot lines.

SECTION 2005 Vibration

No vibration, which is discernible to the human sense of feeling and is perceptible at any point on the lot line, shall be permitted.

SECTION 2006 Radioactivity or Electrical Disturbances

There shall be no activities, which emit dangerous radioactivity at any point. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

SECTION 2007 Outdoor Storage & Waste Disposal

1. No flammable or explosive liquids, solids, or gases shall be stored in bulk above ground; provided however, that tanks or drums of fuel directly connecting with energy devices, heating devices, or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
2. All outdoor storage facilities for fuel, raw materials and products and all fuel; and all raw materials and products stored outdoors shall be enclosed by a fence adequate to conceal the facilities from any adjacent properties.
3. 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.
4. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.

SECTION 2008 Electric, Diesel or Other Power

Every use requiring power shall be so operated that the services lines, sub-station, etc., shall conform to the highest safety requirements known, shall be so constructed, installed, etc., to be an integral part of the architectural feature of the plant, or if visible from abutting residential properties shall be concealed by coniferous planting.

SECTION 2009 Industrial Waste or Sewage

1. Waste Disposal

No use shall be conducted in such a way as to discharge any treated or untreated sewage or industrial waste into any reservoir or lake, or discharge any untreated sewage or industrial waste into any stream. All methods of sewage, industrial waste treatment and disposal shall be approved by the Township Engineer.

2. Residential Trash

Trash, including recyclables, must be stored behind the front of the house and put curbside 24 hours prior to pick-up and no sooner.

3. All commercial trash must be enclosed by fencing or other material and kept no further forward than the front of the building.

SECTION 2010 Recyclable Materials

1. An Ordinance to establish a program for the collection of recyclable materials in the Township of Bethel for recycling purposes; to prohibit the disposal of recyclable materials into the conventional municipal solid waste disposal system; to empower the municipality to adopt and promulgate reasonable regulations therefore, and to fix penalties for the violation thereof.
2. DEFINITIONS: The following words and phrases, when used in this Ordinance, shall have the meanings given to them in this section unless the context clearly indicates otherwise:

ALUMINUM CANS - - empty all-aluminum beverage and food containers.

BIMETALLIC CONTAINERS - - empty food or beverage containers consisting of a metal other than aluminum.

CURBSIDE RECYCLING COLLECTION - - the scheduled collection and transportation of recyclable materials placed at the curb line by residents.

COMMERCIAL ESTABLISHMENT - - those properties used primarily for commercial or industrial purposes and those multiple dwelling residential buildings containing three (3) or more dwelling units.

COMMUNITY ACTIVITIES - - events that are sponsored by public and or private agencies or individuals that includes but are not limited to fairs, bazaars, socials, picnics and organized sporting events.

COUNTY - - shall mean Delaware County.

CORRUGATED PAPER - - structural paper material with an inner core shaped in rigid parallel furrows and ridges.

FERROUS CONTAINERS - - empty steel or tin-coated steel food or beverage containers.

GLASS CONTAINERS - - bottles and jars made of clear, green or brown glass. Excluded are plate glass, automotive glass, blue glass and porcelain and ceramic produces.

HIGH-GRADE OFFICE PAPER - - all white paper, bond paper and computer paper used in commercial, institutional and municipal establishments and in residences.

INSTITUTIONAL ESTABLISHMENTS - - those facilities that house or serve groups of people, such as churches, hospitals, schools, nursing homes, social or fraternal societies and organizations.

LEAF WASTE - - leaves from trees, bushes and other plants, not including grass clippings.

MAGAZINES AND PERIODICALS - - printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded are all other paper products of any nature whatsoever.

MULTI-FAMILY HOUSING PROPERTIES - - any properties having three (3) or more dwelling unites per structure, and shall include all residential properties under condominium ownership.

MUNICIPAL ESTABLISHMENT - - public facilities operated by the municipality and other governmental and quasi-governmental authorities.

MUNICIPALITY - - shall mean Bethel Township.

MUNICIPAL WASTE - - any garbage, refuse, industrial lunchroom or office waste and other material, including solid or semi-solid material generated in residential, Municipal, commercial or institutional establishments and from community activities, and other solid waste which is within the definition of “municipal solid waste” set forth in the Act² and which the county, Authority or contractor, by its ordinance or regulations, is willing to accept at the plant, but excluding:

1. Any liquid waste or sludge.
2. All wastes which are defined by existing or future federal or state law or regulations as hazardous waste or industrial residual waste.
3. Any waste which may be marketable and which is intentionally segregated for purposes of recycling.
4. Materials specifically excluded under applicable county ordinances.

NEWSPAPER - - paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded, however, are glossy advertising inserts and newspapers, which have been soiled.

PERSON - - means owners, lessees and lessors, and or occupants of residences, commercial or institutional establishments.

PLASTIC CONTAINERS - - means empty plastic food and beverage containers. Due to the large variety of types of plastics, the recycling regulations shall stipulate the specific types of plastic, which shall be recycled.

RECYCLABLE MATERIALS - - those materials specified by the municipality to be recycled. This list of materials is specified in the recycling regulations resulting from this Ordinance and may be revised from time to time as deemed necessary by the municipality.

RESIDENCE - -any occupied single or multi-family dwelling located in the Township of Bethel.

SOURCE-SEPARATED RECYCLABLE MATERIALS - - those materials separated at the point of origin for the purpose of being recycled.

TOWNSHIP - - shall mean Bethel Township.

WASTE - - a material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed of. The term does not include source-separated recyclable materials.

3. ESTABLISHMENT OF PROGRAM: be it hereby established by the Township of Bethel, hereinafter referred to as the municipality, a program that mandates that recyclable materials shall be kept separate from solid waste by all persons, residences, commercial and institutional establishments in

² The word Act refers to Act of 1980, as amended by 35 P.S. § 5018.101 et seq.

the township. Collection of the materials to be recycled shall be made at least twice monthly by licensed private haulers and delivered to an approved recycling facility for processing and disposal.

4. ENFORCEMENT AND ADMINISTRATION: the Supervisors of the Township of Bethel or their designated agent is hereby authorized and empowered to establish and promulgate regulations on the manner, days and times of collection of recyclable materials and the bundling, handling, location and time of placement of such materials for collection and regulations governing composing.
5. OWNERSHIP OF RECYCLABLE MATERIALS: all recyclable solid waste placed by any person for collection by a licensed private hauler pursuant to this Ordinance and any regulations hereunder shall become the property of the licensed private hauler at the time of placement at the curbside and shall remain the property of the licensed private hauler until accepted by an approved recycling facility.
6. SEPARATION OF RECYCLABLES AND PLACEMENT FOR REMOVAL: recyclable materials shall be placed at the curbside separate from solid waste for collection at such times and dates as may be hereinafter established by regulation.
 - a. RESIDENTIAL: it shall be the responsibility of all residents to adhere to the regulations established by the Board of Supervisors of Bethel Township. Recyclable materials shall be placed in a separate container supplied by the Township. All materials must be properly cleaned before being placed at the curbside.
 - b. COMMERCIAL, INSTITUTIONAL, MUNICIPAL ESTABLISHMENTS: it shall be the responsibility of the said establishments to separate and store from the waste stream high grade office paper, aluminum, corrugated paper, newsprint and leaf waste.
 - c. GLASS: can be delivered to the township building and placed in proper containers that are provided. Rinse out glass containers.
7. SEPARATION AND DISPOSAL OF LEAF WASTE: leaf waste (compostable materials, excluding grass clippings) shall be kept separate from other refuse and recyclables. Residential establishments shall prepare these materials for collection in the manner prescribed by regulation and shall thereafter bundle these materials to be handled at times and collection method as designated by the Municipality. Residential establishments shall have the right and are encouraged to provide for their own individual separation, collection and composting of leaf waste.
8. PRIVATE COLLECTION OF RECYCLABLES: any commercial, institutional or residential living group or unit utilizing private trash pickup as of the date of the passage of this Ordinance shall be required to provide for the private pickup and disposal of all recyclables pursuant to the terms of the Ordinance, see Section 11.
9. ALTERNATIVE COLLECTION OF RECYCLABLE MATERIALS: any person may donate or sell recyclable materials to individuals or organizations. These materials must either be delivered to the individual's or organization's site or they may be placed at curbside for collection by said individual or organization on days not indicated as recyclable material collection days by the Municipality. Said individuals or organizations may not collect recyclable material on or immediately preceding (within 24 hours) a regularly scheduled curbside collection day.
10. RECYCLING OF MATERIALS: no person shall dispose of recyclables with ordinary municipal waste. It shall be a violation of this Ordinance to dispose of recyclables in landfills or incinerators except with the expressed written permission of the Township.
11. RECORDKEEPING: all duly licensed private haulers shall keep records of the quantities of solid

waste and recyclable materials collected in the Township of Bethel. These records shall include the weight of the total quantities of solid waste materials and recyclable materials and other information as required by the township to fulfill the township's responsibilities to make accurate and timely reports to the DEP or any other government agency of the Commonwealth of Pennsylvania or Federal government. Written reports shall be provided to the township on report forms provided by the township and shall be submitted quarterly. The township shall receive written reports not later than the 20th day of the month following the end of the previous quarter or three-month period.

12. VIOLATIONS AND PENALTIES: any action or actions by any person, corporation or other entity created pursuant thereto, which violates or does not comply with any provision of this Ordinance, or any regulations thereof, shall be punishable by a fine of up to \$500.00 (Five Hundred Dollars). Said fines may be amended from time to time by Resolution of the Board of Supervisors. Each violation for each separate day, and each violation of any provision of this article shall constitute a separate and distinct violation. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Bethel Township, pay fines prescribed in this Ordinance, or as amended by Resolution, plus all court costs, including reasonable attorney fees, incurred by Bethel township.
13. SEVERABILITY: if any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, sentence or part of this Ordinance directly involved in the controversy in which such judgment shall have been rendered.
14. COLLECTION FEE: Bethel Township may, at any time institute a collection fee to defray the cost of recycling. This charge would be billed annually in conjunction with the Township property tax notice.

DULY ENACTED and **ORDAINED** this 10th day of June, 2008 by the Board of Supervisors of the Township of Bethel, in lawful session duly assembled.

**TOWNSHIP OF BETHEL
BOARD OF SUPERVISORS:**

SHARON L. HANNUM, Chairperson

L. MICHAEL GEORGE, Vice-Chairman

ALFRED E. GROER

ATTEST:

JACQUI GUENTHER, Secretary – Treasurer