

ARTICLE VII
CONDITIONAL USES AND SPECIAL EXCEPTIONS

§ 701 General.

In addition to the procedures and requirements of this Chapter, the Township Planning Commission may grant and deny conditional uses in accordance with § 913.2 of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. § 10913.2 and § 118 of this Chapter. In addition, the Zoning Hearing Board may grant and deny special exceptions in accordance with § 119 of this Chapter. The following procedures and standards must be satisfied prior to approval of any application for a conditional use or special exception. The applicant shall be required to demonstrate compliance with these standards and furnish any evidence necessary to demonstrate such compliance. All uses must comply with the standards expressed within each underlying zone unless those standards expressed for each conditional use specify different standards; in such cases, the conditional use standards shall apply.

§ 702 Specific Criteria for Conditional Uses and Special Exceptions.

1. Agriculture Equipment Sales.

- A. All outdoor lighting fixtures shall be attached to the principal building. See additional light and glare standards in Section 908.
- B. For any merchandise and or machinery placed outdoors for display and sale, see criteria for Outdoor Display of Merchandise in Section 504.
- C. See sign requirements in Article XI.
- D. Customer parking areas shall be clearly marked by signage.

2. Auto Service/Repair Station.

- A. All service and/or repair activities shall be conducted within an enclosed building.
- B. All exterior off-street parking and storage areas shall be screened from adjoining residential uses and districts.
- C. Service bay doors shall not face directly towards an abutting dwelling (not including a dwelling separated from the garage by a street).
- D. The outside storage of more than one (1) unlicensed vehicle is prohibited.
- E. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining residential uses or districts.
- F. All vehicles and machinery shall be repaired and removed from the premises.
- G. The demolition or junking of vehicles and machinery is prohibited.
- H. The applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

3. Auto, Boat, or Mobile/Manufactured Home Sales.

- A. No vehicle, boat or home on display shall occupy any part of the existing or future street right-of-way, any grass or landscaped area, drainage or utility easements or required customer parking area or any paved area setback required herein.
- B. See light and glare standards in Section 908.
- C. See parking requirements in Article XVII.
- D. For all types of auto, boat or any sales of mobile/manufactured homes, a minimum lot area of two (2) acres shall be required.
- E. Any mobile/manufactured homes on a sales site shall meet the required principal building setbacks from the perimeter lot lines.
- F. See sign requirements in Article XI.
- G. Customer parking areas shall be clearly marked by signage.
- H. Parking of more than five (5) inoperable vehicles shall be considered operating a junkyard.
- I. In TD7 Suburban Mixed Use
 - (1) No Auto/Truck/Body Collision/Repair Center or Auto Service/Repair Station as an incidental accessory use shall be permitted.

4. Bed and Breakfast.

- A. No event space, public restaurant, or dining area shall be permitted as an accessory use.
- B. A maximum of twelve (12) guests shall be permitted to stay overnight.
- C. One off-street parking space shall be provided for each rental unit. The off-street parking spaces for the bed and breakfast shall be located either to the rear of the principal building or screened from the street and abutting dwellings by evergreen screening.
- D. At least one bathroom shall be provided for every 3 rental units, plus 1 bathroom for the operators.
- E. There shall not be any signs, show windows or any type of display or advertising visible from outside the premises, except for a single non-illuminated sign with a maximum sign area of 4 square feet on each of 2 sides and with a maximum height of 8 feet.
- F. The use shall have a residential appearance and character.
- G. The use shall be operated by permanent residents of the lot.
- H. There shall not be separate cooking facilities in any guest room. Food shall only be served to guests who are staying overnight.
- I. No guest shall stay for more than 14 days in any month.
- J. The use of any amenities provided by the bed and breakfast, such as swimming pool or tennis court, shall be restricted in use to the clientele and permanent residents of the establishment and their occasional invited guests.

- K. The applicant shall prove that any existing on-lot septic system is sufficient in size and that there is no visible sign of failure of the system.
 - L. Shall have a minimum setback from all residential lot lines of: 25 feet in any district where permitted.
5. Campground
- A. A maximum of two (2) campsites shall be permitted per acre of the lot.
 - B. Any sleeping quarters or tent sites shall not be within the 100-year floodplain, to protect the public safety.
 - C. A commercial campground shall include at least one permanent men's restroom and one permanent women's restroom and provide sewage facilities that comply with PADEP sewage requirements.
 - D. Maximum impervious coverage - 10 percent.
6. Concentrated Animal Feeding Operation (CAFO) or Concentrated Animal Operation (CAO)
- A. All Concentrated Animal Operations and Concentrated Animal Feeding Operations are subject to regulations enforced by the State Conservation Commission (SCC) and the Pennsylvania Department of Environmental Protection, pursuant to its authority under the Nutrient and Odor Management Act and the Clean Streams Law, respectively, and its regulatory schemes. Where such uses are permitted as conditional uses, an applicant shall provide proof of compliance with all applicable State law, pending approval by the Board of Supervisors when such proof has been provided.
7. Contractor Office/Yard
- A. Outdoor storage areas.
 - (1) Access to and from any Outdoor Storage areas on a lot shall be paved or graveled to prevent any residual dust, dirt, or debris from spilling into public rights of way.
 - (2) Where adjacent to a residential lot, a twenty-five (25) foot landscape buffer in accordance with Section 605 shall be placed parallel to the entire adjoining residential lot line.
8. Convenience Store with Energy Recharge
- A. Canopy structures shall remain within the required setback lines.
 - B. A landscape plan shall be provided in addition to a site plan.
 - C. Maximum two (2) canopy structures.
 - D. Maximum six (6) pumps per canopy structure.
 - E. Maximum principal building square footage: 4,000 square feet.
 - F. Dumpsters shall be placed behind the principal building.
 - G. At least two access drives with a minimum width of 20 ft. shall be provided onto public rights-of-way.

9. Craftsman/Artisan Studio

- A. Equipment and/or materials related to the on-site production of crafted goods shall be completely enclosed in a permanent structure.
- B. The hours of operation will not have an adverse impact on adjacent property owners.
- C. During the hours from 7:00 a.m. to 8:00 p.m. no noise from this use shall exceed the applicable decibels as per Township Ordinance No. 45 and measured at the property line, unless otherwise determined by the Board of Supervisors.
- D. Where permitted, see additional standards in Section 504, for Outside Display of Merchandise.

10. Distribution Center, Type 1/Type 2. See § 624 Warehousing and Distribution Requirements.

11. Funeral Home. Minimum lot area – 1 acre.

12. Kennel.

- A. All buildings in which animals are housed and all runs shall be located at least 200 feet from all lot lines of existing residential uses and the boundaries of a residential districts.
- B. Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot be perceived at a lot line of a residentially zoned lot or inside a dwelling.
- C. No animal shall be permitted to use outdoor runs from 8:00 p.m. to 8:00 a.m. that are within 300 feet of an existing dwelling.
- D. See State laws regulating kennels.
- E. A kennel may be used for breeding.
- F. Minimum lot area: 5 acres.

13. Group Care Facility or Personal Care Boarding Home

- A. Group Care Facilities or Personal Care Boarding Homes shall not be located within 5,000 feet of any existing Group Care Facility or Personal Care Boarding Home so as not to impact or adversely affect any particular neighborhood.
- B. Group Care Facilities or Personal Care Boarding Homes shall be located only on property which has direct access to an arterial street.
- C. Conversion of existing structures into a Group Care Facility or Personal Care Boarding Home must meet the site plan requirements for new construction according to this Chapter.
- D. Group Care Facilities or Personal Care Boarding Homes shall have a minimum lot size of 10,000 square feet.
- E. A buffer area of 15 feet shall be provided along all adjacent property lines. Type of screening shall be determined by the Board of Supervisors.

- F. Parking shall be required as follows: One space for every two employees, plus one space for every three residents.
 - G. Group Care Facilities or Personal Care Boarding Homes must supply to the Township (and keep current) the name of a manager and/or other person responsible for responding quickly to a complaint filed by the Township.
14. High-Cube Transload & Short-Term Storage Warehouse. See Requirements in Section 624.
15. High-Cube Cold Storage Warehouse. See Requirements in Section 624.
16. High-Cube Parcel Hub Warehouse. See Requirements in Section 624.
17. High-Cube Fulfillment Center (Sort & Non-Sort) Warehouse. See Requirements in Section 624.
18. Lumber Mill
- A. Noise. At no point shall the average noise level of any incidental activities exceed decibel values specified in Township Ordinance No. 45.
 - B. An erosion and sedimentation plan must be completed and submitted in accordance with the Township's Subdivision and Land Development Ordinance.
 - C. Driveways and Access must be paved to Township standards.
 - D. All outside storage shall be screened in accordance with this Chapter.
19. Manufacturing, Light
- A. All materials and equipment shall be stored within a completely enclosed building.
 - B. The storage or manufacture of hazardous or potentially hazardous materials shall not be permitted.
 - C. The size of the proposed operation and its relationship to surrounding uses shall be evaluated by the Supervisors to determine the appropriateness of the proposed activity in the location proposed.
 - D. Adequate public facilities shall be available to meet the requirements of the proposed manufacturing processes.
 - E. Adjacent public streets shall be adequate to accommodate the traffic volumes and weight limits associated with truck traffic to and from the site.
 - F. The Supervisors may impose restrictions on access to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to ensure that there is no adverse impact upon the functioning and/or purpose of the district or adjacent parcels.
 - G. Outdoor lighting, if any, shall be shielded and/or reflected away from adjoining properties so that no direct beam of light, but only diffuse or reflected light, enters adjoining properties.

20. Medical Marijuana Dispensary Facility

- A. A Dispensary Facility must be owned and operated by a legally registered Dispensary in the Commonwealth and possess a current and valid Medical Marijuana permit from the DOH pursuant to the Act.
- B. A Dispensary Facility may only dispense Medical Marijuana in an indoor, enclosed, permanent, and secure building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
- C. Dispensary Facility may not operate on the same site that a Grower/ Processor Facility is located.
- D. Dispensary Facility shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of Medical Marijuana and unauthorized entrance into areas containing Medical Marijuana, all of which shall be in accordance with the Act.
- E. Permitted hours of operation of a Dispensary Facility shall be 8 AM to 8 PM (of the same calendar day).
- F. A Dispensary Facility shall be a maximum of 3,000 gross square feet, of which no more than 500 square feet shall be used for secure storage of Medical Marijuana, and shall have an interior customer waiting area equal to a minimum of twenty-five (25) percent of the gross floor area of the Dispensary Facility.
- G. A Dispensary Facility shall
 - (1) Not have a drive-through service; Not have outdoor seating areas;
 - (2) Not have outdoor vending machines;
 - (3) Prohibit the administering of, or the consumption of, Medical Marijuana on the premises; and
 - (4) Not offer direct or home delivery service
- H. A Dispensary Facility may dispense only Medical Marijuana to certified patients and caregivers as set forth in the Act and shall comply with all lawful, applicable health regulations, including those of the DOH.
- I. A Dispensary Facility may not be located within 2,500 feet of a property line of a public, private, or parochial school or day-care center. The distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of municipality in which it is located.
- J. Dispensary Facility shall be a minimum distance of 1,000 feet from the nearest Medical Marijuana Facility. This does not include complimenting or supporting businesses covered by different definitions. This distance shall be measured in a straight line from the closest exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted, regardless of municipality in which it is located. This separation district does not apply to the distance between the Grower/ Processor

Facility or Academic Clinical Research Centers and the specific Dispensary Facility they serve, or with which they partner.

- K. Any Medical Marijuana Facility lawfully operating pursuant to the Act shall not be considered in violation of these provisions by the subsequent location of public, private or parochial school or day-care center.
- L. All external lighting serving a Dispensary Facility must be shielded in such a manner not to allow light to be emitted skyward or onto adjoining properties. See Article IX.
- M. Parking requirements will follow the parking regulations specified Within Required Number Of Off-Street Parking Spaces, Table D, pertaining to retail sales, one (1) off-street parking space per 150 square feet of total floor area (except one per 250 square feet of total leasable floor area if the total leasable floor area is greater than 25,000 square feet) plus one off-street parking space for each employee.
- N. A buffer yard is required pursuant to the applicable criteria of this Chapter.
- O. Entrances and driveways to a Dispensary Facility must be designed to accommodate the anticipated vehicles used to service the facility.
- P. The Dispensary Facility shall require a Site Plan review and approval if it is utilizing an existing facility and Land Development review and approval if a new facility is being built and utilized.

21. Personal Care Boarding Home

- A. Proof of applicable inspections and licenses granted by the Pennsylvania Department of Human Services, under the requirements contained in 55 Pa. Code Chapter 2600, as amended, shall be provided to the Board of Supervisors, pending approval of a Conditional Use Permit.

22. Place of Worship/Place of Assembly

- A. Minimum lot area – 2 acres.
- B. Weekly religious education rooms and meeting rooms are permitted accessory uses provided that such uses are of such a character and intensity that they would be clearly customary and incidental to the place of worship. A nursery school/day care center is also Permitted, within the requirements for such use in this Section. Noncommercial buses used primarily to transport persons to and from religious services may be parked on the lot.
- C. A maximum of one (1) dwelling unit for employees of the place of worship may be accessory to a place of worship on the same lot.

23. Restaurant, Sit-down and Restaurant, Quick Serve.

- A. Where applicable and in addition to the parking requirements of this Chapter, the Township reserves the right to require additional parking spaces for carry-out/delivery parking.

24. School, Post-Secondary/Primary and Secondary, Secondary Trade

- A. The minimum lot area shall be 5 acres, unless otherwise regulated within Pa. Code, Chapter 349, as amended.
- B. No children's play equipment, basketball courts or illuminated recreation facilities shall be within a required front yard or within 25 feet of a lot line of an existing dwelling.
- C. The use shall be served by both public sewer and public water services.
- D. The use shall not include a dormitory unless specifically Permitted in the District.
- E. The applicant's site plan shall include additional information about the access drives for drop-off and pick-up of children to ensure an orderly flow of traffic in and out of the site.

25. School, Pre-Kindergarten

- A. The applicant's site plan shall include additional information about the access drives for drop-off and pick-up of children to ensure an orderly flow of traffic in and out of the site.
- B. All regulations as prescribed by agencies, departments and as otherwise assigned by the Commonwealth of Pennsylvania shall apply.

26. Shopping Center

- A. The parking requirements of this use shall only be met by parking spaces located on the same lot on which the shopping center is constructed.
- B. Access provisions of this Chapter shall apply.
- C. Buffer yard provisions of this Chapter shall apply.
- D. All parking, loading, access and service areas shall be adequately illuminated at night. All lighting, including sign lighting, shall be arranged so as to protect streets and adjoining property from direct glare or hazardous interference of any kinds.
- E. Electric and telephone utility lines servicing the shopping center shall be placed underground.
- F. If the development of the center is to be carried out in stages, each stage shall be so planned and coordinated to meet all of the provisions of this Ordinance, especially including the access provisions.
- G. Parking areas for grocery and retail stores shall include at least two covered fenced enclosures for shopping carts within the parking lot, but no less than one such fenced enclosure for each 30 parking spaces allocated to such use.
- H. Goods shall not be offered for sale on sidewalks and other areas intended for pedestrian or vehicular circulation unless a temporary zoning permit has been issued for such sales pursuant to Section 611 of this Ordinance and such sales are part of a special promotional event.
- I. There shall be integrated architecture, landscaping, and screening to insure a cohesive development with compatible architecture.

27. Solar, Utility-Scale

- A. If lot or tract is located within the Township’s Rural Resource Overlay, see additional requirements in Section 402.
- B. Solar arrays may be located only on seventy-five (75) percent of the total Class 1 and 2 Agricultural Soils within the lot, tract, or development area, unless the area will be devoted to Agrivoltaic activities, in which case one hundred (100) percent of the Class 1 and 2 soils may be included in the lot, tract, or development area.
- C. Minimum setbacks shall be in accordance with Base Zoning District Requirements.
- D. If the lot or tract is adjacent to a residential lot, a minimum setback of fifty (50) feet from the property line, inclusive of screening in accordance with Section 604, shall be required.
- E. No lot line setback will be required where there is a grouping of two or more Utility-Scale Solar developments which are held by a common owner or leased to a common lessor and which are part of a single solar energy development project, where each applicable landowner has provided a written waiver of the lot line setback.
- F. A minimum of a fifty (50) foot buffer shall be maintained along either side of any regulated stream or regulatory wetland.

28. Truck Depot/Terminal.

- A. See requirements for “Distribution Center, Type 1/Type 2.”
- B. See requirements in Section 624 – Truck Parking and Storage of Trailers.

29. Warehouse

- A. In addition to the requirements within this section, the requirements for “Distribution Center, Type 1/Type 2” shall also apply.
- B. See requirements in Section 504 for "Outdoor Display of Merchandise.”
- C. No storage of trash, garbage, refuse, highly explosive or flammable materials, hazardous or highly toxic substances, animals, animal carcasses or similar items shall be Permitted.
- D. Special Dimensional Requirements for Warehouses:
 - (1) Maximum Building Height: 45 feet.
 - (2) Maximum Building Coverage: 45%.
 - (3) Maximum Impervious Coverage: 55%.
 - (4) Where the footprint of the proposed principal warehouse structure is greater than 100,000 square feet:
 - (a) Minimum Lot Area: 10 acres.
 - (b) All access points shall be a minimum of 250 feet from any residential lot.
 - (c) All drive aisles, loading/unloading areas, and parking areas intended for use by tractor-trailers as well as outdoor storage areas shall be a minimum of 250 feet from any dwelling.