

## Chapter 170

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[HISTORY: Adopted by the Board of Supervisors of the Township of Greene 5-4-1993 by Ord. No. 2-93. Amendments noted where applicable.]

GENERAL REFERENCES

Planning Commission — See Ch. 35.

Solid waste — See Ch. 137.

Building construction — See Ch. 66.

Streets and sidewalks — See Ch. 142.

Code enforcement — See Ch. 78.

Subdivision and land development — See Ch. 146.

Junkyards and junk dealers — See Ch. 106.

ARTICLE I

Titles

§ 170-1. Long title.

This chapter is "an ordinance of the Township of Greene, Beaver County, Pennsylvania, amending all prior ordinances dealing with and regulating and restricting the height, number of stories and size of buildings and other structures, their construction, alteration, extension and all facilities and services in and about such buildings and structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures, and land for trade, industry, residence or other purposes; establishing and maintaining building lines and setback building lines upon any or all public roads and highways; establishing for such purposes districts, and defining the boundaries thereof; providing for appointment of a Zoning Hearing Board and setting forth the duties and functions of said Board; providing for the appointment of a Zoning Officer; and for the administration and enforcement of this ordinance and imposing fines and penalties for violation."

**§ 170-2. Short title.**

This chapter shall be known and may be cited as the "Zoning Ordinance of the Township of Greene," and the Zoning Map shall be known and may be cited as the "Greene Township Zoning Map."<sup>1</sup>

ARTICLE II  
**Purpose and Objectives**

**§ 170-3. Purpose of zoning.**

This chapter has been developed for the purpose of lessening congestion on roads and highways; to secure safety from fire, panic and other danger; to promote health, morals and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue congestion of population; to facilitate the adequate provision of transportation, water, sewage, schools, parks and other requirements and facilities; to provide for a reasonable mix of land uses and a variety of dwelling types; to preserve scenic and historic values, prime agricultural land, natural areas, aquifers and floodplains; to accommodate reasonable overall community growth and to facilitate emergency management operations, airports and national defense facilities.

**§ 170-4. Community development objectives.<sup>2</sup>**

This chapter has been developed to assist in furthering the long-range community development objectives of Greene Township as outlined in the current Greene Township Comprehensive Plan. Specifically, the local community development objectives relate to the following elements:

- A. Conservation of natural resources and environmental qualities. To provide for the preservation, protection, management and enhancement of Greene Township's natural resources and environmental qualities for present and future generations through:
- (1) Resource conservation.
  - (2) Discouraging adverse use of land.
  - (3) Protecting watercourses.
  - (4) Protecting water quality.
  - (5) Minimizing pollution of all types.
  - (6) Retention of natural quality.
  - (7) Protection of wildlife.

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1. Editor's Note: Said Zoning Map is on file in the Township offices.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- B. Housing. To encourage and promote the provision of a wide variety of decent, safe and sanitary housing to meet the needs of all Township residents compatible with the limitations afforded by the environment, transportation network and community facilities and services by:
- (1) Encouraging variation in housing.
  - (2) Protecting the quality and livability of existing residential areas.
  - (3) Encouraging neighborhood design for people rather than for automobiles.
- C. Land use. To create the best possible living environment by establishing a harmonious land use pattern by:
- (1) Separating living, commercial and industrial land uses.
  - (2) Creating a cohesive relationship between land uses and natural features.
  - (3) Locating public buildings and services for maximum accessibility.
  - (4) Guiding development to prevent premature use of undeveloped areas.
  - (5) Encouraging the evolution of cohesive development areas by discouraging scattered or strip development.
- D. Community facilities and services. To provide facilities and services necessary to meet the needs of the community, compatible with the natural and man-made environment by:
- (1) Guiding future development.
  - (2) Encouraging installation of utilities in a modern acceptable manner.
- E. Transportation. To provide a road system that maximizes the efficient, safe, and convenient movement of goods and people while minimizing adverse impacts on the natural and man-made environment by:
- (1) Reducing traffic hazards.
  - (2) Making advance provisions for proposed or anticipated highway improvements.
  - (3) Supporting the development and use of appropriate regional mass transportation.
  - (4) Encouraging the reduction of on-street parking.
- F. The local economy. To encourage opportunities for economic growth and development in the Township compatible with the community's natural and man-made environment by:

- (1) Preservation of agricultural activities.
- (2) Providing for appropriate neighborhood commercial uses.
- (3) Provision for appropriate industrial uses and light industries.
- (4) Creating a cohesive relationship between the pattern of land uses and natural features of the land.

**ARTICLE III**  
**Definitions and Word Usage**

**§ 170-5. Interpretation; word usage.**

For the purpose of this chapter, certain terms and words shall be interpreted or defined as follows:

- A. Words used in the present tense shall include the future.
- B. Words used in the singular shall include the plural and the plural shall include the singular.
- C. The word "person" includes a corporation as well as an individual.
- D. The word "lot" includes the word "plot" or "parcel."
- E. The term "shall" is always mandatory.
- F. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."
- G. The word "building" includes the word "structure."
- H. The word "erected" shall include the word "constructed."
- I. The word "moved" shall include the word "relocated."

**§ 170-6. Definitions.**

Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings herein indicated:

**ACCESSORY BUILDING OR STRUCTURE** — For purposes of this chapter, accessory buildings shall include, but not be limited to, the following, which are subordinate to the principal buildings on the same lot:

- A. In all residential zones:
  - (1) Children's playhouse, picnic shelter, greenhouse (noncommercial), garage, carport, garden house or storage building for domestic storage.

- (2) Swimming pool, ornamental pool, tennis court, basketball court or similar private recreational facility.
  - (3) Storage of camping, sports and similar equipment, owned or leased for noncommercial purposes, for the use of the residents of the premises.
  - (4) Home gardening.
- B. In commercial zones:
- (1) Storage of merchandise and goods normally carried in stock in conjunction with the principal use on the same parcel or lot of ground.
  - (2) Storage of goods used in, or produced by, manufacturing activities on the same parcel or lot of ground.
- C. In all zones:
- (1) Required off-street motor vehicle parking areas and loading and unloading areas.
  - (2) Fences and ornamental walls, and landscape features.

**ACCESSORY USE**—A use that is subordinate and incidental to the main use or uses on the same lot or premises. Said uses shall not include nonconforming uses under the terms of this chapter.

**ADULT ARCADE**—Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion-picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.1]**

**ADULT BOOKSTORE or ADULT VIDEO STORE**—

- A. A commercial establishment which, as one of its business purposes, offers for sale or rental for any form of consideration any one or more of the following:
  - (1) Books, magazines, periodicals or other printed matter or photographs, films, motion pictures, videocassette or video reproductions, slides or other visual representations which depict or describe specified sexual activities or specified anatomical areas.
  - (2) Instruments, devices or paraphernalia which are designated for use in connection with specified sexual activities.
- B. A commercial establishment may have other business purposes that do not involve the offering for sale or rental of material depicting or describing specified sexual activities or specified anatomical areas and still be categorized as adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as one of its business purposes is the offering for sale or rental for consideration of the specified materials which depict or describe specified sexual activities or specified anatomical areas.

**[Added 3-7-2011 by Ord. No. 1-2011, § I.B.2]**

ADULT CABARET—A nightclub, bar, restaurant or similar commercial establishment which regularly features:

- A. Persons who appear in the state of nudity.
- B. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.
- C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified anatomical areas or by specified sexual activities.

**[Added 3-7-2011 by Ord. No. 1-2011, § I.B.3]**

ADULT DAY CARE—A service offered to adults with supervisory needs as an accessory to assisted living or nursing facilities. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.4]**

ADULT MOTEL—A hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration for the purpose of providing patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the description of specified anatomical areas or by specified sexual activities, and has a sign visible from the public right of way which advertises the availability of this adult-type of photographic reproductions.
- B. Offers any single sleeping room for rent three or more times in one calendar day.

**[Added 3-7-2011 by Ord. No. 1-2011, § I.B.5]**

ADULT MOTION-PICTURE THEATER—A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified anatomical areas or by specified sexual activities. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.6]**

ADULT THEATER—A theater, concert hall auditorium, stage or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.7]**

AGRICULTURE—Any use of land or structures for farming, dairying, pasturage, horticulture, floriculture, arboriculture, or animal or poultry husbandry, as well as the retail sale of horse tack, and feed, grain and other produce. Accessory structures permitted in conjunction with an agricultural use may include barns, stables, corn cribs, silos and other similar structures that are clearly related to an agricultural operation. Accessory activities may include farm machinery and equipment repair conducted by on-site residents. **[Amended 6-7-2004 by Ord. No. 1-2004]**

ALLEY—A service way at least 20 feet wide, providing a secondary public means of access to abutting properties.

ALTERATION or ADDITION (structural or use change)—Any change in the supporting

members of a building such as bearing walls, columns, beams, girders or foundations, or by extending on a side, front or rear, or by increasing in height, or the moving from one location to another, or any change in use.

**ANCILLARY RESIDENTIAL**—A residential use that is subordinate to, and associated with, a primary light commercial use.

**ANTENNA HEIGHT**—The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height. **[Added 10-6-1998 by Ord. No. 3-98]**

**ANTENNA SUPPORT STRUCTURE**—Any pole, telescoping mast, tower, tripod, or any other structure that supports a device used in the transmitting or receiving of radio frequency energy. **[Added 10-6-1998 by Ord. No. 3-98]**

**ANTIQUÉ MOTOR VEHICLE**—A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications. **[Added 6-7-2004 by Ord. No. 1-2004]**

**APARTMENT**—A room or suite of rooms in a multifamily structure, which is designed for use as a single housekeeping unit, and which contains a functional kitchen, bath and toilet facilities, permanently installed.

**APPLICANT**—A landowner or developer who files an application, as required by the Township, for development, including the heirs, successors and assigns thereof.

**AREA**—Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

**AREA, BUILDING**—The total of areas taken on a horizontal plane at the main grade level of a building or structure exclusive of uncovered porches, terraces and steps.

**AUTOMOBILE SERVICE STATION**—Any premises used for the retail sale of motor fuel and lubricants, and incidental services such as lubrication, and the sale, installation or minor repair of tires, batteries, or other automobile accessories; but not including major repair work such as motor replacement, body fender repair or spray painting.

**AUTOMOTIVE RECYCLING**—The use of more than 100 square feet of the area of any lot for the storage, keeping or abandonment of junk, including scrap material from the dismantling, demolition or abandonment of automobiles or other vehicles or machinery of parts thereof. **[Added 1-22-2009 by Ord. No. 1-2009, § I]**

**AUTOMOTIVE REPAIR**—Engine maintenance, repair or reconditioning, collision repair, including straightening and repainting, replacement of parts and incidental services.

**BASEMENT or CELLAR**—A portion of a building partly or completely below grade. It shall be considered a building story if more than 50% of its clear height is above the average level of the adjoining ground.

**BED-AND-BREAKFAST and/or TOURIST HOME**—The offering of overnight accommodations and food service for transient guests for compensation within the confines of a detached single-

family dwelling structure when conducted subsidiary to normal single-family residential use.

**BILLBOARD**—Structure, building wall, or other outdoor surface used to display lettered, pictorial, sculptured, or other matter which directs attention to any product, announcement, commodity, or service offered only elsewhere than on the premises.

**BOARDINGHOUSE**—Any dwelling in which more than three persons either individually or as families are housed or lodged for hire with or without meals. A rooming house or a furnished room house shall be deemed a boardinghouse. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.8]**

**BORE HOLES**—Structures and appurtenant facilities to permit the introduction from the surface to underground mining operations, or the removal from underground mining operations to the surface, of electrical power, water, rock dust for safety purposes, communicating lines, compressed air and other gases. (Also see “coal mining adjunct facility” and “ventilating shafts.”) **[Added 8-4-1998 by Ord. No. 2-98]**

**BUFFER AREA**—A strip of land which is planted and maintained in shrubs, bushes, trees, grass, or other landscaping material and within which no structure is permitted except a wall or fence.

**BUILDING**—An independent and detached structure having a roof supported by columns or walls, or resting on its own foundation, including but not limited to mobile homes, garages, greenhouses and other accessory buildings, and utilized for housing, shelter or enclosure of persons, animals, chattels or activity sites.

**BUILDING HEIGHT**—The vertical distance measured from the average elevation of the finish grade to the highest point of the roof.

**BUILDING LINE**—An imaginary line located a fixed distance from the front line of the lot. (Refer to “yard, front.”)

**BUSINESS LOCATION SIGN**—A structure for the purpose of, and limited to, indicating the general location of a business site that is not contiguous to or visible from an arterial highway. Said signs shall be limited to the name of the business and a directional arrow. **[Added 11-11-1999 by Ord. No. 3-99]**

**BUSINESS SERVICE**—Any business activity which renders service primarily to other commercial or industrial enterprises.

**BUSINESS SERVICES**—A commercial establishment providing services and/or goods to individuals and businesses. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.9]**

**CAMPING AND RECREATIONAL EQUIPMENT**—Any licensed or unlicensed trailer or other vehicle designed or used for temporary living or sleeping purposes, regardless of whether the wheels are attached or unattached or a permanent or semipermanent foundation is constructed underneath, or any structure of a permanent or semipermanent nature that is not connected to utilities. “Camping and recreational equipment” shall include travel trailers, pickup coaches, motorized home and boat trailers and shall be defined as follows:

- A. **TRAVEL TRAILER**—A vehicular, portable structure having an overall length of 40 feet or less and an overall width of eight feet or less built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation purposes, permanently identified as a “travel trailer” by the manufacturer of the trailer and, when equipped for the road,

must be licensed.

- B. PICKUP COACH—A structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.
- C. BOAT TRAILER—A trailer designed to haul boats.
- D. MOTORIZED HOME—A motorized vehicle with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses. This unit must also be licensed and inspected.

CARTWAY—That portion of a road which is paved, graded or improved for travel by vehicles.

CELL SITE—A tract or parcel of land that contains the cellular communication antenna, its support structure, accessory building(s), and parking, and may include other uses associated with, and ancillary to, cellular communication transmission. **[Added 10-6-1998 by Ord. No. 3-98]**

CELLULAR COMMUNICATIONS ANTENNA/TOWER—A structure and necessary auxiliary components for use by a private business organization, to send and receive electronic or analogue signals as an integral component of a telecommunication system, to provide services that are paid for directly by the recipients thereof. **[Added 10-6-1998 by Ord. No. 3-98]**

CLASSIC MOTOR VEHICLE—A motor vehicle, but not a reproduction thereof, manufactured at least 15 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformity with manufacturer specifications and appearance. **[Amended 6-7-2004 by Ord. No. 1-2004]**

CLINIC—Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

CLUB—An establishment operated for social, athletic, recreational or educational purposes but open only to members and not the general public.

COAL MINE CONVEYER—A mechanical contrivance utilizing belt, chair or chute type devices to transport products, overland or underground, from coal mining operations via owned or leased land holdings or acquired rights-of-way. **[Added 8-4-1998 by Ord. No. 2-98]**

COAL MINE FACILITIES, UNDERGROUND—Structures and installations necessary to the operation of an underground coal mine which shall include slopes, shafts or portals for the primary purpose of gaining access from the surface to an underground coal mine by persons or equipment to mine and remove coal, coal preparation and cleaning plants and related equipment, ponds and treatment facilities, coal refuse disposal areas, silos for storage of coal, access roads, aboveground repair personnel areas and structures and transport facilities. **[Added 8-4-1998 by Ord. No. 2-98]**

COAL MINE, UNDERGROUND—All underground areas within a continuous barrier of undisturbed coal from which such coal is extracted. **[Added 8-4-1998 by Ord. No. 2-98]**

COAL MINING ADJUNCT FACILITY—A support facility, not a coal mining facility, required for and used only in connection with an underground coal mine which is to: **[Added 8-4-1998 by Ord. No. 2-98]**

- A. Supply air or power to the underground coal mine;
- B. Ventilate air or gas from the underground coal mine, which shall include fans and fans buildings; and
- C. Remove water from the underground coal mine.

COAL TIPPLE AND CLEANING PLANT—A coal mining facility utilized for bringing coal and related substances from an underground coal mine to the surface for the storing, processing, classifying, and transporting of coal. **[Added 8-4-1998 by Ord. No. 2-98]**

COMMERCIAL (BUSINESS)—Engaging in a business, enterprise, activity or other undertaking related to or connected with trade or commerce in general (excludes “home occupation”).

COMMISSION, COUNTY PLANNING—Beaver County Planning Commission.

COMMISSION, PLANNING—The legally appointed Planning Commission of Greene Township, Beaver County, Pennsylvania.

[Text continued on p. 170:11]

**CONDITIONAL USE**—A use of land to be permitted or denied by the governing body (following public hearing) after study and recommendations by the Planning Commission, pursuant to express standards and criteria set forth in the chapter.

**CONTRACTOR'S PLANT AND STORAGE**—An area of land and any structures thereon used for a building contractor's office, supply yard and service facility.

**CONVERSION APARTMENT**—A suite of rooms, consisting of at least one private bedroom, one additional habitable room, one separate and private bathroom and separate and private sanitary cooking facilities, designed or intended for occupancy by one family, which is established in a portion of a building originally used or designed for use by a single-family unit.

**DAY-CARE CENTER**—A facility in which child day-care services are provided for seven or more school age, preschool or infant children in an institutional related structure suitable for such functions.

**DAY-CARE/FAMILY HOME**—Any family residence other than a child's own home or the home of a child's relative, operated for profit or not for profit, in which child day care is provided at any one time to four, five or six school age children (the day the child initially enters the first grade of a public or private school system to 12 years of age), preschoolers (approximately three years of age to initial school entry at the first grade level of a public or private school system) or to infants and toddlers (from birth to approximately three years of age) who are not relatives of the caregiver.

**DENSITY**—The area of a lot or group of lots computed exclusive of any portion of the right-of-way of any road, divided by the number of families housed on the lot or group of lots.

**DEVELOPER**—A landowner or agent or tenant thereof, who causes to be made a subdivision of land or construction and/or development on said land.

**DEVELOPMENT**—A step or stage in growth or advancement; result of developing; a thing that is developed.

**DISTRICT, ZONING**—A section of the municipality for which uniform regulations governing the use, height, area, and intensity of use of buildings and land and open spaces about buildings are herein established.

**DRIVEWAY**—A private accessway to a parking area, garage or structure.

**DUMP**—A lot or land or part thereof used primarily for the disposal, abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind (excludes private or public sewage disposal and permitted municipal sanitary landfills).

**DWELLING**—A building or portion thereof providing complete housekeeping facilities for one family unit.

A. **DWELLING UNIT**—A building or portion thereof providing complete housekeeping facilities for one individual or one family.

- B. DWELLING, SINGLE-FAMILY—A detached or separate building designed for or occupied exclusively as a residence for one family.
- C. DWELLING, DUPLEX—A detached or separate building designed for or occupied exclusively by two families living independently of each other with separate entrances and facilities.
- D. DWELLING, MULTI- OR MULTIPLE-FAMILY—A structure containing three or more separate dwelling units for families living independently of each other which may provide joint services and/or facilities but separate housekeeping, sanitary and cooking facilities. Such structures may be referred to as apartment, garden apartment, townhouse or row house.

EDUCATIONAL INSTITUTION—A school, including a public school, parochial school, private school, college, university and a private nursery school or preschool, having regular sessions, with regularly employed instructors, which teaches those subjects that are fundamental and essential in elementary, secondary, or higher education under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, or a corporation meeting the requirements of the commonwealth.

EMPLOYEE—Any and all persons, including independent contractors, who work in or at or render any service directly related to the operation of a sexually oriented business. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.10]**

ENGINEER—A professional engineer licensed as such in the Commonwealth of Pennsylvania.

EQUIPMENT REPAIR, MINOR—Incidental repairs, replacement of parts and servicing of small appliances and minor household equipment such as motors, lawn equipment. and chain saws.

ERECTED—Includes built, constructed, reconstructed, moved upon or any physical operations on the land required for development or building activities. Excavation, fill, drainage and the like shall be considered part of the erection.

ESCORT—A person who, for consideration, agrees or offers to act as a companion, guide or date for another person, which includes engaging in one or more specified sexual activities. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.11]**

ESCORT AGENCY—A person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its business purposes for a fee, tip or other consideration. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.12]**

ESSENTIAL SERVICES—The erection, construction, alteration or maintenance by public utilities, municipal departments or commissions, including buildings, necessary for furnishing adequate services for public health, safety or general welfare.

EXCAVATION—Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or disturbed and any conditions resulting therefrom.

FAMILY—One or more persons who live together in a single housekeeping unit and maintain a common household, as distinguished from a group occupying a boarding house. A family may consist of a single person or of two or more persons, whether or not related by blood, marriage or adoption. For purposes of this chapter, the term “family” shall not include group residential

facilities, day-care/family homes, day-care centers or institutional facilities.

**FLOOR AREA**—The sum of the gross horizontal areas of the several floors of a building determined by dimensions measured between exterior faces of walls as in a single-family dwelling or by dimensions measured between common interior separating walls as in duplex, apartments and townhouses (excludes cellar or basement floor areas, roofed porches, roofed terraces and accessory buildings whether attached or separate).

**FRONTAGE**—The front boundary line of a lot facing a street. The front of a corner lot shall be considered on the street that parallels the long dimension of a block; on the street of higher classification with respect to use; or on the basis of the orientation of a majority of the other lots in the immediate vicinity.

**GARAGE**—A private garage is an accessory building with area commonly used for housing motor driven vehicles, the property of and for the use of the occupants of the lot on which the garage is located. A public garage is any garage other than a private garage as defined herein, available to clients, operated for gain, and which is used for storage, repair, rental, lubricating, washing and servicing or equipping of motor vehicles.

**GARDEN (APARTMENT) DWELLING**—A multifamily residential building, not exceeding three stories in height, in which units are arranged side to side, back to back or one above another, which may have either private external entrances or common hall access, and which may have private exterior yard area for each unit.

**GARDEN CENTER**—A retail commercial sales establishment for the sale of plants, garden supplies and related items. For purposes of this chapter, said establishments shall not include the sale or service of machinery, tractors or mowing equipment in excess of 20 horsepower.

**GOVERNING BODY**—The Board of Township Supervisors of the Township of Greene, Beaver County, Pennsylvania.

**GOVERNMENTAL AUTHORITIES**—Any federal, state or local governmental agency.

**GRADING PLAN**—A plan prepared by a registered professional engineer showing final grade contours at vertical intervals of 10 feet, or greater detail for slopes of 5% or less.

**GROUP RESIDENTIAL FACILITY**—An establishment that provides room and board in a family environment to persons who receive supervised care limited to health, social, rehabilitative or housing services. Such facilities may include child and adult services for individuals not in need of hospitalization or incarceration, but who because of age, convalescence, infirmity, disability or related circumstances require such care. Group residential facilities shall include boarding homes for children, residential child-care facilities, maternity homes, personal care homes for adults and similar uses licensed by the Pennsylvania Department of Public Welfare, provided the scope of all such operations shall be in conformance with the regulations of this chapter. Group residential facilities shall not include institutional facilities, child day-care centers, day-care/family homes and similar uses.

**HOLIDAY**—New Year's Day, Martin Luther King Jr.'s Birthday, Presidents Day, Good Friday, Memorial Day, Flag Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Eve and Christmas Day. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.13]**

**HOME GARDENING**—The cultivation of herbs, fruits, flowers or vegetables on a piece of ground

adjoining the dwelling for use of the residents therein.

**HOME OCCUPATION**—Any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein, providing that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, the exterior of the principal structure is designed and constructed to maintain the appearance of a residential dwelling, and no goods are publicly displayed on the premises other than signs provided herein; including, but not limited to, the following occupations: the professional practice of architecture, law, engineering, surveying, musician teacher, accountant, notary public, mechanical/equipment/small appliance repair, craft occupations including woodworking, construction, cooking, baking, sewing, artists, beauticians, and barbers, excluding stables or kennels; and does not permit the employment of more than two persons living on the premises. **[Added 2-1-2010 by Ord. No. 2-2009, § I.C]**

**HOSPITAL**—Any premises, other than a mental health establishment operated for profit, having an organized medical staff and providing equipment and services primarily for inpatient care for two or more individuals who require definitive diagnosis and/or treatment for illness, injury or other disability or during or after pregnancy, and which also regularly makes available at least clinical laboratory services, diagnostic x-ray services and definitive clinical treatment services. The term shall include such premises providing either diagnosis or treatment, or both, for specific illnesses or conditions.

**HOTEL**—A facility offering transient lodging accommodations to the general public with access to individual rooms from the interior of the building, and providing services such as restaurants, meeting rooms, entertainment and recreational facilities. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.14]**

**INSTITUTIONAL FACILITY**—An establishment that provides room and board to persons who are residents by virtue of receiving supervised specialized services limited to health, social and/or rehabilitative services provided by a governmental agency, their licensed or certified agents or any other responsible social service corporation. Hospitals, mental health establishments and nursing homes shall be considered institutional facilities. Institutional facilities shall not include day-care/family homes, day-care centers or group residential facilities.

**INTEGRATED BUSINESS CENTER**—A multiunit business development site characterized by coordinated site and structural design, utility provisions, parking facilities and related amenities.

**JUNK**—Any discarded material or article and shall include, but not be limited to, scrap metal, abandoned or junked motor vehicles or vehicle parts, machinery or machinery parts, papers, glass and related items, containers, or partially dismantled structures or parts thereof. It shall also include a partially dismantled motor vehicle not bearing current registration plates and which is not in the process of ongoing and immediate repair. It shall not include garbage or hazardous or toxic waste material.

**KENNEL**—Any structure, pen or area set aside for the breeding, boarding, show, grooming or keeping of dogs, cats or similar domestic animals. For purposes of this chapter, the keeping of five or more such animals for economic gain shall be deemed a commercial kennel.

**LANDFILL**—

- A. A facility that is designed, operated and maintained for the disposal of nonhazardous refuse and waste, not including disposal of demolition waste, sludge from sewage treatment plants or water supply treatment plants or materials that are classified as hazardous and/or that

have the characteristics of toxicity, reactivity, ignitability or corrosivity to the extent that they may be deemed hazardous.

- B. When used in reference to coal mining an area used and operated solely for the deposit of waste materials resulting from a coal mining operation, but shall not include an embankment, or impoundment, to contain, divert or store water, except necessary sedimentation ponds accessory to the landfill. The types of waste materials deposited at landfill sites and the handling, treatment, storage and any other activity with respect to said materials shall be in compliance with all applicable federal, state and local statutes, regulations and enforcement orders. **[Added 8-4-1998 by Ord. No. 2-98; 6-3-2003 by Ord. No. 1-2003]**

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

**LOADING SPACE**—A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of vehicles.

**LOT**—A tract or parcel of land held in single or separate ownership, that is described by reference to a recorded plat or by metes or bounds, and is intended as a unit for transfer of ownership, use, improvement, dedication or for development.

**LOT AREA**—The horizontal surface area within the lines of the lot.

**LOT, CORNER**—A lot, abutting two or more streets at their intersection, on which the building line for all streets must be observed.

**LOT COVERAGE**—The ratio of ground area covered by principal and accessory structures to the total ground area of the lot.

**LOT LINE, FRONT**—The line contiguous with the street right-of-way line.

**LOT LINE, REAR**—The line generally parallel to the front lot line, which defines the rear of the lot.

**LOT LINE, SIDE**—Any lot line which is not a front lot line or a rear lot line.

**LOT WIDTH**—The total horizontal distance across the lot, between the side lot lines, measured at the building line.

**MANUFACTURING AND INDUSTRIAL, LIGHT**—The processing, handling or fabrication of materials and products where no processes are involved which will produce noise, vibration, air pollution, fire hazard, noxious emission, high traffic volumes or other factors which will disturb or endanger neighboring properties.

**MATERIAL SALVAGE YARD**—Any lot, site, parcel, building or structure or part thereof, used for the storage, collection, processing, purchase, sale, salvage or disposal of any scrap, waste, reclaimable material or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition including but not limited to: unregistered, inoperable vehicles; tires; vehicle parts; equipment; paper; rugs; metal; glass; household appliances; machinery and building materials. **[Added 1-22-**

**2009 by Ord. No. 1-2009, § I]**

**MENTAL HEALTH ESTABLISHMENT**—Any premises or part thereof, private or public, for the care of individuals who require care because of mental illness, mental retardation or inebriety but shall not be deemed to include the private home of a person who is rendering such care to a relative.

**MINE DISPOSAL AREAS**—Areas used for the deposit of mine waste. **[Added 8-4-1998 by Ord. No. 2-98]**

**MINI-WAREHOUSE OR SELF-STORAGE UNIT**—A building or group of buildings in a controlled access and fenced compound that contains various sizes of individual, compartmentalized and controlled access stalls and/or lockers leased to the general public for a specified period of time for the purpose of storing personal property. The facility may include within the secured area spaces for the storage of recreational vehicles, boats and similar items. **[Added 6-7-2004 by Ord. No. 1-2004]**

**MOBILE HOME**—A transportable single-family dwelling structure designed and intended for permanent occupancy, with a minimum body width of eight feet and a minimum body length of 32 feet, built on a chassis for towing on its own running gear, contained in one unit, or in two units designed to be joined into one integral unit capable of later being separated for repeated towing, which arrives at a site complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed for use without attachment to a permanent foundation other than being secured to appropriate piers, tie-downs or similar approved anchoring devices and structures.

**MOBILE HOME PARK**—Any contiguous parcel or tract of land under single ownership, used or intended to be used for the placement of two or more mobile homes for nontransient use, together with the required improvements and facilities upon the land, whether or not consideration or rental is required for the use of the parcels or facilities thereon.

**MODULAR HOME**—A factory fabricated transportable building unit, other than a mobile home, designed to be used independently or incorporated with similar units into a modular structure on a permanent foundation at a permanent building site.

**MOTEL**—An establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.15]**

**MULTIPLE DWELLING**—A building designed for, and occupied exclusively as, a residence for two or more families living independently of each other, including houses separate except for common adjoining walls.

**NO-IMPACT HOME-BASED BUSINESS**—A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normal associated with residential use. The business or commercial activity must satisfy the following requirements:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the

dwelling.

- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- H. The business may not involve any illegal activity.
- I. For the purposes of this chapter, an occupation conducted within the home that does not fit the definition of “no-impact home-based business” shall be defined to be a “home occupation.”

**[Added 2-1-2010 by Ord. No. 2-2009, § I.B]**

**NONBUSINESS USES**—Service or charitable activities conducted on a voluntary or nonprofit basis by individuals, or public or service groups and organizations.

**NONCONFORMING BUILDING OR STRUCTURE**—A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use thereto, such as minimum setback, minimum yard, maximum height, maximum lot coverage and parking and loading requirements, where such structure lawfully existed prior to enactment of this chapter or amendment thereto. Such nonconforming structures include, but are not limited to, nonconforming signs.

**NONCONFORMING LOT**—A lot, the area or dimension of which was lawful prior to the adoption of this chapter or any amendment thereto, but which fails to conform to the requirements of the zoning district in which it is located, such as minimum lot area and minimum lot width requirements, by reason of such adoption or amendments.

**NONCONFORMING USE**—A use, whether of land or of a structure, that does not comply with the applicable use provisions in this chapter or any amendment thereto, where such use was lawfully in existence prior to enactment of this chapter or amendment thereto.

**NUDE MODEL STUDIO**—Any place where a person who appears in a state of nudity or displays specified anatomical areas or by specified sexual activities may be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.16]**

**NUDITY OR A STATE OF NUDITY**—The appearance of a human bare buttock, anus, male genitals, female genitals or female breast. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.17]**

**OCCUPANCY PERMIT**—A permit signed by the Zoning Officer setting forth that a building, structure or parcel of land is in compliance with the chapter and may lawfully be occupied or employed for specified uses.

**OFFICE**—A facility in which services, clerical work, professional duties and similar functions are carried out.

**OLDER ADULT DAILY HOME LIVING FACILITY**—A family residence other than that of a facility client, operated either for profit or as nonprofit, in which supervised day-care services are provided for up to, but not more than, eight adults not in need of hospitalization or incarceration, but who because of age, infirmity or related circumstances require such services. Each facility shall be licensed and inspected by the Pennsylvania Department of Aging under Pennsylvania Code, Title 6, Chapter 11. **[Added 10-6-1998 by Ord. No. 3-98]**

**OLDER ADULT DAILY LIVING CENTER**—A facility in which supervised day-care services, as defined under the definition “older adult daily home living facility,” are provided for eight or more clients in an institutional related structure suitable for such functions. **[Added 10-6-1998 by Ord. No. 3-98]**

**OVERLAY ZONE**—A zoning district that encompasses parts or all of one or more underlying zoning districts and that imposes additional or alternative requirements to those required by the underlying zoning district. **[Added 2-1-2010 by Ord. No. 2-2009, § I]**

**OWNER**—Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court. **[Amended 3-7-2011 by Ord. No. 1-2011, § I.C.1]**

**PENNSYLVANIA PLANNING CODE**—Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended by Act 170 of 1988) and amendments of same as may be adopted from time to time.<sup>6</sup>

[Text continued on p. 170:17]

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6. Editor’s Note: See 53 P.S. § 10501 et seq.

**PERMITTED USE**—A use by right which is specifically authorized in a particular zoning district.

**PERMITTEE and/or LICENSEE**—A person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.18]**

**PERSON**—An individual, proprietorship, partnership, corporation, association or other legal entity. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.19]**

**PERSONAL SERVICES**—Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.20]**

**PLANNED (UNIT) RESIDENTIAL DEVELOPMENT**—Development of a tract of land for primarily residential purposes under single ownership or control; the development of which is unique and of a substantially different character than that of the surrounding area. Such development shall be based on a plan that allows for flexibility of design not available under standard zoning district requirements.

**PLANNING COMMISSION**—The Greene Township, Beaver County, Pennsylvania, Planning Commission.

**PLOT**—A tract or parcel of land. See definition for “lot.”

**PORTAL, COAL MINING**—A coal mining facility utilized for the access and egress of men, equipment and materials in underground coal mine operations. **[Added 8-4-1998 by Ord. No. 2-98]**

**PRINCIPAL USE**—The major or dominant use of a lot or land parcel.

**PRIVATE CLUB and/or LODGE**—An organization, including fraternal clubs, lodges, social clubs and recreational clubs, catering exclusively to members and their guests; or premises and buildings for recreation or athletic purposes which are not conducted primarily for gain, provided that any vending stands, merchandising or commercial activities are conducted only as required generally for the membership of such club. A sexual encounter center and sexually oriented business which are regulated under § 170-33E are specifically excluded from the definition of private club and/or lodge. **[Amended 3-7-2011 by Ord. No. 1-2011, § I.C.2]**

**PROFESSIONAL OFFICE**—An office or business conducted by an individual, group or association dealing with medicine, law, accounting, real estate, architecture, engineering, finance or related services.

**PUBLIC**—Includes any use activity owned and/or operated by federal, state, county or local governmental units.

**RECREATION**—

- A. **MUNICIPAL RECREATION**—Developed or undeveloped open spaces and/or structures and facilities which are provided by a governmental body for public use for the purposes of play, amusement or relaxation. Such uses may include sports facilities, parks, assembly buildings, passive areas, gardens and related amenities and activities.

- B. RECREATION, COMMERCIAL INDOOR—Indoor facilities for leisure-time activities that are provided as a business pursuit, including facilities open to the public and those requiring membership; including but not limited to indoor theaters, lodges, fraternal organizations, bowling alleys, indoor skating facilities and similar uses and activities.
- C. RECREATION, COMMERCIAL OUTDOOR—Outdoor facilities for leisure-time activities that are provided as a business pursuit, including outdoor facilities open to the public and those requiring membership; including but not limited to swimming pools, tennis courts, riding stables, drive-in theaters, golf courses and similar uses and activities.
- D. RECREATION, PRIVATE—Developed or undeveloped open spaces and/or structures and facilities which are provided by individuals or private organizations for the use of specified individuals or groups of individuals sharing common relationships or associations for the purposes of play, amusement or relaxation. Such uses may include sports facilities, parks, assembly buildings, passive areas, gardens and related amenities and activities.

RESTAURANT, DRIVE-IN—An establishment where refreshments, meals or prepared foods may be obtained by the public, where customers thereof customarily arrive at the premises via motor vehicle, and where only a portion of the persons served consume the food or drink served to them within the main building on the premises. This definition shall include, inter alia, such enterprises as drive-in ice cream or custard stands, hot or cold drink or sandwich establishments and the like. Where more than 25% of the gross business of any establishment is covered under this definition, such establishment shall be considered a drive-in restaurant for purposes of this chapter.

RESTAURANT, FULL SERVICE—A restaurant, tea room or similar establishment where customers purchase and consume food or drink on site.

RIGHT-OF-WAY—Land reserved for use as a street, alley, interior walk, or other public purpose and dedicated for public use. For purposes of this chapter, public right-of-way lines shall prevail over private parcel lines that are designated as falling within the public right-of-way. When a lot abuts a right-of-way of a public thoroughfare or alley, all applicable lot area and front, side and rear lot requirements shall be computed from the public right-of-way line.

ROADSIDE STANDS—Stands offering for sale agricultural products grown on the premises.

ROW HOUSE (TOWNHOUSE)—A multifamily dwelling structure, consisting of at least three single-family dwelling units that are attached side by side by unpierced party walls.

SCREEN (BUFFER) PLANTING—An arrangement of fencing, walls or vegetative material of sufficient height and density to conceal from view of property owners in adjoining residential districts the structures and uses on the premises on which the screen or buffer planting is located.

SEMINUDE—A state of dress in which clothing covers no more than the genitals, pubic region and areola of the female breast, as well as portions of the body covered by supporting straps and devices. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.21]**

SERVICE (FILLING) STATION—A building, buildings, premises, or portions thereof which are used for the sale of gasoline or other fuel for motor vehicles, as well as minor automobile repair and servicing.

SETBACK—The minimum distance that a structure can be located from a right-of-way or

property line or another structure, thereby creating a required open space on a lot.

**SEXUAL ENCOUNTER CENTER**—A business, commercial enterprise, or adult club, whether or not for profit, that, as one of its primary business purposes, offers for any form of consideration:

- A. Physical contact in the form of wrestling or tumbling between persons of the same or opposite sex.
- B. Activities between persons of the same or opposite sex when one or more of the persons is in a state of nudity or seminude.

**[Added 3-7-2011 by Ord. No. 1-2011, § I.B.22]**

**SEXUALLY ORIENTED BUSINESS**—An adult arcade, adult bookstore or adult video store, adult cabaret, adult club, adult motel, adult motion-picture theater, adult theater, escort agency, nude model studio or sexual encounter center. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.23]**

**SHOPPING CENTER and/or PLANNED SHOPPING AREA**—A combination of retail commercial uses on a common contiguous site, designed as a unit, with adequate off-street free parking area, and usually consisting of a series of one-story buildings or an arcade flanked by shops.

**SIGNS**—Considered as any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, trademark, banner or pennant); or any other figure of similar character which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure and is used to announce, direct attention to, or advertise. The term “sign” shall not apply to a religious symbol, void of lettering, when applied to a place of worship.

**SITE PLAN**—A plan, to scale, showing uses and structures proposed for a parcel of land that includes lot lines, streets, building sites, buildings, open space and other information.

**SPECIAL EXCEPTION**—The permission or approval for a land use activity expressly granted by the Zoning Hearing Board, after formal application, in situations where provision therefor is made by the terms of this chapter.

**SPECIFIED ANATOMICAL AREAS**—The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.24]**

**SPECIFIED SEXUAL ACTIVITIES**—

- A. Includes any of the following:
  - (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts.
  - (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy.
  - (3) Masturbation, actual or simulated.

- (4) Excretory functions as part of or in connection with any of the activities set forth in Subsection A(1) through (3) above.

**[Added 3-7-2011 by Ord. No. 1-2011, § I.B.25]**

**STABLE, COMMERCIAL**—An establishment housing horses for hire by the general public, for boarding horses, and for other activities normally related to the foregoing. **[Amended 6-7-2004 by Ord. No. 1-2004]**

**STORY**—That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

**STREET**—A public or private way that affords the principal vehicular or pedestrian means of on-grade access to abutting properties. A street may be designated as a highway, thoroughfare, alley, parkway, boulevard, road, avenue, lane, drive, place or other appropriate name.

**STREET CLASSIFICATIONS**—The following street classifications shall apply to all streets in the Township:

- A. **EXPRESSWAY**—Expressways are limited access freeways that carry through traffic between major urban centers and to and from points outside of a region with no local interference.
- B. **ARTERIALS**—Arterials carry major movements of traffic within or through the community.
- C. **COLLECTORS**—Collectors carry the internal traffic movements within the Township and connect developed areas with the arterial system. The collector system simultaneously provides abutting property with road access and accommodates local internal traffic movements.
- D. **LOCAL**—Local streets provide access to immediately adjacent land but normally carry a small portion of the total vehicle miles traveled daily.
- E. **PRIVATE**—Any vehicular way that is not dedicated as a public street.

**STREET LINE**—The line defining the edge of the legal width of a dedicated street right-of-way.

**STRUCTURE**—Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Structures include buildings, sheds and signs.

**SUPPLY YARD**—A commercial establishment storing or offering for sale building supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards shall not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

**TOURIST**—One who makes a journey, especially for pleasure.

**TOWNSHIP**—The Township of Greene. **[Added 3-7-2011 by Ord. No. 1-2011, § I.B.26]**

**TRACT**—A lot, or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development.

**TRUCK TERMINAL**—A facility designed to accommodate the service and storage of trucks and which may also provide warehousing activities.

**USE**—The purpose of the activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained. The term “permitted use” or “use by right” or its equivalent shall not be deemed to include any nonconforming use; except that such permission shall not supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common interest ownership community.<sup>7</sup>

**VARIANCE**—A modification of the literal provisions of this chapter which the Zoning Hearing Board is permitted to grant when strict enforcement of said provisions would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought.

**VEHICLE SALES AND SERVICES**—Facilities for the sale and service of vehicles; includes used car and truck dealers, factory authorized car and truck dealers, mobile home dealers, self-propelled or towed recreational vehicle dealers, farm or construction equipment dealers, or any similar automotive related dealers.

**VENTILATING SHAFTS**—A coal mine adjunct operation consisting of a structure and appurtenant facilities to permit the introduction and removal of air and other gases from underground coal mines. **[Added 8-4-1998 by Ord. No. 2-98]**

**VETERINARY CLINIC**—An establishment that provides for the treatment and prevention of diseases and injuries in domestic animals together with related boarding of said animals.

**WAREHOUSE, MINI**—A building or portion thereof designed and used for storing personal property of an individual or family separate from their residential site. This shall not include the storage of any merchandise, stock, furnishings or vehicles of a business or commercial activity of any kind.

**WASTE RECYCLING CENTER**—A separation, collection and processing operation for handling and recycling of nonhazardous materials, including functions and activities related thereto, consistent with Article XI, § 170-33B, of this chapter and all applicable federal and state statutes, regulations and directives.

**YARD**—A space on the same lot with a principal structure, open, unoccupied and unobstructed by structures, except as may be otherwise provided in this chapter.

- A. **YARD, FRONT**—A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar improvements, the depth of which is the least distance between the front lot at the right-of-way line and the building line.
- B. **YARD, REAR**—A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar improvements.

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7. **Editor’s Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

C. YARD, SIDE—A yard between the principal structure and the side lot line, extending from the front yard, or from the front line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally, at 90° with the side lot line, from the nearest part of the principal building.

ZONING HEARING BOARD—The Board appointed by the Greene Township Supervisors and assigned the duties of judging various appeals and variance requests of persons aggrieved by the interpretation of this chapter, and further, assigned to consider the qualification of special exceptions under the terms and conditions specified in this chapter.

ZONING MAP—The official Zoning Map or maps of Greene Township which are part of this chapter, together with all amendments subsequently adopted.<sup>8</sup>

ZONING OFFICER—The individual (or individuals) duly appointed as the Code Enforcement Officer by the Greene Township Board of Supervisors to be the administrator of the provisions contained in this chapter.

ZONING PERMIT—A statement signed by the Zoning Officer indicating that the application for permission to construct or alter is approved and in accordance with the requirements and terms of this chapter.

**ARTICLE IV  
Establishment of Districts**

**§ 170-7. Zoning districts.**

For the purpose of applying the provisions of this chapter, the Township of Greene is hereby classified and divided into the following zoning districts:

- A-1            Agricultural District
- R-1            Suburban Residential District
- R-2            General Residential District
- C-1            Light Commercial District
- C-2            Highway Commercial District
- I              Industrial District

**§ 170-8. Zoning Map. [Amended 9-12-2005 by Ord. No. 1-2005]**

The location of the boundaries of the established zoning districts are shown on the Zoning Map adopted by the Board of Supervisors, on file in the office of the Township Administrative Secretary/Treasurer. Said Zoning Map together with amendments and all explanatory matter thereon shall be deemed to accompany, be, and is hereby made a part of this chapter.

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8. Editor’s Note: Said maps are on file in the Township offices.

**§ 170-9. Interpretation of district boundaries.**

District boundaries shall be determined as follows:

- A. Where district boundaries are indicated as approximately following the center lines of streets, highways, street lines, highway right-of-way lines, or streams, such center lines shall be construed to be such boundaries.
- B. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.
- C. Where district boundaries approximately follow a railroad, such boundaries shall be deemed to be located in the center of such railroad right-of-way.
- D. Where the boundary of a district follows a stream or other body of water abutting another municipality, the boundary shall be deemed to be the limits of jurisdiction of the Township unless otherwise indicated.
- E. Where streets, property lines or other physical boundaries and delineations are not applicable, boundaries shall be determined by the scale shown on the original Zoning Map on file in the office of the Township Administrative Secretary/Treasurer.
- F. Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances not covered in this section, the Zoning Hearing Board shall interpret the district boundary.
- G. When a district boundary line divides a lot held in single and separate ownership at the effective date of this chapter, the regulations which apply to the use in a less restricted district shall extend over the portion of the lot in the more restricted district, a distance of not more than 100 feet beyond the district boundary line.

**ARTICLE V**  
**General Provisions**

**§ 170-10. Use of property.**

Following the effective date of this chapter, no building or land shall be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations specified for the zoning district in which it is located, or applicable special regulations.

**§ 170-11. Restrictions.**

- A. Following the effective date of this chapter, no building shall hereafter be erected or altered to exceed the height, to accommodate a greater number of families, to occupy a greater percentage of lot area, or to have narrower or smaller rear yards, front yards, or

side yards than are specified in this chapter for the zoning district in which such building is located.

- B. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another building.

**ARTICLE VI**  
**A-1 Agricultural District**

**§ 170-12. Statement of purpose and use summary.**

The Agricultural District is established to provide for agrarian, low-density residential, and related land uses.

**A-1 Uses Permitted by Right**

Agriculture

Cemeteries

Churches/educational institutions

Commercial greenhouses/nurseries

Commercial kennels

Commercial stables

Garden centers

Municipal buildings/fire stations

Municipal recreation

No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § II.B]

Single-family detached dwellings

Single mobile homes\*

Veterinary clinics

[Amended 2-1-2010 by Ord. No. 2-2009, § II.A]

**A-1 Conditional Uses**

Cellular communications antenna/tower [Added 10-6-1998 by Ord. No. 3-98]

Day-care center

Day-care, family

Funeral home

Group residential facility

Institutional facility

Mobile home park

**A-1 Conditional Uses**

Older adult daily home living facility [Added 10-6-1998 by Ord. No. 3-98]

Older adult daily living center [Added 10-6-1998 by Ord. No. 3-98]

Planned industrial district [Added 3-3-1998 by Ord. No. 1-98]

Planned unit residential

Recreation, private and commercial/indoor and outdoor

Storage unit facilities [Added 6-7-2004 by Ord. No. 1-2004]

Underground coal mine [Added 8-4-1998 by Ord. No. 2-98]

**A-1 Special Exceptions**

Bed-and-breakfast

Conversion apartments<sup>10</sup>

Home occupation other than a no-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § II.C]

[Amended 1-22-2009 by Ord. No. 1-2009, § II.A]

\*NOTE: Subject to criteria specified in Article XIV, Supplementary Regulations.

**§ 170-13. Conditional use provisions.**

The following conditional uses may be authorized by the Township Supervisors pursuant to the standards and criteria specified herewith:

**A. Day-care/family day-care homes.**

- (1) All activities shall be conducted in a private detached single-family residence.
- (2) Activities shall be limited to functions normally associated with the part-time tending of children and shall not include overnight lodging.
- (3) Activities shall be conducted within a home atmosphere that is void of any special facilities or appurtenances other than secure play areas and/or apparatus that are deemed to be normal single-family accessory uses within the immediate neighborhood.
- (4) Safe off-street pickup and dropoff areas shall be provided at the site.
- (5) Outdoor play areas shall be fenced to control access to adjacent properties and vehicular ways. No portion of the outside play areas shall be less than 30 feet from a neighboring dwelling without the owner's written consent. Outdoor play shall be

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10. Editor's Note: The former entry for "home occupation (category two)," as amended 9-7-1999 by Ord. No. 2-99, which immediately followed this entry, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

limited to the hours between 6:00 a.m. and 9:00 p.m., prevailing local time.

- (6) A minimum of 100 square feet of usable outdoor play space and 20 square feet of usable indoor space shall be provided for each child present at the facility, including resident children.
- (7) Day-care services shall be limited to a total of six children at any one time for the following categories of clientele (a mix of categories shall be permitted):
  - (a) Infants and toddlers. There shall be no more than four infants and/or toddlers in a family day-care home at any one time, including relatives of the caregivers. (NOTE: For purposes of these requirements, “relative” shall be deemed to be a child, stepchild, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, nephew, stepbrother or stepsister.)
  - (b) Preschoolers. At no time shall the number of children in care exceed six, excluding relatives of the caregiver. (NOTE: For purposes of these requirements, “relative” shall be deemed to be a child, stepchild, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, nephew, stepbrother or stepsister.)
  - (c) School age children. At no time shall the number of children in care exceed six children, excluding relatives of the caregiver. (NOTE: For purposes of these requirements, “relative” shall be deemed to be a child, stepchild, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, nephew, stepbrother or stepsister.)
- (8) Day-care/family day-care homes shall comply with the then current editions of the BOCA (Building Officials & Code Administrators International, Inc.) National Fire Prevention Code and the BOCA (Building Officials & Code Administrators International, Inc.) National Building Code and with the Pennsylvania Fire and Panic Act and regulations promulgated pursuant to that Act.<sup>11</sup>
- (9) All rules, requirements and guidelines promulgated in the Day Care Service For Children Regulations Family Day Care Homes, Chapter II, Section 8c, of the Pennsylvania Department of Public Welfare Social Services Manual, effective June 13, 1981, and any amendments subsequent thereto, shall be strictly observed. All required state licenses and certifications shall be obtained as conditions precedent to granting of required Township zoning and occupancy permits.

B. Day-care center.

- (1) Day-care centers shall be located only in commercial, public or semipublic institutional buildings, such as schools, churches, governmental or similar structures that meet all requirements specified by the Pennsylvania Department of Public Welfare for such activities. Day-care centers shall not be conducted in conjunction with single-family residential dwellings. When conducted on multifamily premises, all day-care center operators shall be completely separate and distinct from residential uses.
- (2) Activities shall be limited to functions normally associated with part-time tending of children and shall not include overnight or drop-in care.

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11. Editor’s Note: See 35 P.S. § 1221 et seq.

- (3) Operational hours shall be limited to the hours between 6:00 a.m. and 9:00 p.m., prevailing local time.
- (4) Day-care centers shall comply with the then current editions of the BOCA National Fire Prevention Code and the BOCA National Building Code and with the Pennsylvania Fire and Panic Act and regulations promulgated pursuant to that Act.
- (5) All rules, requirements and guidelines promulgated in the Regulations For Child Day Care Centers, Chapter II, Section 8A of the Department of Public Welfare Social Services Manual, effective April 2, 1978, and any amendments subsequent thereto, shall be strictly observed. All required state licenses and certifications shall be obtained as conditions precedent to granting of required Township zoning and occupancy permits.

C. Recreation/private and commercial, indoor and outdoor.

- (1) No use activities shall be permitted or conducted in any required front, side or rear setback area.
- (2) No use activities shall be permitted or conducted within 100 feet of any adjoining R-1 or R-2 Residential District.
- (3) All lot boundaries abutting any adjoining R-1 or R-2 District shall be enclosed by a landscaped buffer that meets the requirements set forth in Article XIV of this chapter.
- (4) Fencing may be required in cases where deemed necessary by the Township Supervisors or the developer for purposes of safety, security or design. The installation, material and design of the fencing shall be subject to recommendations and final approval of the Board of Supervisors.
- (5) Loud speakers and similar sound amplification devices for entertainment purposes shall not exceed the noise levels for steady-state noise as specified in Article XIV of this chapter.
- (6) All lighting shall be designed and utilized in a manner that is compatible with residential uses within viewing distance of the site.
- (7) Provisions shall be made for the safety and welfare of individuals and property both on-site and off-site, consistent with the projected use.

D. Mobile home park. Mobile home park development and operation shall be subject to the requirements of Article IX, Mobile Home Parks, of Chapter 146, Subdivision and Land Development, as amended.

E. Funeral home.

- (1) Parking and cortege formation in conjunction with funeral home operations shall be accommodated on site.
- (2) Ingress and egress of traffic shall be coordinated with local traffic movements and volumes in a manner that will preclude safety hazards.

- (3) Advertisement and location signing shall be limited to one sign not exceeding 12 square feet in area.
- (4) On-site activity shall be screened from abutting properties with aesthetically acceptable fencing or dense evergreen plant materials providing a continuous opaque visual barrier.

F. Group residential facility.

- (1) The services shall be provided in a family environment as opposed to an institutional structure or setting.
- (2) The group residential facility shall not include business or professional offices (other than incidental offices), business activities, fraternal or social clubs, hospitals, clinics or other such activities.
- (3) The number of residents in any single group residential facility shall be limited to no more than eight persons, including client residents, staff and family of staff. Clients shall be limited to no more than six ambulatory persons.
- (4) Supervision shall be provided by responsible and appropriately qualified adults on duty, on the premises on a twenty-four-hour-a-day basis. A minimum of one such adult shall be in residence at the facility and on duty at all times.
- (5) Lot, yard, and all other dimensional requirements of the zoning district in which the facility is located shall be met. Each lot shall include a minimum of 1,600 square feet of exterior open space which is maintained and suitable for passive and/or active recreational use.
- (6) In addition to normal residential parking requirements, parking facilities shall be provided at the rate of one off-street space for every two resident clients.
- (7) A group residential facility shall be located not less than 2,500 lineal feet from any other group residential facility.
- (8) A group residential facility shall comply with the then current editions of the BOCA National Fire Prevention Code and the BOCA National Building Code and with the Pennsylvania Fire and Panic Act and regulations promulgated pursuant to that Act.<sup>12</sup> Prior to issuing of a zoning permit, the facility shall be inspected by a representative of the local fire department to ascertain structure layout, fire escapes and other related information.
- (9) Sanitary facilities, consisting of a sink, water closet, and tub or shower shall be provided at a ratio of one each for every four inhabitants of the facility.
- (10) A dining area shall be provided which is of sufficient size to accommodate all clients and residents at a single seating.

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12. Editor's Note: See 35 P.S. § 1221 et seq.

- (11) A minimum of 72 square feet of contiguous sleeping and personal area shall be provided for each client. Said area, for purposes of this requirement, shall be computed exclusive of common use areas such as circulation areas, storage areas, dining areas, kitchen and food preparation areas, gamerooms and related recreation or instruction areas and other common use spaces.
- (12) A license or certification shall be obtained from the Commonwealth of Pennsylvania, Department of Labor and Industry, Department of Public Welfare and any other state or county agency having jurisdiction, prior to the issuance of a certificate of occupancy. In the event that an appropriate licensing or certifying agency does not exist, the applicant shall demonstrate to the Township Supervisors that the proposal for establishing such a facility satisfies a demonstrated need and will be conducted in a responsible manner without detriment to surrounding properties.
- (13) The sponsor shall file annually with the Township Administrative Secretary/Treasurer and the Zoning Officer information certifying that the facility continues to adequately meet the conditions of the original approval. Changes of sponsorship or of any conditions of original approval shall constitute a new use and the full conditional use procedure for obtaining a new use shall be exercised.
- (14) In considering a request for establishment of a group residential facility under the provisions for conditional uses in the Township, the Planning Commission may recommend, and the Township Supervisors may attach, any reasonable conditions and safeguards beyond those expressed in this chapter and other applicable codes duly enacted.
- (15) Documentation shall be submitted which certifies approval of sewage disposal provisions by the Sewage Enforcement Officer, and certification shall be provided from competent sources that adequate water supply is available.

G. Planned unit residential.

- (1) The application process for approval of planned unit residential development as a conditional use shall be consistent with Pennsylvania Act 170, 1988, as amended,<sup>13</sup> and shall consist of the following steps:
  - (a) An application for tentative approval shall be filed by or on behalf of the landowner.
  - (b) All planning matters shall be determined by the Township Supervisors.
  - (c) Within 60 days following conclusion of the first public hearing, an official written communication shall be transmitted to the landowner which either:
    - [1] Grants tentative approval;
    - [2] Grants approval, subject to conditions; or

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13. Editor's Note: See 53 P.S. § 10101 et seq.

- [3] Denies approval.
  - (d) Tentative approval shall not qualify a plat for recording nor authorize the issuance of any permits.
  - (e) Following tentative approval, an application for final approval may be submitted for the entire development site or incremental parts thereof.
  - (f) Public hearings on applications for final approval shall not be required, provided the application is in compliance with the tentative plan previously given approval.
  - (g) The Township Supervisors shall act on the application for final approval within 45 days of filing.
- (2) Contents of application.
- (a) The application for tentative approval shall include the following:
    - [1] A location map of the site at a scale no smaller than one inch equals 100 feet, showing boundaries, road systems and land uses within 1/2 mile of the site perimeter.
    - [2] A site plan of the project which shall define the location of proposed uses; state the acreage by proposed use; show density of dwelling units; include street system plans for traffic and vehicular parking; include plans for sewage disposal systems, stormwater and other utilities; delineate the location of recreation facilities, open spaces and site amenities; and show proposed lot lines and plat designs.
    - [3] Additional documentation shall include the following:
      - [a] The form of organization proposed to own and maintain common facilities and open space;
      - [b] The substance of covenants, grants of easements or other restrictions to be imposed;
      - [c] A written statement by the landowner setting forth the reasons why, in his or her opinion, a planned residential development would be in the public interest.
  - (b) Application elements cited in Subsection G(2)(a)[1] and [2] above shall be prepared by a registered landscape architect, architect or civil engineer.
- (3) Applications for final approval shall include any drawings, specifications, covenants, easements, performance bonds and other such requirements as may be specified by local officials at the time of tentative application approval.
- (4) The following requirements shall govern the approval and development of all planned unit residential developments in the Township of Greene:

- (a) The minimum land area for a planned residential development shall be 10 contiguous acres.
  - (b) The developer shall provide within the planned development a sanitary sewage disposal system which shall be of sufficient size and design to collect and dispose of all sewage from all present and probable development in the planned development, and shall be constructed and maintained in conformity with the statutes and regulations of the State Department of Environmental Protection and all local regulations.
  - (c) The developer shall provide within the planned development a storm drainage system which shall be sufficient to dispose of all predictable surface water runoff within the development.
  - (d) Water service shall be supplied to each structure and facility to be erected in the development. Water shall be supplied by a certified public utility, a bona fide association of lot owners, or by a municipal corporation, authority or utility.
- (5) Permitted uses. A building may be erected or used, and a lot may be used or occupied, for any of the following purposes:
- (a) Single-family detached dwelling.
  - (b) Townhouse units.
  - (c) Apartment buildings not to exceed three stories in height nor to exceed 12 dwelling units per structure.
  - (d) Public or private park or recreation which may include golf courses, swimming pools, tennis courts, ski slope, toboggan run, ice skating rink, and similar uses approved by the Township Supervisors.
  - (e) Schools.
  - (f) Church, parsonage or convent.
- (6) Within a planned residential development, the following percentages of the total land area shall be devoted to the specified uses listed herewith:
- (a) A maximum of 80% for residential use; land devoted to residential use shall be deemed to include dwelling structures and buildings accessory thereto, streets, alleys, parking areas, private open spaces that abut and service residences or groups of residences.
  - (b) A minimum of 20% for open air recreational uses and other usable open space but it shall not include usable open space which is available for use by the general public. "Usable open space" shall be defined as an open area designed and developed for use by the occupants of the development for recreation, communal courts, gardens or household service activities. This space shall be effectively separated from automobile traffic and parking and readily accessible; space devoted to streets and parking shall not be included.

- (7) Residential density shall not exceed four dwelling units per gross acre of land within the development.
- (a) There shall be no minimum lot size, setbacks, percentage of lot coverage or lot width, except as otherwise required below.
  - (b) Every single-family dwelling shall have access to a public street, court, walkway or other area dedicated to public use.
  - (c) No structure or group of related structures shall be erected within 50 feet of any other structure or group of structures.
  - (d) There shall be a yard setback of at least 50 feet along the perimeter of each planned residential development tract and adjacent to all adjoining roads.
  - (e) No structure shall exceed three stories in height.
  - (f) There shall be no continuous structure of townhouses containing more than four dwelling units.
- (8) Open spaces between structures, including those spaces being used as public or private recreational areas, shall be protected by adequate covenants running with the land or by conveyances or dedications.
- (9) In cases where the Township will not be accepting dedications of streets, recreation areas or open spaces, the landowner shall provide for an organization or trust for ownership and maintenance. In the event of default, the Township may assume control and the resulting costs may be assessed against the properties that have right of enjoyment of these spaces and facilities as specified by applicable state statutes (Act 170-1988).<sup>14</sup>
- (10) The dimensions and construction of roads, alleys and parking areas within the development, whether or not dedication to the Township is contemplated, shall conform with all applicable Township ordinances and regulations.
- (11) A general landscaping plan shall be required at the time of the original submission to be followed by a detailed landscaping plan prior to final approvals. Existing trees and natural amenities of all types shall be preserved where feasible. A grading plan and erosion and sedimentation plan shall be provided prior to any construction or site development activity. All manufactured slopes shall be planted or protected from erosion and shall be of a character to blend with surrounding terrain.
- (12) Layout of parking areas, service areas, entrances, exits, yards, courts and landscaping, and control of signs, lighting, noise and other potentially adverse influences shall be established in a manner that will protect residential character within the project site area and in any adjoining area. Parking areas shall be landscaped, paved and visually screened from adjacent structures through the use

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14. Editor's Note: See 53 P.S. § 10101 et seq.

of planting, grade changes or similar appropriate means approved by the Planning Commission.

- (13) All internal streets shall be oriented and designed in a manner that will discourage use by through traffic.
- (14) A pedestrian and bicycle circulation system shall be established to serve all elements within the development. The pedestrian and bicycle circulation system shall be reasonably segregated from vehicular traffic to provide separation of vehicular and pedestrian movement.
- (15) All utilities, including telephone, television cable and electrical systems, shall be installed underground; provided, however, appurtenances to these systems which require on-grade installation must be effectively screened.

#### H. Institutional facility.

- (1) The application shall include and be supported by documents, maps, plans and other materials that contain the following information and such other related data as may be specified by the Township Planning Commission and/or Supervisors:
  - (a) Name and address of the owner and/or applicant and a statement that the applicant, if not the owner, has the permission of the owner to make application and act as agent for the owner.
  - (b) Legal description, street address, and other identifying data concerning the site.
  - (c) A description of the precise nature of the proposed use and its operating characteristics, and measures proposed to make the use compatible with other properties in the vicinity. This data shall include a complete description of proposed supervision procedures and policies.
  - (d) A dossier on the organization and all principals involved in any manner with the control, establishment and operation of the facility for which the application is being made, including organizational structure, financial status, experience, qualifications, references and any pertinent documentation deemed necessary by Township officials to evaluate the application.
  - (e) A site plan showing proposed development of the site, including topography, building locations, parking, traffic circulation, usable open space, landscaped area, and utilities and drainage features.
  - (f) Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance, scale, and interior plan of all buildings.
  - (g) Such additional material as may be prescribed or that the applicant may submit pertinent to the application and to the findings prerequisite to the issuance of a conditional use permit.
- (2) All uses in conjunction with a conditional use permit issued by the Township Supervisors pursuant to this section shall comply with the following:

- (a) Compliance with any and all local, state, county and federal laws and regulations relating to the approval, development and operation of the facility.
  - (b) The correction within the time specified of any violation by the facility owner or operator of any local, county, state or federal law, regulation, rule or enforcement order or any condition to any permit, license, or authorization of authority issued in connection with the facility.
- (3) The applicant shall obtain, as required, from each appropriate local, county, state and federal regulatory agency or authority, a permit issued in accordance with all applicable regulations for the proposed use. In the event any required permits have not been issued at the time Township zoning approval is requested, the zoning approval shall be expressly conditioned on the grant of necessary permits. At the time of making application to such local, county, federal or state authorities, the applicant shall file with the Township Administrative Secretary/Treasurer, a copy of each state or federal application with supporting documentation for the proposed use.
  - (4) All facilities shall be served by public water facilities as provided by a duly constituted water authority consistent with all rules and regulations thereof.
  - (5) In the absence of public sanitary sewerage facilities, a central private sewage disposal processing plant shall be established to serve all planned site requirements. Plans for said facility shall be approved by the Pennsylvania Department of Environmental Protection prior to conditional use approval under the terms of this chapter.
  - (6) The site shall be a minimum of five contiguous acres and shall meet all requirements specified in § 170-15 of this chapter.
  - (7) Institutional facilities shall comply with the then current editions of the BOCA National Fire Prevention Code and the BOCA National Building Code and with the Pennsylvania Fire and Panic Act and regulations promulgated pursuant to that Act.

I. **Planned industrial district. [Added 3-3-1998 by Ord. No. 1-98]**

- (1) A conditional use permit may be granted for planned industrial developments within the A-1 Agricultural District subject to the requirements of this section and the procedures specified in Article XVI, § 170-75, of this chapter.
- (2) Applications for a conditional use permit shall include the following data:
  - (a) A survey drawn to scale prepared by a licensed professional land surveyor, registered in the Commonwealth of Pennsylvania, showing the exact size, shape and dimensions of the site proposed for development.
  - (b) The exact size and location of all existing buildings and structures on the lot.

- (c) The proposed size and location of structures or buildings proposed to be erected, moved, repaired or altered.
  - (d) All adjacent streets with traffic flow patterns.
  - (e) A written description of the proposed scope of the projected activity, including the estimated maximum number of shifts, employees and employment per shift of all use activities.
  - (f) A description of all proposed fuels to be used for heating and in business processes.
  - (g) Plans of all utility supply and service components prepared by a registered civil engineer.
  - (h) Proposed parking facilities including the size, arrangement and number of parking stalls, placement of lighting standards, landscape treatments and paving details.
  - (i) A circulation plan for all vehicles, including ingress and egress drives for all off-street parking and loading areas both front and rear, to ensure the prevention of blockage of vehicles entering and leaving the site, to provide for clear lines of vision, and to illustrate buffering and general aesthetic provisions.
  - (j) Preliminary architectural and engineering sketches showing plan levels, elevations and other necessary information related to water runoff control, slope, contours, type of building construction, etc.
  - (k) Delineation of areas to be utilized for the exterior storage of materials and type of architectural screen to be provided.
  - (l) Such other information as may be required by the Board of Supervisors, the Planning Commission or Chapter 146, Subdivision and Land Development.
- (3) The following land area, density, and locational requirements shall be strictly applied to all planned industrial districts authorized as conditional uses:
- (a) The minimum land area for a planned industrial district site shall be 10 contiguous acres.
  - (b) The maximum land area for a planned industrial district site shall be 25 contiguous acres.
  - (c) No planned industrial district perimeter boundary shall be located within two lineal miles of the nearest perimeter boundary of any other planned industrial district established or approved as a conditional use in the A-1 Agricultural District.
  - (d) All planned industrial districts shall be sited adjacent to, and with direct highway access on, either U.S. Route 30, State Route 168 or State Route 151. No traffic shall traverse a Township right-of-way, or a private road which is

not an integral component of a planned industrial site, for ingress, egress or circulation purposes.

- (4) Uses permitted in this district shall be limited to the following:
- (a) Business, professional and sales offices.
  - (b) Food processing, storage, packaging and distribution, exclusive of holding pens, slaughter houses or related activities or processes such as rendering that are not consistent with the intent and the purposes for which this district is established.
  - (c) Public works and administrative buildings and utility substations and maintenance depots.
  - (d) Light manufacturing and processing, as defined in Article III of this chapter, and research and testing laboratories subject to the following:
    - [1] No activities shall be permitted that involve automotive recycling and material salvage yards nor the storage, handling, testing, processing or other use of waste materials, sludge or byproducts thereof that have the potential to cause illness, death or pose substantial threats to the environment when stored, transported, treated, handled or disposed of. **[Amended 1-22-2009 by Ord. No. 1-2009, § II.B]**
    - [2] Waste materials that shall not be utilized include, but are not limited to, garbage, refuse, sludge and other discarded materials, including solid, liquid, semisolid or contained gaseous material resulting from residential, municipal, commercial, industrial, institutional, mining or agricultural operations and from community activities, or any combination of the above.
    - [3] All activities, storage and other aspects of these uses shall take place within enclosed structures, except for ancillary parking and loading, unless otherwise authorized by the conditional use approval granted for the specified use.
    - [4] Such other factors and criteria as the Planning Commission and/or Township Supervisors deem necessary to protect the public health, safety, general welfare and intent of this chapter.
  - (e) Printing, engraving and publishing.
  - (f) Restaurants.
  - (g) Transportation depots and terminals.
  - (h) Warehousing and storage.
- (5) The following design, development and aesthetic standards and provisions shall be required:

- (a) Uses and buildings shall be planned and organized to achieve a unified and harmonious development of the total site area.
- (b) Structures shall not exceed a maximum height of three stories or 40 feet.
- (c) The ratio of gross coverage of structures to the total available site area, shall not exceed 0.35.
- (d) Minimum front setback of structures from public road rights-of-way shall be 75 feet.
- (e) Minimum side and rear setbacks of structures along the perimeter of the property shall be 50 feet.
- (f) Minimum setbacks of structures for internal lots within the development (lots not adjacent to public rights-of-way or adjoining properties) shall be as follows:
  - [1] Front setback: 40 feet.
  - [2] Side setback: 20 feet.
  - [3] Rear setback: 25 feet.
- (g) No parking or loading areas shall be permitted within 50 feet of any public right-of-way nor within 30 feet of any other site boundary.
- (h) Parking shall be provided as required by the applicable sections of Article XIII of this chapter. One or more parking lots may be designed to serve a multiple number of activity sites so long as none of the requirements of this chapter are violated. The aggregate of all available spaces shall equal the sum required to serve all proposed uses. Owners or tenants of lots shall not permit their employees, tenants or visitors to park on public streets. All areas used for driveways, loading, service, parking or vehicular storage shall be surfaced with paved surface subject to standards specified by the Township Engineer as appropriate.
- (i) No loading dock shall be constructed facing on any public street or highway unless such loading dock and every part thereof is at least 75 feet from the right-of-way line of the street or highway on which such loading dock fronts and such loading dock is concealed by use of landscaping and earthen barriers. Truck and trailer maneuvering shall be confined to the property. Loading and parking areas shall be screened by landscaped earthen barriers or planting.
- (j) Streets within the development shall be constructed in accordance with the prevailing specifications for local street construction in Greene Township as set forth in Chapter 146, Subdivision and Land Development.
- (k) Signs shall conform to the requirements specified in § 170-40 of this chapter. No flashing, animated or portable signs will be permitted and no building sign shall project above the roofline of the building.

- (l) All utilities shall be located underground. Fire hydrants, where required, and street lighting shall be provided by the developer and properly located consistent with local standards as enumerated by providing agencies controlling jurisdictional authority or prevailing industry standards.
- (m) Storm drainage and facilities shall meet all requirements of § 146-24 of Chapter 146, Subdivision and Land Development, and other applicable state and Township requirements.<sup>15</sup>
- (n) All ground areas of the site not covered by buildings, paved parking, interior roadways and service areas shall be landscaped. Front yard areas shall be landscaped with lawn and/or other plant materials such as trees and shrubs. Side and rear yards and all slopes shall be covered by grass, ground cover or other appropriate plant materials. Paved areas and roadways shall be limited to portions of the site required for efficient operation of permitted business activities. In no instance shall paving cover more than 25% of the gross site area.
- (o) Sight buffers consisting of plant materials or other appropriate treatments shall be established and maintained along a site perimeter when deemed necessary by the Board of Township Supervisors to protect the environmental quality and/or aesthetic and monetary values of residential properties that are adjacent to or in reasonably close proximity to the development site. Natural vegetation or existing topographical conditions may be utilized, if approved by the Supervisors as adequate, to achieve the purposes of a buffer. Planting, walls, fencing or other treatments incorporated in buffer corridors, as required and approved by the Board of Supervisors, shall be sufficient to provide year-long visual screening from residential uses. Buffers shall be established consistent with the following minimum standards:
  - [1] The required buffer strip shall be established along the property perimeter in a manner best suited to achieve its screening purpose. Plant materials, other than lawn and ground covers not exceeding 18 inches above grade level, shall not be located within four feet of a highway right-of-way line.
  - [2] The required buffer shall have a height adequate to achieve its purpose. Plant materials shall consist of dense evergreen plants of a kind and used in a manner so as to provide a continuous opaque screen within 36 months after planting. The Township Supervisors shall require new planting or alternative screening if an opaque buffer is not achieved within said period.
  - [3] Initial planting shall consist of evergreen plant materials such as white pine, red pine, Austrian pine or other conifers with a similar growth rate.
  - [4] Trees shall have a minimum initial height of five feet when planted.

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15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).

- [5] Plant materials shall be spaced at a minimum distance of 10 feet on center in a double line or otherwise located in a manner and density that a complete screening purpose is achieved within 36 months.
- (p) Walls, fences and similar structures may be used alone or in conjunction with plant materials to create a required buffer strip if approved by the Township Supervisors pursuant to the following standards and criteria:
- [1] Structures shall be sited and erected consistent with all provisions of this chapter.
- [2] Structures shall be aesthetically compatible with adjacent residential and related uses in terms of material, styling and color.
- [3] No advertising shall be permitted in conjunction with said structures.
- (q) Outdoor storage areas shall be permitted only in areas that do not front on a public highway and shall be permitted only if areas are enclosed or screened by walls, planting or other barriers providing year-round visual screening.
- (r) Development may be constructed in phases.
- (s) Development shall be constructed consistent with an approved master plan of the total contiguous site holdings of the developer. Subsequent stages of development shall constitute economically sound and aesthetically compatible units of expansion with respect to the subject site as well as to surrounding areas of the community.
- (t) All contemplated structures and uses shall be designed to ensure compatibility with the character of perimeter areas and the community in general. Development plans for all projected immediate and long-range construction and the improvement of existing structures shall be reviewed by the Planning Commission and approved by the Board of Supervisors to ensure compatibility and harmonious integration with surrounding development and the general vicinity.
- (u) Site plan design and requirements.
- [1] The site plan must present a unified design consisting of an organized arrangement of buildings, service facilities, parking, and circulation systems. Buildings shall be sited in conformity and harmony with neighboring sites. The elevation, orientation, and setback of the proposed buildings shall not detract from the view or appearance of adjacent buildings.
- [2] Harmony with the existing topography is required. The exterior of buildings shall be treated as an overall design concept. Colors, materials, and finishes shall be coordinated on all exterior elevations of the building to achieve design continuity. No exterior walls or roofs may be faced with exposed corrugated or sheet metal. Architectural metal wall panels with an exterior face of extruded aluminum, stainless

sheet, porcelain enameled metal, galvanized, bonderized steel sheet or anodized aluminum may be used.

- [3] All mechanical equipment if visible outside of a building shall be screened from view. Roof mounted mechanical equipment that projects vertically more than 24 inches above the roof or roof parapet, when viewed from street level, shall be screened by an enclosure.
- (v) Lighting fixtures shall be designed for area illumination and utilize shielded or screened lamps designed to control glare. Floodlighting shall be used only for wall washing and sign illumination. All wiring for site lighting will be installed underground. Lighting fixtures should be compatible and harmonious throughout and should be in keeping with the design and function of the building.
- (w) Water supply, sewage disposal and site drainage plans shall be prepared by a civil engineer. All waste disposal shall be in compliance with US/EPA and PADEP requirements and certified accordingly. All utility lines shall be placed underground.
- (6) Performance guarantees. The developer shall provide easements, covenants and other necessary arrangements and furnish performance bonds and assurances, as determined necessary by the Township Solicitor to reasonably assure performance in accordance with the plan, and to protect the public interest in the event of abandonment prior to completion.

J. Underground coal mine. **[Added 8-4-1998 by Ord. No. 2-98]**

- (1) A conditional use permit may be granted for underground coal mining within the A-1 Agricultural District subject to the requirements of this section and the procedures specified in Article XVI, § 170-75, of this chapter.
- (2) A conditional use permit shall be granted for underground mining operations only after the applicant has obtained from each appropriate state and federal regulatory agency or authority, a permit issued in accordance with all applicable state and federal laws and regulations for the proposed use. In the event such permits have not been issued at the time Township's zoning approval is requested, the applicant's zoning approval shall be expressly conditioned on the granting of necessary permits as required by the appropriate state and federal agencies or authorities. At the time of making application to such federal or state agencies, the applicant shall file with the Township Administrative Secretary/Treasurer a copy of each state or federal application with supporting documentation for the proposed use. The applicant shall also provide the Township with a written irrevocable acknowledgment that, as a condition to the continued validity of any permit issued by the Township, the owner or operator will continue to maintain, after issuance, a valid permit pursuant to all local, state and federal laws and regulations, rules, enforcement orders and conditions.
- (3) The following regulations shall govern the application process, development and use of coal mining portals and associated operations:

- (a) Conditional use authorizations in A-1 and I-1 Districts. Said authorizations in these zoning districts shall be limited to mine portals and associated operations for the primary purpose of gaining access from the surface to an underground mine. These regulations shall be applied as the primary basis for evaluating applications for persons or equipment.
- (b) The lot area for a mining portal shall be a minimum of 25 acres.
- (c) All structures, operational activities and parking areas that are visible from any structure or adjacent parcels used for residential and related purposes shall be screened in accordance with the requirements of § 170-13J(4)(i) of this chapter.
- (d) Applications for conditional use approval shall include:
  - [1] A description of plans for transporting materials, products and equipment for the facility and provisions and assurances for the repair of any damages to road systems which may occur due to the proposed construction and subsequent operational activities.
  - [2] A site plan drawn at an appropriate scale, showing all structures, parking, traffic circulation, landscaping, buffers, security features and other development elements.
  - [3] An architectural plan drawn at an appropriate scale showing structural files and related architectural features of all contemplated structures.
  - [4] Water supply, sewage disposal and site drainage plans prepared by a civil engineer.
  - [5] A written description of the proposed scope of operations, including the estimated maximum number of shifts, employees and employment per shift.
  - [6] A description of activity levels to include existing or proposed machinery, processes and products; specifications for the mechanisms and techniques used, or proposed to be used, in restricting the possible emission of any dangerous and objectionable elements; measurements of the amounts of rates of emission of any dangerous and objectionable elements; and the means to be employed to monitor all such operations.
  - [7] Any additional pertinent data as may be required by the Zoning Officer, Planning Commission and Board of Township Supervisors.
  - [8] All state and municipal code requirements shall be met consistent with the primary use of the site and associated structures.
- (4) The following shall govern the development and use of adjunct mining facilities such as bore holes and ventilating shafts required for, and used in conjunction with, underground coal mining operations to supply air and power, ventilate air or gas or remove water from coal mines. These regulations and requirements shall be

applied as the primary basis for evaluating applications for conditional use adjunct facility authorizations in A-1 and I-1 Districts.

- (a) A description of the character, timing and duration of the proposed operation, including plans showing the location of the site, all access routes from the public roads, area and extent of the proposed activity.
- (b) The location and identity of ownership of all structures and land uses that may be affected by the proposed operation and measures that will be taken to protect all structures and land uses from adverse impacts from the proposed use.
- (c) The plans for restoring and reclaiming the areas following discontinuance of the underground mining.
- (d) A description of plans for the transportation of materials and equipment to construct the facility and measures that will be taken to protect adjacent property and maintain all roads within the Township that are used to transport materials and equipment and to repair any damages to the roads which may occur as a result.
- (e) A description of how the proposed use and facility will meet all applicable local, state and federal laws and regulations concerning construction standards, sanitation, water supply and fire protection.
- (f) A site plan of the proposed facility showing all structures, facilities accessways, fencing and screening provisions.
- (g) The lot for a bore hole shall not be less than 1/2 acre and such bore hole shall not be located within 50 feet of any property line.
- (h) Every ventilating shaft, including all structures intended to supply air or power to underground coal mines, shall be constructed and landscaped in a manner appropriate to the district in which it is located. Open areas shall be covered with an appropriate vegetative material and properly maintained.
- (i) Fencing; buffer strip.
  - [1] All uses shall be completely enclosed by a metal fence not less than six feet high, with the top portion above the height of six feet (above ground level) to be constructed of barbed wire or other material, with the entire fence being constructed in such a manner so as to prevent the entry onto the portion of the premises on which the use is situate by unauthorized persons, domestic animals or livestock.
  - [2] For each use that is visible from any structure used for residential, cultural, social, educational, recreational, religious or similar purposes, there shall be a buffer strip of land planted and maintained for screening purposes. The required screen shall have a height adequate to achieve its purpose. Plant materials used for screening shall consist of dense evergreen plants. They shall be of a kind, or used in such a manner, so

as to provide a continuous opaque screen within 12 months after commencement of operations in the area to be screened. The Board of Township Supervisors shall require that either new planting or alternative screening be provided if after 12 months the plant materials do not provide an opaque screen.

- (j) No person shall cause or permit any steady-state sound to emanate from a property utilized for adjunct mining operations which exceeds the levels set forth below. Standards shall apply and sound measurements shall be taken within 25 feet of any building, located in any district (except the I-1 District) which is used primarily for human habitation, sleeping, cultural, social, educational, recreational, religious or similar activities. Suitable baffles shall be utilized to protect the adjacent properties from noise of exhaust fans consistent with the following requirements:
  - [1] Maximum noise level at property line, 7:00 a.m. to 10:00 p.m.: 75 dBA.
  - [2] Maximum noise level at property line, 10:00 p.m. to 7:00 a.m.: 70 dBA.
- (k) The applicant shall have acquired sufficient legal or equitable interest in the real property in which the site of the adjunct coal mining facility is located to provide a basis for seeking the use permits.

**K. Older adult daily home living facility. [Added 10-6-1998 by Ord. No. 3-98]**

- (1) The services shall be provided in a family environment as opposed to an institutional structure or setting.
- (2) No facility shall include business or professional offices, business activities, fraternal or social clubs, child care, hospitals, clinics or other such activities.
- (3) The number of clients in any single facility shall be limited to no more than eight clients.
- (4) Supervision shall be provided by responsible and appropriately qualified adults on duty on the premises at all times.
- (5) No facility shall be located less than 2,500 lineal feet from any other group residential facility, child day-care facility or older adult daily living facility.
- (6) In addition to normal residential requirements, sufficient off-street parking and dropoff/pickup areas shall be provided to accommodate all traffic associated with the facility.
- (7) Obstruction-free accessways for emergency vehicles and services shall be provided.
- (8) Signs shall be limited to identification boards, emblems or similar devices not to exceed four square feet in total area.
- (9) All lighting shall be compatible with the standards and generally accepted uses prevailing in the immediate residential vicinity.

- (10) A minimum of 500 square feet of usable indoor space shall be provided for use of facility clients and a minimum of 800 square feet of appropriate outdoor space shall be provided for passive recreation purposes. All lot, area and dimensional requirements of the zoning district shall apply to this use.
- (11) All facilities shall comply with the current editions of the BOCA National Fire Prevention Code and the CABO One- and Two-Family Dwelling Code and with the Pennsylvania Fire and Panic Act and regulations promulgated pursuant to that Act. Prior to issuing of a zoning permit, the facility shall be inspected by a representative of the local fire department to ascertain structure layout, fire escapes and other related information for use in emergency situations.
- (12) A license or certification shall be obtained from the Commonwealth of Pennsylvania Department of Aging under the Pennsylvania Code, Title 6, Chapter 11, and other state or county agencies having jurisdiction, prior to the issuance of a certificate of occupancy.
- (13) The applicant shall demonstrate to the Township Supervisors that the proposal for establishing such a facility satisfies a demonstrated need and will be conducted in a responsible manner without detriment to the surrounding properties. Further, the application shall be accompanied by an outline of services to be rendered to clients, including daily activity schedules, provisions for nutritionally balanced lunches and snacks, social interaction, health monitoring and other anticipated functions.
- (14) Operations of the facility shall be limited to day-care and shall not include overnight accommodations for clients.
- (15) The sponsor shall file annually with the Township Administrative Secretary/Treasurer and the Zoning Officer information certifying that the facility continues to adequately meet the conditions of the original approval. Changes of sponsorship or of any conditions of original approval shall constitute a new use and the full conditional use procedure for obtaining a new use shall be exercised.
- (16) In considering a request for establishment of a facility under the provisions for conditional uses in the Township, the Planning Commission may recommend, and the Township Supervisors may attach, any reasonable conditions and safeguards beyond those expressed in this chapter and other applicable codes duly enacted.
- (17) Documentation shall be submitted which certifies approval of sewage disposal provisions by the Sewage Enforcement Officer, and certification shall be provided from competent sources that adequate water supply is available.

L. Older adult daily living center. [**Added 10-6-1998 by Ord. No. 3-98**]

- (1) Older adult daily living centers shall be located only in commercial, public or semipublic institutional buildings, such as schools, churches, governmental or similar structures that meet all requirements specified by the Pennsylvania Department of Aging for such activities. Centers shall not be conducted in conjunction with single-family residential dwellings. When conducted on

multifamily premises, all operations shall be completely separate and distinct from residential uses.

- (2) Activities and functions shall be limited to those within the scope of the use as defined in this chapter and the criteria cited hereinbelow.
- (3) Centers shall be limited to and conducted as specified by the standards and criteria enumerated by Subsections (4), (6), (7), (11), (12), (13), (14), (15), (16), (17) of Article VI, § 170-13K, of this chapter.
- (4) All lot, area and dimensional requirements of the zoning district shall apply to this use.

**M. Cellular communications antenna/tower. [Added 10-6-1998 by Ord. No. 3-98]**

- (1) The application for conditional use shall include a development and operation plan. The following information, and all other data deemed appropriate and necessary to demonstrate that the intent and purposes of this chapter will be achieved, shall be included.
  - (a) A description of the character, timing and duration of the proposed construction, operation and use of the facility, including maps and plans showing the location of the site, all access routes from public roads, and the regional area to be influenced by the proposed activity and use.
  - (b) The location and identity of ownership of all structures and land uses that may reasonably be deemed to be affected by the proposed facility and operation, and measure that will be taken to protect all structures, inhabitants and land uses from adverse impacts from the proposed use.
  - (c) A description of plans for transportation of materials and equipment to construct the facility and provisions and assurances for the repair of any damages that may occur to road systems or property due to the proposed construction and subsequent activities.
  - (d) When applicable, the applicant shall have obtained from each appropriate state and federal regulatory agency or authority a permit issued in accordance with all applicable state and federal laws, directives and regulations for the proposed use.
  - (e) Complete plans of the proposed tower and all auxiliary structures and support facilities, including assurances, certified by qualified licensed engineers and/or architects, as to the integrity and safety of proposed site structures. The Township Supervisors may require independent studies and reviews of all such assurances. These shall be prepared by qualified professionals acceptable to both the developer and the governing body. The cost of all such studies and reviews shall be borne by the applicant in cases where issues develop over the need for, or the adequacy of, safety and compliance with this chapter.

- (f) A site plan of the proposed facility showing all structures, facilities, accessways, fencing and screening provisions.
  - (g) Water supply, sewage disposal and site drainage plans prepared by a civil engineer.
  - (h) A description of how the proposed use and facility will meet all applicable local, state and federal laws and regulations concerning construction standards, sanitation and sewage disposal, water supply and fire protection.
- (2) The minimum site area for the facility shall be four contiguous acres.
  - (3) All structures shall be set back from site property lines a distance equal to or greater than their total height above ground level, notwithstanding any other provisions of this chapter.
  - (4) There shall be a building setback of at least 100 feet along the perimeter of the development tract and adjacent to all adjoining roads.
  - (5) The site, including all structures, shall be constructed and landscaped in a manner appropriate to the district in which it is located. Open areas shall be covered with an appropriate vegetative material and properly maintained.
  - (6) Suitable landscape screening or buffers shall be developed, if deemed necessary by the governing body of Greene Township, to minimize visibility of outside storage or ground level operational functions if said activities are readily visible from adjoining properties used for residential purposes. Where required, a screen or buffer shall have a height adequate to achieve its purpose. Plant materials used for screening shall consist of dense evergreen plants. They shall be of a kind or used in such a manner so as to provide a continuous opaque screen within 24 months after commencement of operations in the area to be screened. The governing body shall require that either new planting or alternative screening be provided if, after 24 months, the plant materials do not provide an opaque screen.
  - (7) All uses shall be completely enclosed by a metal fence not less than six feet high, with the top portion above the height of six feet (above ground level) to be constructed of barbed wire or other material. The entire fence shall be constructed in a manner to prevent the entry onto the portion of the premises on which the use is situated by unauthorized persons, domestic animals or livestock.
  - (8) Provisions for all vehicular ingress and egress in conjunction with the site shall be approved by affected property owners and state and Township officials to ensure public safety and the maintenance of unhindered and efficient traffic movements on adjacent road systems.
  - (9) All applicable parking, sign and other requirements of this chapter shall apply and must be documented as part of applications submitted for conditional use approvals.
  - (10) The applicant shall provide the written opinion of a qualified professional certifying the current cost of the dismantling and removal of the tower and

associated facilities. The Township, at its option, may secure the opinion of another professional to verify the accuracy of the figures submitted, and the applicant shall bear the cost of obtaining such opinion.

- (a) As a condition of the issuance of the permit, applicant shall agree to dismantle and remove the tower and associated facilities promptly should its use ever be abandoned.
  - (b) The issuance of a permit for the erection of a tower shall be conditioned on the applicant's posting of a surety bond guaranteeing the dismantling and removal of the tower should its use ever be abandoned. The amount of the bond shall be equal to 120% of the cost of removal of the tower. The amount of the bond shall be adjusted annually in accordance with the Consumer Price Index as published by the U.S. Department of Labor.
- (11) No building permits shall be issued until after final approval of the application and the final approval and recording of the subdivision site plan.

N. Mini-warehouse and self-storage units. **[Added 6-7-2004 by Ord. No. 1-2004]**

- (1) The minimum site area required shall be two acres.
- (2) The site shall have frontage on and direct vehicular access to an arterial or collector street as defined in § 146-5 of the Township Code.
- (3) Vehicular access to the site shall be limited to one two-way or two one-way driveways from each arterial or collector street on which the site has frontage.
- (4) All interior driveways shall be paved with an asphalt or similar surface sufficient for the loads the driveways are expected to bear.
- (5) Parking shall be provided in accordance with the following:
  - (a) Two spaces for manager's quarters, if any;
  - (b) One space for each 25 storage units, which spaces shall be located near the manager's quarters or office to be used by prospective customers; and
  - (c) One space for each 10 storage units equally distributed throughout the storage area to be used by the customers.
- (6) The perimeter of the site shall be fenced with minimum eight-foot-high chain link fence with self-latching gate. If an outside storage area is proposed, the fence around the outside storage area shall be supplemented with screening material that creates a visual barrier that is at least 80% opaque.
- (7) Maximum building height shall be 20 feet.
- (8) Maximum length of any storage building shall be 200 feet.
- (9) The minimum distance between storage buildings shall be 20 feet.
- (10) Maximum lot coverage by all buildings shall be 60%.

- (11) Office space may be provided which shall not exceed 5% of the total area devoted to storage.
- (12) Storage units shall not be equipped with water or sanitary sewer service.
- (13) No business activity other than rental of storage units shall be conducted on the premises.
- (14) Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris or dust shall not be created.
- (15) Exterior finishes of the storage units shall be compatible with the character of development on the adjoining properties.
- (16) No sign shall be on the buildings or on their rooftops.
- (17) Both the landlord and the tenants shall be responsible for prevention of the storage of hazardous materials or substances in the storage buildings.

**§ 170-14. Special exception provisions.**

The following special exceptions may be authorized by the Zoning Hearing Board pursuant to the standards and criteria specified herewith:

A. Conversion apartment.

- (1) Each living unit shall contain a minimum of 400 square feet of gross floor area.
- (2) Each living unit shall contain not less than one private bedroom and one additional habitable room in addition to separate and private kitchen and bathroom facilities.
- (3) The Chief of the Township Fire Department, or designated agent thereof, shall inspect the premises to evaluate access, fire hazard potential, fire escape provisions, structural layout and adequacy of smoke and fire alarm devices.
- (4) A maximum of two dwelling units shall be permitted in any single structure.
- (5) Two off-street parking spaces shall be provided for each living unit.
- (6) On-lot sewage disposal systems shall be inspected and certified by the Sewage Enforcement Officer as capable of meeting the demands of the additional dwelling unit.

B. [Reserved]. [Amended 1-22-2009 by Ord. No. 1-2009, § II.C]<sup>14</sup>

C. Bed-and-breakfast/tourist home.

- (1) All rooms and related facilities provided for transient guests shall be normal integral components of the principal dwelling unit. The owner of the facility must reside

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14. Editor's Note: Original Section 6.2(3), Home occupation (category two), as amended 9-7-1999 by Ord. No. 2-99, which immediately followed this subsection, was deleted 6-3-2003 by Ord. No. 1-2003.

therein.

- (2) No facilities, such as cooking accommodations or similar amenities, other than those provided for the normal use of the principal dwelling unit, shall be provided for transient guests.
- (3) No more than three guest sleeping rooms shall be available or utilized concurrently for transient guests in any facility.
- (4) The size of each individual guest sleeping room utilized for transient guests shall be a minimum of 100 square feet.
- (5) Maximum occupancy shall not exceed eight guests.
- (6) Service of meals shall be limited to overnight transient guests.
- (7) Off-street parking spaces, as specified in Article XIII of this chapter, shall be provided to the rear of the front building line and shall not be sited within any required front yard setback areas.
- (8) Signs shall be limited as specified in Article XII of this chapter.
- (9) Only normal residential yard and structure lighting appropriate for residential purposes shall be permitted.
- (10) As part of the special exception process, the Chief of the Township Fire Department, or the designated agent thereof, shall inspect the premises to evaluate access and structural layout. No certificate of occupancy shall be issued prior to an inspection by such authority. The owner shall make the premises available for reinspection by Township authorities at any reasonable time.
- (11) Only members of the family in residence at the premises shall be engaged in the conduct of the bed-and-breakfast establishment.
- (12) Overnight guests shall not occupy the facility for more than three consecutive nights in a thirty-day period.

D. Home occupation.

- (1) The home occupation shall be carried on wholly within the principal or accessory structures.
- (2) No more than 25% of the gross floor area of the principal dwelling used shall be devoted to the conduct of the home occupation.
- (3) Articles not related to the permitted business shall not be sold on the premises.
- (4) Exterior signs other than those permitted in § 170-38A(3) of this chapter shall not be permitted.
- (5) Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced. The use shall comply with the performance standards of § 170-58 of this chapter.

- (6) The use shall not significantly intensify vehicular or pedestrian traffic, which is normal for the residences in the neighborhood.
- (7) The use shall not require internal or external alternations or construction features which are not customary to a dwelling or which change the fire rating of a structure.
- (8) There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household products.
- (9) The use shall not significantly cause an increase in the use of water, sewage, garbage, public safety or any other municipal services beyond that which is normal for the residences in the neighborhood.
- (10) The use shall not cause a negative impact on lot values in the immediate neighborhood.
- (11) The home occupation shall not involve the use of commercial vehicles for regular delivery of materials to or from the premises.
- (12) The following uses shall not be considered home occupations and shall be restricted to the Zoning Districts in which they are specifically authorized as permitted uses, uses by conditional use, or uses by special exception, including, but not limited to:
  - (a) Beauty shops or barber shops containing more than one chair.
  - (b) Clinics, hospitals or nursing homes.
  - (c) Kennels, veterinary offices and clinics.
  - (d) Mortuaries.
  - (e) Private clubs.
  - (f) Private instruction to more than three students at a time.
  - (g) Restaurants or tearooms.
  - (h) Stables.
  - (i) Tourist or boarding homes.
  - (j) Vehicle or equipment rental, repair or sales.
  - (k) Automotive repair and inspection garages, as defined by this chapter.
  - (l) Licensed day care centers.
  - (m) Butchers.
  - (n) Nail and tanning salons.

**[Added 2-1-2010 by Ord. No. 2-2009, § II.D]**

**§ 170-15. Lot, area and dimensional requirements.**

The following requirements shall apply in A-1 Agricultural Districts.<sup>15</sup>

**ARTICLE VI-A  
N-C Neighborhood Commercial Overlay District  
[Added 2-1-2010 by Ord. No. 2-2009, § II]**

**§ 170-15.1. Statement of purpose and use summary.**

- A. The N-C Neighborhood Commercial Overlay District is established to provide locations for general business and related activities for the use and convenience of area and district consumers at a scale which is in concert with the existing residential and nonresidential development in the area. Regulations for this district are intended to generate commercial activities and associated supporting amenities; to encourage and sustain such functions, to strengthen the local economic base, to effectuate safe and efficient traffic circulation and to provide necessary parking facilities.
- B. The basic requirements of the A-1 Agricultural District shall be subject to additional standards and regulations of this article. These additional standards and regulations are intended to supplement, not repeal, abrogate, impair or replace any existing ordinances or provisions that relate to zoning or building construction within the Township.

**N-C Uses Permitted by Right**

Specialty retail including, but not limited to, the sale of antiques, sporting goods, electronics, gifts or books

Personal service establishments including, but not limited to, barber and beauty shops, dance studios, financial consultants, dry cleaning and similar uses

Administrative office (general)

Offices for professional services including, but not limited to, physicians, lawyers, architects and similar professionals; and offices incidental to uses permitted in the district

Eating establishments, not to include drive-in or drive-through uses

Automotive service stations

Commercial service businesses, whether service is provided on site or away from site

Municipal Building/Fire Station

**§ 170-15.2. General provisions.**

- A. Overlay zoning district boundaries shall be identified on the Official Zoning Map which is hereby adopted by reference and declared to be a part of this chapter.
- B. The boundaries of the overlay property boundary line districts are, unless otherwise

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15. Editor's Note: The lot, area and dimensional requirements for A-1 Agricultural Districts are included at the end of this chapter.

indicated, either the centerlines of existing cartways, alleys, railroad rights-of-way, stream channels of the overlay property boundary lines or such lines extended, or lines parallel thereto as shown on the Zoning Map. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated. Where no figures are shown and no other definite boundaries are indicated on the Zoning Map then scaled distances shall be used in accordance with the scale shown on the Zoning Map.

- C. Determination as to whether a property is situated within the designated N-C Neighborhood Commercial Overlay District shall be made by the Zoning Officer.
- D. Uses listed as permitted on land situated within the designated N-C Neighborhood Commercial Overlay District shall be reviewed in compliance with the land development provisions of the Township's Subdivision and Land Development Ordinance [Chapter 146].
- E. Uses listed as permitted on land situated within the designated N-C Neighborhood Commercial Overlay district shall be developed in conformance with the minimum dimensional and site design standards chart in § 170-15.5.

### **§ 170-15.3. Parking and loading.**

Off-street parking and loading shall be in accordance with Article XIII of this chapter.

### **§ 170-15.4. Overlay district use option.**

- A. Applicability. All parcels, whether developed or undeveloped previously recorded or created through the subdivision review and approval process, as outlined in the Greene Township Subdivision and Land Development Ordinance [Chapter 146], which are situated in whole or in part in the State Route 30 and State Route 168 Overlay Zoning Districts shall be developed in conformance with the provisions of Subsection B of this section, where the property owner chooses to develop a land use listed in § 170-15.1 in the State Route 30 and State Route 168 Overlay Zoning Districts.
- B. Review and approval procedures.
  - (1) A property owner/developer who chooses to develop land situated in one of the State Route 30 and State Route 168 Overlay Zoning Districts shall submit to the Township Zoning Officer at least three copies of a development narrative and all information required by this section. Said development narrative shall be accompanied by the following information:
    - (a) Name, address and telephone number of the owner of the property proposed for development.
    - (b) Parcel identification number, size of parcel and parcel dimensions.
    - (c) Abutting road rights-of-way and intended location of primary access.
    - (d) Use or uses proposed to be developed.

- (e) Location of closest public utilities to subject parcel.
  - (f) Planning objectives to be achieved with the proposed development.
  - (g) Area identified as a public right-of-way on the Official Map adopted by Greene Township.
- (2) Prior to formal submission of a land development plan application, the owner/developer shall attend an informal session with the Township Zoning Officer, select members of the Planning Commission, Township Sewage Enforcement Officer, representatives of the Pennsylvania Department of Transportation and other parties as deemed appropriate by the Township. At this work session the requirements of the land development review and approval process, dimensional and site design standards enumerated in this article, owner/developer responsibilities as outlined in this article shall be discussed.
  - (3) Formal submission of a land development plan application for land situated in the State Route 30 and State Route 168 Overlay Zoning Districts shall be in conformance with the provisions of the Greene Township Subdivision and Land Development Ordinance, Chapter 146, as amended. All required information, including application and fees, shall be submitted a minimum of 28 days prior to the next regularly scheduled Planning Commission meeting. Incomplete or otherwise deficient land development applications shall be returned to the applicant.
  - (4) The final land development plan recommended for approval by the Greene Township Planning Commission shall be in compliance with all provisions of the applicable sections of this article, specifically applicable sections of this chapter generally, and all provisions of the Greene Township Subdivision and Land Development Ordinance [Chapter 146], where applicable, including all referenced tables, charts, and appendices. Any request for a deviation, revision, deletion or addition to the specific provisions identified herein shall be treated as a variance to this chapter and shall be referred to the Greene Township Zoning Hearing Board for public hearing as per the provision of § 170-77.
  - (5) Where a request for a modification of the design standards for required public improvements on a land development plan is made, the procedure for recommendation and approval of such modification shall conform to the provisions of § 146.43, "Modifications," of the Greene Township Subdivision and Land Development Ordinance, Chapter 146, as amended.

**§ 170-15.5. The table of minimum dimensional and site design standards.**

The table of minimum dimensional and site design standards is as follows:

**State Route 30 and Route 168 Overlay Zoning Districts  
Table of Minimum Dimensional and Site Design Standards**

<b>Primary Access</b>	<b>Public Access Road</b>
Minimum lot area (acres)	2
Minimum lot width (feet)	120

**Primary Access****Public Access Road**

## Minimum building setbacks

Building setback from Route 30 and Route 168 (feet)	60
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Side yard setback (feet)	20
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Rear setback from rear property line (feet)	15
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Edge of paved surface to property line (side and rear yards) (feet)	10
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Maximum lot coverage	60%
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## Interior landscaping

Abutting access road	10-foot landscaped strip
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Building area	No minimum
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Building height (feet)	35
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## Lighting

Parking lot	Cutoff luminaries - 20-foot maximum height
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[Text continued on p. 170:49]

**ARTICLE VII  
R-1 Suburban Residential District**

**§ 170-16. Statement of purpose and use summary.**

The R-1 Suburban Residential District is established to provide for the development and maintenance of single-family residential neighborhoods together with activities that are compatible and normally associated with residential neighborhoods.

**R-1 Uses Permitted by Right**

Municipal building and facilities/fire station

No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § III.B]

Single-family detached dwellings

[Amended 2-1-2010 by Ord. No. 2-2009, § III.A]

**R-1 Conditional Uses**

Churches, educational facility

Older adult daily home living facility [Added 10-6-1998 by Ord. No. 3-98]

Older adult daily living center [Added 10-6-1998 by Ord. No. 3-98]

Specialized animal raising

**R-1 Special Exceptions**

Conversion apartments

Day-care/family and center<sup>18</sup>

**§ 170-17. Conditional use provisions.**

The following conditional uses may be authorized by the Township Supervisors pursuant to the standards and criteria specified herewith:

A. Specialized animal raising.

- (1) Farm animals of a type indigenous to the vicinity may be kept in conjunction with residential use, provided that the property contains a minimum of two contiguous acres of land.
- (2) Animals may be kept only for noncommercial purposes: for 4H projects, food

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18. Editor's Note: The former entry for "home occupation (category two)," as amended 9-7-1999 by Ord. No. 2-99, which immediately followed this entry, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

production, and/or recreational use of the resident family.

- (3) Stock shall be limited to one animal per acre. Fowl and small mammals shall be limited to numbers consistent with acceptable normal practices and the exclusive noncommercial use of the resident family.
- (4) Stock shelters shall be set back a minimum distance of 100 feet from property lines adjacent to residential properties.
- (5) Except for pasture areas, all feeding, care and maintenance facilities shall be set back a minimum distance of 100 feet from property lines.
- (6) No manure, debris or other by-products or supplies associated with the animal keeping shall be permitted to accumulate or to be stored in a manner that results in runoff, odor or other nuisances that cause legitimate offense to adjacent residential properties.

B. Church, educational facility.

- (1) Structural conditions, sanitation, entrances and exits, fire control and other appropriate elements must be certified for compliance with applicable local, state and federal requirements.
- (2) Structures shall be compatible with the residential character of the vicinity in which they will be located.
- (3) All structures shall be situated on the site in such a manner that they meet the minimum area and yard requirements specified in § 170-19.
- (4) Ingress and egress for all site access and off-street parking shall be situated in a manner to minimize interference with through traffic movements on adjacent street rights-of-way.

C. Older adult daily home living facility, subject to the standards and criteria of Article VI, § 170-13K, of this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**

D. Older adult living center, subject to the standards and criteria of Article VI, § 170-13L, of this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**

**§ 170-18. Special exception provisions.**

The following special exceptions may be authorized by the Zoning Hearing Board, pursuant to the standards and criteria specified herewith:

- A. Day-care/family, subject to the standards and criteria of Article VI, § 170-13A, of this chapter.
- B. Day-care/center, subject to the standards and criteria of Article VI, § 170-13B, of this chapter.

C. Conversion apartment, subject to the standards and criteria of Article VI, § 170-14A, of this chapter.<sup>19</sup>

**§ 170-19. Lot, area and dimensional requirements.**

The following requirements shall apply in R-1 Suburban Residential Districts.<sup>20</sup>

**ARTICLE VIII  
R-2 General Residential District**

**§ 170-20. Statement of purpose and use summary.**

The R-2 Residential District is established to provide for a mix of single and multifamily residential dwelling units in areas of the municipality that are appropriate for blending of land uses commensurate with existing development patterns and intercommunity access facilities.

**R-2 Uses Permitted by Right**

Duplex housing

Municipal uses

No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § IV.B]

Single-family residential

[Amended 2-1-2010 by Ord. No. 2-2009, § IV.A]

**R-2 Conditional Uses**

Multifamily housing

Older adult daily home living facility [Added 10-6-1998 by Ord. No. 3-98]

Older adult daily living center [Added 10-6-1998 by Ord. No. 3-98]

**§ 170-21. Conditional use provisions.**

The following conditional uses may be authorized by the Township Supervisors pursuant to the standards and criteria specified herewith:

A. Multifamily housing, to include apartments, garden apartments or row houses (townhouses).

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19. Editor's Note: Original Section 7.2(4), Home occupation (category two), as amended 9-7-1999 by Ord. No. 2-99, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

20. Editor's Note: The lot, area and dimensional requirements for R-1 Suburban Residential Districts are included at the end of this chapter.

- (1) Multifamily dwellings in an R-2 District shall meet the following minimum standards:
  - (a) All multifamily dwellings shall be provided with public or PADEP approved private central sewage disposal systems. No on-lot disposal shall be authorized.
  - (b) The following minimum lot size requirements shall apply: 34,000 square feet for first dwelling unit, and 22,000 square feet for each additional dwelling unit on the site.
  - (c) All lots shall have a minimum width at the building line of 150 feet. The building line shall be a minimum of 60 feet from the street right-of-way.
- (2) The following design standards shall apply:
  - (a) No row house (townhouse) shall exceed three stories in height.
  - (b) No row house (townhouse) structure shall contain more than four dwelling units.
  - (c) No row house (townhouse) structure shall be more than 120 feet in length.
  - (d) No apartment structure shall exceed three stories in height.
  - (e) At least three off-street parking spaces shall be provided for each dwelling unit and such space shall be within 150 feet of any commonly used entranceway for such dwelling units.
  - (f) Buildings shall be so designed as to avoid monotonous patterns of construction, or repetitive spaces or modules between buildings.
  - (g) No structure shall be erected within 25 feet of another structure.
- (3) Municipal sewage facilities shall be utilized where available. An approved (PADEP) sanitary sewage disposal system of sufficient size and design to adequately serve the maximum designed capacity of the proposed residential units in the development shall be provided in the absence of an approved municipal sewage system.
- (4) Municipal water systems shall be utilized where available. An approved (PADEP) water system shall be provided to serve the maximum designed capacity of the proposed residential units in the absence of public water supply.
- (5) All multifamily dwelling unit development shall be subject to preliminary site plan review and approval in accordance with the following application requirements:
  - (a) Overall development plans showing:
    - [1] Kind, location, occupancy capacity of structures and uses;
    - [2] General floor plan of building;
    - [3] Location and identification of open space, streets and all other means for pedestrian and vehicular circulation, parks, recreational areas and other nonbuilding sites;

- [4] Provisions for automobile parking and loading;
  - [5] General landscape plan;
  - [6] General location and nature of public and private utilities and community facilities and services;
  - [7] Plan for collection and drainage of stormwater.
- B. Older adult daily home living facility, subject to the standards and criteria of Article VI, § 170-13K, of this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**
- C. Older adult daily living center, subject to the standards and criteria of Article VI, § 170-13L, of this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**

**§ 170-22. Special exception provisions.**

No special exceptions are authorized within the R-2 Multifamily District.

**§ 170-23. Lot, area and dimensional requirements.**

The following requirements shall apply in the R-2 General Residential District.<sup>21</sup>

ARTICLE IX  
**C-1 Light Commercial District**

**§ 170-24. Statement of purpose and use summary.**

The C-1 Light Commercial District is established to provide locations for general business and related activities for the use and convenience of area and district consumers. Regulations for this district are intended to generate commercial activities and associated supporting amenities, to encourage and sustain such functions, to strengthen the local economic base, to effectuate safe and efficient traffic circulation and to provide necessary parking facilities.

**C-1 Uses Permitted by Right**

Bank and related financial services

Clinic

Funeral home

Municipal buildings and facilities, including recreation

Offices: business, professional, sales

Personal and professional services

Recreation, commercial indoor/including private clubs

Restaurants (not drive-in)

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<sup>21</sup> Editor's Note: The lot, area and dimensional requirements for R-2 General Residential Districts are included at the end of this chapter.

**C-1 Uses Permitted by Right**

Retail sale and service

**C-1 Conditional Uses**

Day-care center [Added 6-7-2004 by Ord. No. 1-2004]

Mini-warehouse and self-storage units [Added 6-7-2004 by Ord. No. 1-2004]

Older adult daily living center [Added 10-6-1998 by Ord. No. 3-98]

**C-1 Special exceptions**

Ancillary residential

Car wash and automobile service station

Drive-in restaurant

**§ 170-25. Conditional use provisions. [Amended 10-6-1998 by Ord. No. 3-98]**

The following conditional uses are authorized within the C-1 Light Commercial District:

- A. Older adult daily living center, subject to the standards and criteria of Article VI, § 170-13L, of this chapter.
- B. Day-care center, subject to the standards and criteria of Article VI, § 170-13B, of this chapter. [Added 6-7-2004 by Ord. No. 1-2004]
- C. Mini-warehouse and self-storage units, subject to the standards and criteria of Article VI, § 170-13N, of this chapter. [Added 6-7-2004 by Ord. No. 1-2004]

**§ 170-26. Special exception provisions.**

The following special exceptions may be authorized by the Zoning Hearing Board pursuant to the standards and criteria specified herewith:

- A. Ancillary residential.
  - (1) Residential use ancillary to commercial establishments shall be limited to one dwelling unit per commercial unit.
  - (2) Occupancy of the dwelling unit shall be limited to a person or persons directly associated and involved with the business through ownership or employment on an on-going basis
  - (3) All such dwelling units shall be situated within the primary related commercial structure.
  - (4) The dwelling unit shall meet the following minimum requirements:

- (a) Minimum area: 400 square feet.
  - (b) Each unit shall contain not less than one private bedroom and one additional habitable room in addition to private bath, sanitation and cooking facilities, all of which shall be segregated and independent of the primary commercial use.
  - (c) Fire and safety provisions shall be adequate to meet all applicable local and state requirements.
  - (d) In the absence of public sewerage facilities, certification shall be obtained from the appropriate local authority that on-site sewage disposal facilities are adequate to serve the anticipated demands of the projected use.
- B. Car wash and automobile service station.
- (1) Off-street parking, holding and circulation areas shall be arranged so as not to cause blockage of any means of ingress and egress and to assure that the traffic flow on adjacent public thoroughfares is not endangered or impeded in any way.
  - (2) Means of ingress and egress shall be established and clearly marked. Where both an automobile laundry and an auto service facility are in joint operation, separate means of ingress and egress shall be required for each facility.
  - (3) If additional acceleration or deceleration lanes are deemed necessary by the Township or the Pennsylvania Department of Transportation, the developer shall be responsible for providing the necessary right-of-way and the cost of constructing such facilities.
- C. Drive-in restaurant.
- (1) Points of vehicular ingress and egress shall be clearly delineated. The angle and siting of driveway intersections with adjacent thoroughfares shall be based upon safe traffic movements and shall be approved only following a positive report from the Township Engineer.
  - (2) A fence or wall of at least 36 inches in height shall be erected along all abutting properties. Said fence or wall shall be protected from potential damage from vehicles by means of properly installed freeway-type metal bumper guards or equal protective measures approved by the Township Supervisors.
  - (3) Provisions shall be established and maintained on a continuing basis to control and eliminate litter on, and adjacent to, the site.

**§ 170-27. Lot, area and dimensional requirements.**

The following requirements shall apply in C-1 Light Commercial Districts.<sup>22</sup>

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22. Editor's Note: The lot, area and dimensional requirements for C-1 Light Commercial Districts are included at the end of this chapter.

ARTICLE X  
**C-2 Highway Commercial District**

**§ 170-28. Statement of purpose and use summary.**

The C-2 Highway Commercial District is designed to provide sites for both light commercial and heavy commercial activities along major highway corridors to serve local and transient patrons.

**C-2 Uses Permitted by Right**

All uses by right in the C-1 District

Automotive sales, service, rental

Building materials sales retail and wholesale

Car wash

Distributing and beverage bottling

Garden centers, commercial greenhouses, equipment sales

Light manufacturing and fabrication <sup>23</sup>

Packaging and delivery service

Printing and publishing

Restaurant drive-in

Shops, custom work and repair

Truck terminals, freight handling

Warehousing and storage

Wholesale distribution

Veterinary clinics

**C-2 Conditional Uses**

Institutional facility

Mini-warehouses and self-storage units [Added 6-7-2004 by Ord. No. 1-2004]

Recreation, private and commercial/indoor and outdoor

Integrated business area

Retail shopping centers

**C-2 Special Exceptions**

No uses are authorized for special exception

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23. Editor's Note: The former entry for mini warehouses, which entry immediately followed this entry, was repealed 6-7-2004 by Ord. No. 1-2004.

**§ 170-29. Conditional use provisions.**

The following conditional uses may be authorized by the Township Supervisors pursuant to the standards and criteria specified herewith:

- A. Integrated business area. Integrated business sites consisting of a combination of permitted uses in the C-2 District by right on a common contiguous site and designed as a unit may be permitted subject to the following minimum requirements:
- (1) Sites shall be a minimum of five acres.
  - (2) Structures shall be set back at least 100 feet from the road right-of-way.  
**[Amended 6-3-2003 by Ord. No. 1-2003]**



- (3) Structures shall be a minimum of 50 feet from all adjacent property lines.
- (4) All site roads shall be constructed to meet or exceed the following standards:
  - (a) An eight-inch-thick subbase.
  - (b) A six-inch-thick bituminous concrete base course.
  - (c) A two-inch-thick bituminous wearing course ID-2 shall be constructed on the prepared base course.
  - (d) Site road cartways shall be at least 30 feet in width and properly drained.
- (5) A site plan, prepared by an architect or civil engineer registered in the Commonwealth of Pennsylvania, shall be submitted which contains the following information:
  - (a) A survey drawn to scale prepared by a licensed professional land surveyor, registered in the Commonwealth of Pennsylvania, showing the exact size, shape and dimensions of the lot to be built upon.
  - (b) The exact size and location of all existing buildings and structures on the lot and the structure or building proposed to be erected, moved, repaired or altered.
  - (c) All adjacent streets with traffic flow patterns.
  - (d) A circulation plan for all vehicles, including provisions for ingress and egress drives for all off-street parking and loading areas.
  - (e) Preliminary architectural and engineering sketches showing plan elevations and other necessary information related to water runoff control, contours, type of building construction, and other related existing and proposed site features.
  - (f) A detailed site drainage plan showing on-site facilities and provisions for handling runoff beyond the site.
  - (g) A plan showing water supply and sewerage facilities consistent with requirements of the Pennsylvania Department of Environmental Protection.
- (6) Off-street loading, parking and signs shall be provided and developed consistent with the requirements of Articles XII and XIII of this chapter. The following area and bulk requirements shall apply:
  - (a) Site size: 217,800 square feet (five acres).
  - (b) Site width: 150 feet minimum.
  - (c) Site coverage: 40% maximum.
  - (d) Distance between buildings: 30 feet minimum.

- (e) Building setback line: 100 feet minimum.
  - (f) Side yards: 50 feet minimum.
  - (g) Rear yards: 50 feet minimum.
  - (h) Paved areas: 60% maximum.
  - (i) Building height: 40 feet.
- B. Institutional facility, subject to the standards and criteria of Article VI, § 170-13H, of this chapter.
- C. Recreation, private and commercial/indoor and outdoor, subject to the standards and criteria of Article VI, § 170-13C, of this chapter.
- D. Retail shopping center. A combination of retail commercial and service uses situated on a common site and designed as an integral retail center.
- (1) The proposed site shall not be less than five acres in size, meet Act 537<sup>26</sup> and all local sewerage requirements, be under single ownership or control and shall be developed as a single entity. Permitted uses shall be limited to those uses specified for C-1 Districts under the provisions of this chapter for use by right and special exception.
  - (2) Off-street loading, parking and signs shall be provided and developed consistent with the requirements of Articles XII and XIII of this chapter.
  - (3) The following area and bulk requirements shall apply:
    - (a) Site size: 217,800 square feet (five acres).
    - (b) Site width: 150 feet minimum.
    - (c) Site coverage: 40% maximum.
    - (d) Distance between buildings: 30 feet minimum.
    - (e) Building setback line: 100 feet minimum.
    - (f) Side yards: 50 square feet minimum.
    - (g) Rear yards: 50 feet minimum.
    - (h) Paved areas: 60% maximum.
    - (i) Building height: 40 feet.
  - (4) A site plan, prepared by a licensed architect or civil engineer registered in the Commonwealth of Pennsylvania, shall be submitted as part of the application for conditional use for review by the Planning Commission and the Township Supervisors. The site plan shall include:

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26. Editor's Note: See 35 P.S. § 750.1 et seq.

- (a) A survey drawn to scale prepared by a licensed professional land surveyor, registered in the Commonwealth of Pennsylvania, showing the exact size, shape and dimensions of the lot to be built upon;
  - (b) The exact size and location of all existing buildings and structures on the lot;
  - (c) The exact size and location on the lot of the structure or building proposed to be erected, moved, repaired or altered;
  - (d) All adjacent streets or alleys with traffic flow patterns;
  - (e) The proposed parking facilities including the size, arrangement and number of parking stalls and placement of lighting standards;
  - (f) The circulation plan for all vehicles and ingress and egress drives for all off-street parking and loading areas both front and rear, to ensure the prevention of blockage of vehicles entering and leaving the site and to provide for clean lines of vision;
  - (g) Preliminary architectural and engineering sketches showing plan levels, elevations and other necessary information related to water runoff control, slope, contours, type of building construction, etc.;
  - (h) Areas to be utilized for the exterior storage of materials and type of architectural screen to be provided; and
  - (i) Such other information as may be required by the Board of Supervisors, the Planning Commission and Chapter 146, Subdivision and Land Development.
- E. Mini-warehouse and self-storage units, subject to the standards and criteria of Article VI, § 170-13N, of this chapter. **[Added 6-9-2004 by Ord. No. 1-2004]**

**§ 170-30. Special exception provisions.**

No uses are specified for approval as special exceptions in the C-2 Highway Commercial District.

**§ 170-31. Lot, area and dimensional requirements.**

The following requirements shall apply in C-2 Highway Commercial Districts.<sup>25</sup>

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25. Editor's Note: The lot, area and dimensional requirements for C-2 Highway Commercial Districts are included at the end of this chapter.

**ARTICLE XI**  
**I Industrial District**

**§ 170-32. Statement of purpose and use summary. [Amended 6-7-1994 by Ord. No. 3-94]**

The I Industrial District is established to provide for both heavy commercial and industrial oriented land use activities. Regulations are designed to permit uses of this nature consistent with the viability of the activity and the maintenance of the quality of adjacent land use districts.

**I Uses Permitted by Right**

All uses by right in the C-2 District

Barge docking and repair operations

Mini-warehouse and self-storage units **[Added 6-7-2004 by Ord. No. 1-2004]**

**I Conditional Uses**

Automotive recycling and material salvage yards **[Added 1-22-2009 by Ord. No. 1-2009, § III.A]**

Landfills

Sexually oriented business **[Added 3-7-2011 by Ord. No. 1-2011, § II.A]**

Underground coal mine

Waste recycling centers **[Added 8-4-1998 by Ord. No. 2-98]**

**I Special Exceptions**

Integrated business area

Junkyards

**§ 170-33. Conditional use provisions.**

The following conditional uses may be authorized by the Township Supervisors pursuant to the standards and criteria specified herewith:

A. Landfills.

- (1) All activities conducted in association with, and as a part of, any landfill shall be in accordance with all applicable federal and state statutes, rules and regulations.
- (2) The applicant shall have obtained, from appropriate state and federal regulatory agencies or authorities, permits issued in accordance with all applicable laws and regulations for the proposed use. In the event such permits have not been issued at the time Township conditional use approval is requested, the applicant's zoning approval shall be expressly conditioned on the granting of necessary permits as required by the above agencies or authorities. At the time of making application to such authorities,

the applicant shall file with the Township Administrative Secretary/Treasurer a copy of each state or federal application with supporting documentation for the proposed use.

- (3) Materials transported to, processed, handled and stored at the landfill shall be limited to nonhazardous refuse and waste, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, institutional, commercial or industrial establishments. No materials that are classified as hazardous and/or that have the characteristics of toxicity, reactivity, ignitability or corrosivity to the extent that they may be deemed hazardous shall be transported to, processed, handled or stored at the landfill.

[Text continued on p. 170:61]



- (4) A site plan shall be included in the landfill application that delineates site ingress and egress, use areas within the site, phasing of use areas, location of all structures, and location and description of all required screening and fencing.
- (5) No landfill shall be established on a site containing less than 75 contiguous acres.
- (6) The applicant shall include plans for transportation of materials to the site. Said plans shall delineate access routes, provisions for traffic control, and procedures to minimize littering and overflow problems along access routes contiguous to the site. Measures that will be taken to maintain all Township roads used for primary site access shall be specified.
- (7) Bonds in amounts specified by the Board of Township Supervisors shall be posted by the applicant to repair any damages to roads that may result from the landfill operation.
- (8) The applicant shall outline procedures to be employed to provide for antipollution and nuisance control, the protection of area-wide water supplies and other applicable concerns related to the health and safety of adjacent residential areas.
- (9) For each site that is adjacent to, or considered by the Planning Commission and Board of Supervisors to be visibly or environmentally detrimental to the use of any structure for residential habitation, cultural, social, educational, recreational, religious or similarly related purpose in any district, there must be preserved a strip of land for screening purposes on any side of the tract of land on which the residential or related use is situated. The preserved strip shall be a minimum of 100 feet in width. The required screen shall have a height adequate to achieve its purpose. Plant materials used for screening shall consist of dense evergreen plants. They shall be of a kind, or used in such a manner, so as to provide a continuous opaque screen within 24 months after commencement of operations in the area to be screened. The Board of Township Supervisors shall require that either new planting or alternative screening be provided if, after 24 months, the plant materials do not provide an opaque screen.
- (10) All active use areas shall be completely enclosed by a metal fence not less than six feet high with the entire fence being constructed in such a manner so as to prevent the entry by unauthorized persons onto the portion of the premises on which the use is situated.
- (11) Parking in association with the facility shall be accommodated on-site.
- (12) Site access points shall be designed to preclude the stacking of entering vehicles onto any adjacent public right-of-way or onto adjacent or nearby land parcels that are not under ownership or lease and not a contiguous part of the disposal facility.
- (13) The Board of Township Supervisors, as part of the conditional use review process, may consider the nature of the material to be processed at a facility and may determine that the facility may constitute an unacceptable risk to the general health, safety and public welfare of the residents of the Township. Any costs incurred by the Township in making said determinations and preparing comments

for the Department of Environmental Protection in connection with allowable materials or siting criteria shall be reimbursed by the applicant.

B. Waste recycling center.

- (1) Waste recycling and related handling activities shall be restricted to nonhazardous materials and all activities and functions shall be in accordance with applicable federal, state, county and Township rules, regulations and directives.
- (2) No recycling activities and functions shall be established on a site containing less than five contiguous acres.
- (3) All facilities shall have a chain link fence at least six feet high around all activity areas and said areas shall be secured during nonbusiness hours.
- (4) The perimeter of any site that borders a public highway or an adjacent A-1, R-1 or R-2 Zoning District shall be screened and landscaped consistent with the applicable requirements of Article XIV of this chapter.
- (5) Site access points shall be designed to preclude the stacking of entering vehicles onto any adjacent public right-of-way.
- (6) All parking in association with on-site activities shall be accommodated on-site.
- (7) All materials brought to the site shall be processed and shipped from the site in an expedient manner, consistent with commonly accepted recycling procedures and practices. No extended term storage or keeping of materials shall be permitted in conjunction with recycling centers.
- (8) The applicant for the conditional use permit shall be responsible for correcting any litter problems that occur within 1/2 mile of the recycling center that are attributable to the center and related operations. Failure to correct said problem shall be cause for revocation of the conditional use permit.

C. Underground coal mine, subject to the standards and criteria of Article VI, § 170-13J, of this chapter. **[Added 8-4-1998 by Ord. No. 2-98]**

D. Automotive recycling and material salvage yards.

- (1) The minimum lot area shall be five acres.
- (2) Application for site plan approval shall be made in accordance with requirements of Greene Township Code, Chapter 146, Subdivision and Land Development.
- (3) Vehicles, junk, salvage or other materials shall be stored in piles not exceeding eight feet in height.
- (4) Vehicles, junk, salvage or other materials shall not be stored on slopes in excess of 5%, within a 100-year floodplain, within a wetland area nor within 150 feet of a stream or body of water.
- (5) A minimum of two points of entry/exit to the automotive recycling or material salvage yard shall be provided to a public street. The proposed layout of the automotive

recycling or material salvage yard, including points of access, access aisles and access drives, shall be indicated on the site plan submitted with the application and shall comply with Figure RD-01, Attachment 170:A13. Access roads shall provide the primary access to and within the site. At a minimum, an access road shall be constructed around the perimeter of the site and shall have a minimum separation on the interior of the automotive recycling or material salvage yard as set forth on automotive recycling or material salvage yard.

- (6) The manner of storage of vehicles, junk or other materials shall be arranged in such a fashion that there shall be a minimum separation of 25 feet between the rows of vehicles, junk, salvage or other materials separated by an access aisle and a minimum separation of 40 feet between rows of vehicles, junk, salvage or other materials separated by an access road. No row of vehicles, junk, salvage or other materials shall exceed a length of 250 feet or a width of 50 feet. No access aisle or access road shall have a dead end. Each access aisle shall be connected on each end to an access road. The access aisles and access roads shall be laid out and maintained in such a manner that fire and emergency equipment and vehicles will have adequate room to turn and move about. See Figure RD-01, Attachment 170:A13.
- (7) For the purpose of this section; access aisles shall be a minimum width of 16 feet. They shall be excavated to a depth of six inches below finished grade and shall have a crown of no less than one-half inch per foot. PA DOT Type 4 Geo-Textile shall be placed on the subgrade. A minimum of six inches of PA DOT No 2A aggregate shall be placed. Care should be taken that the construction equipment creates no ruts in the subgrade. The course aggregate shall be graded to have a crown of no less than one-half inch per foot, after which the course aggregate shall be compacted using a vibratory roller to 90% modified proctor. See Figure RD-02, Attachment 170:A15. For the purposes of this section, access roads shall have a minimum width of 20 feet.
- (8) No vehicles, junk, salvage or other materials, buildings or yard operating equipment shall be stored or accumulated, nor any structure located, within 60 feet of the right-of-way line of any public street, road or highway.
- (9) No vehicles, junk, salvage or other materials, buildings or yard operating equipment shall be located within 500 feet of a residential dwelling, church or school on adjoining properties or adjoining residential zoning district boundary.
- (10) The site shall be maintained as so not to constitute a public or private nuisance or a menace to public health and safety. The site shall be designed and laid out to prohibit the accumulation of stagnant water. The site shall not cause any offensive or noxious sounds, dust or odors, nor cause the breeding or harboring of rats, flies, mosquitoes or other vermin. The Board of 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 insure that there is no adverse impact upon the residential function of the district or upon adjacent properties.
- (11) No garbage, organic waste, petroleum products, batteries, coolant, hydraulic fluids or hazardous waste shall be stored, buried or disposed of on the site. Tires shall not be stored or stockpiled on site. Before a vehicle is placed in the automotive recycling or material salvage yard, the operator of the automotive recycling or material salvage yard shall remove all gas tanks, batteries, oil, oil filters, coolant and hydraulic fluid, refrigerants and tires. The removal, recycling and disposal of all refrigerants shall be in accordance with the rules and regulations of the PA DEP. The operator/owner of the

automotive recycling or material salvage yard shall at all times keep written records available on site for their inspection by the Code Enforcement Officer or Zoning Officer for review. Records shall include the date the vehicle, identified by its vehicle identification number, entered the automotive recycling or material salvage yard. All gas tanks, batteries, oil, coolant, hydraulic fluids and tires shall be removed from the automotive recycling or material salvage yard every 30 days. Removal shall be in accordance with the rules and regulations of the PA DEP. Records shall include the date and methodology of disposal.

- (12) No open burning or incineration of the disposal of materials or fluids on site shall be permitted.
- (13) All shredding and crushing machines used in the automotive recycling or material salvage yard shall not emit any dust, and the noise from these machines shall not exceed 60 decibels as measured at the property lines of the property on which the automotive recycling or material salvage yard is located.
- (14) The site shall be enclosed by a metal chain link fence not less than eight feet in height supported on steel posts with solid vinyl slats and a self-latching gate. The fence shall be placed no closer than the required setback line established under Subsection (8) above. There shall be a minimum 10-foot separation between the fence and interior access road(s). No storage outside of the fenced area is permitted. The fence shall be supplemented with screening material, which creates a visual barrier established under § 170-13, "Conditional Use Provisions," Subsection I(5)(o).
- (15) Parking and lighting shall be in accordance with the provisions of Article XIII, "Parking and Loading," of the Greene Township Zoning Code.
- (16) The automotive recycling or material salvage yard shall be graded so that storm drainage and facilities shall meet all requirements of § 146-24 of Chapter 146, Subdivision and Land Development, and other applicable State and Township requirements.
- (17) The owner(s) and operator(s) of automotive recycling and material salvage yard yards shall incorporate best management practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.
- (18) Automotive recycling and material salvage yards may not operate between the hours of 8:00 p.m. and 7:00 a.m. Monday through Saturday nor at any time on Sunday, except to remove any wrecked or disabled motor vehicle from any public street or highway.
- (19) Every automotive recycling and material salvage yard, as well as any junkyard in operation as of the effective date of this subsection, shall be subject to inspection and regulation as herein provided. Upon request, the Code Enforcement Officer or the Zoning Officer may at any reasonable time enter upon the premises for the purpose of inspection. The premises shall also be accessible for inspection by Federal, State or County officials upon request.
- (20) Junkyards in operation as of the effective date of this subsection as well as automotive recycling or material salvage yards shall obtain a license therefore from the Board of Supervisors. Said license(s) shall be renewed annually upon payment of a license fee as established from time to time by resolution of the Board of Supervisors and subject

to inspection by the Code Enforcement Officer or Zoning Officer to determine continuous compliance with applicable standards. All licenses shall be issued for a term of one year, beginning April 1 and ending March 31 of the following year.

**[Added 1-22-2009 by Ord. No. 1-2009, § III.B]**

E. Sexually oriented business operations.

- (1) Purpose and intent. It is the purpose of this chapter to regulate sexually oriented businesses to promote the health, safety and general welfare of the citizens of the Township and to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually oriented business within the Township. The provisions of this chapter have neither the purposes nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this chapter to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this chapter to condone or legitimize the distribution of obscene material.
- (2) Classification. Sexually oriented businesses are classified as follows:
  - (a) Adult arcades.
  - (b) Adult bookstores or adult video stores.
  - (c) Adult cabarets.
  - (d) Adult motels.
  - (e) Adult motion-picture theaters.
  - (f) Adult theater.
  - (g) Escort agencies.
  - (h) Nude model studios.
  - (i) Sexual encounter centers.
- (3) Location and operation of sexually oriented business.
  - (a) A person is guilty of a violation of this chapter if he operates or causes to be operated a sexually oriented business outside of the district in which a sexually oriented business is a permitted use. No sexually oriented business shall be located outside a district in which a sexually oriented business is a permitted use. Sexually oriented businesses, as defined herein, shall be permitted in the I Industrial Zoning District of Greene Township as a conditional use.
  - (b) No person may operate or cause to be operated a sexually oriented business within 1,000 feet of:
    - [1] A church.

- [2] A public or private pre-elementary, elementary or secondary school.
  - [3] A public library.
  - [4] A child-care facility or nursery school.
  - [5] A public park.
  - [6] A nursing home.
  - [7] A sanitarium.
  - [8] A retirement or convalescent home.
  - [9] A group home.
  - [10] A personal care home.
  - [11] An establishment which is licensed to and does sell alcoholic beverages.
  - [12] Other sexually oriented businesses.
  - [13] A residential boundary (A-1, R-1, or R-2 Zoning District).
  - [14] Property boundary of residential dwelling.
- (c) A person is guilty of a violation of this chapter if he causes or permits the operation, establishment or maintenance of more than one sexually oriented business in the same building, structure or portion thereof.
  - (d) For the purpose of the subsection, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises listed in Subsection (3)(b)[1] to [14] above.
  - (e) For purposes of Subsection (3)(b)([12]) of this section, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closed exterior wall of the structure in which each business is located.
  - (f) A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit, to those premises listed in Subsection (3)(b)[1] to [14] above within 1,000 feet of the sexually oriented business. This provision applies only to the renewal of a valid permit and does not apply when an application for a permit is submitted after a permit has expired or has been revoked.
  - (g) All activities pertaining to sexually oriented businesses shall be conducted entirely within the confines of the building. No theater which shows adult-related films shall project the film outside the confines of a building. No music or sound emitting from the business shall be audible to normal human hearing at any time

at any exterior property line of the business.

- (h) The following hours of operation shall be adhered to by all sexually oriented businesses:
  - [1] No sexually oriented business shall be open from 2:00 a.m. to 11:00 a.m. daily.
  - [2] No sexually oriented business shall be open on Sunday and holidays except that a sexually oriented business open on Saturday may remain open until 2:00 a.m. on Sunday morning.
- (i) The maximum gross floor area of any building which is utilized for an adult-related business shall be 2,500 square feet.
- (j) No exterior sign which advertises any adult-related business shall include any lewd or obscene work or any figure, picture or painting which utilizes sexually explicit graphics. Other regulations pertaining to commercial signs in this chapter shall also be adhered to.
- (k) To ensure that the regulations of this section are adhered to by the applicant, the following information shall be provided with the application for a conditional use:
  - [1] A site survey of the property and building proposed for the sexually oriented business and a survey illustrating the distance to the location, size and type of all buildings and uses within 2,500 feet of the building proposed for the business. Also, the zoning district classification within 2,500 feet of the property and building proposed for the business shall be illustrated on the site survey. The survey shall be prepared and sealed by a surveyor licensed by the State of Pennsylvania and shall be at a scale no less than 1 inch to 100 feet. The survey shall indicate the scale, date drawn, North point, tax parcel number of all parcels illustrated, the names of any roads or highways illustrated and shall be on paper measuring no less than 24 inches by 36 inches. Fifteen copies of the survey shall be submitted with the application.
  - [2] The above-referenced site survey shall indicate the proposed parking layout, landscaping, lighting, sign location, building location and any other exterior improvements.
- (l) In addition to a conditional use permit, a site plan shall be required for the development of the site. Requirements for the site plan are in Chapter 146, Subdivision and Land Development, and this chapter.
- (m) Alcoholic beverages shall not be permitted on the premises of a sexually oriented business.

**[Added 3-7-2011 by Ord. No. 1-2011, § II.B]**

**§ 170-34. Special exception provisions.**

The following special exceptions may be authorized by the Zoning Hearing Board pursuant to the standards and criteria specified herewith:

[Text continued on p. 170:63]

- A. Integrated business area, subject to the standards and criteria of Article X, § 170-29A, of this chapter.
- B. Junkyards, subject to the standards and criteria of Chapter 106, Junkyards, as amended.

**§ 170-35. Lot, area and dimensional requirements.**

The following requirements shall apply in I Industrial Districts.<sup>28</sup>

**ARTICLE XII  
Sign Requirements**

**§ 170-36. Authority.**

Signs may be erected and maintained only when in compliance with the provisions of this article and any and all other ordinances and regulations of this Township which may be applicable.

**§ 170-37. Exclusions.**

The following signs shall be permitted in all districts and shall not be subject to the provisions of this article unless otherwise specifically cited herein:

- A. Signs of a duly constituted local, state or federal governmental body, including traffic or similar safety and regulatory devices, legal notices, railway warning signals, memorial signs or tablets. (NOTE: No zoning permit required.)
- B. Small signs with a surface area not exceeding three square feet, displayed for the direction or convenience of the public which identify landmarks, parking areas, convenience facilities and similar features. (NOTE: No zoning permit required.)
- C. One temporary nonlighted sign on a construction site, not exceeding an area of 32 square feet, denoting engineer, architect, contractor or funding agencies and related information regarding the development. (NOTE: No zoning permit required.)

**§ 170-38. Permitted signs in A-1, R-1 and R-2 Districts.**

In the A-1, R-1 and R-2 Districts, the following requirements shall apply:

- A. The following signs shall be permitted:
  - (1) One permanent identification sign for each dwelling unit, which may cite the name of the occupant, address and other distinguishing features of the structure or property. Such signs shall not exceed three square feet in area. (NOTE: No zoning permit required.)

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<sup>28</sup> Editor's Note: The lot, area and dimensional requirements for I Industrial Districts are included at the end of this chapter.

- (2) One temporary nonlighted real estate sign pertaining to the sale, lease, hire or rental of property on which the sign is displayed, not to exceed six square feet in area. (NOTE: No zoning permit required.)
  - (3) One announcement sign designating a bed-and-breakfast, professional uses, group residential facilities, day-care or home occupations, provided all such signs shall be limited to four square feet in area.
  - (4) One permanent announcement sign erected by churches, schools, hospitals, funeral homes, cemeteries, municipal facilities, business activities or similar permitted uses, which may include any appropriate message, provided that the area of such sign shall not exceed 24 square feet in area.
  - (5) Temporary signs advertising a garage sale, political campaign, street fair or other temporary activity, or a temporary sign directing persons to the location of such activity. Signs shall not be placed sooner than 30 days prior to, and shall be removed within seven days of, termination of the activity. Signs shall not exceed 12 square feet in area. (NOTE: No zoning permit required.)
  - (6) Signs relating to the sale of farm products produced on the premises in A-1 Districts and temporary signs relating to the sale of agricultural products produced on the premises in residential districts. Such signs shall be displayed only when seasonal sales are taking place and removed when not applicable. Said signs shall not exceed 12 square feet in area. (NOTE: No zoning permit required.)
  - (7) Signs for private and commercial recreation in A-1 Districts shall be established in accordance with the following requirements:
    - (a) Signs shall be limited to the immediate site.
    - (b) Signs shall relate only to the activities at the immediate site.
    - (c) There shall be no more than two signs at each business site.
    - (d) Individual signs shall not exceed 20 square feet in area.
    - (e) Signs mounted or painted on a wall, canopy or other portion of a principal site structure shall not protrude more than 18 inches beyond the wall on which said signs are mounted.
- B. Signs in all A and R Districts shall be located a minimum distance of four feet from the street or road right-of-way if no sidewalk exists, and two feet from the inside edge of the walk, if such a walk exists.
- C. The bottommost part of a sign shall not be more than two feet above ground level, except signs attached to a building. No sign shall project above a roof or be mounted on a building above the eave line of a roof or extend above a public sidewalk.

**§ 170-39. Permitted signs in C-1, C-2 and I districts.**

In the commercial and industrial districts, the following requirements shall apply:

- A. The following signs shall be permitted:
  - (1) Temporary signs not exceeding six square feet in area advertising the sale or rental or development of property. (No zoning permit required.)
  - (2) Signs advertising business conducted or services, material or equipment for sale on the premises.
- B. Business signs shall have an aggregate area not greater than 1 1/2 square feet for each foot of width of the principal building on the premises.
  - (1) Individual signs shall not exceed 32 square feet in area.
  - (2) Signs shall be located a minimum distance of 10 feet from the street right-of-way line.
  - (3) No sign shall be mounted on a building above the eave line of a roof, or extend above a public sidewalk or vehicular right-of-way.

**§ 170-40. Signs in shopping centers and integrated business and industrial areas.**

Business signs established for shopping centers and integrated business and industrial areas shall meet the following criteria:

- A. Total combined maximum area of all free-standing pole signs and/or ground signs:
  - (1) For facilities with highway frontage of between 150 lineal feet and 250 lineal feet the following requirements shall apply:

<b>Frontage (linear feet)</b>	<b>Maximun Sign Area (square feet)</b>
150-200	300
201-250	400

- (2) Five hundred square feet maximum at facilities with highway frontage in excess of 250 lineal feet.
- B. Signs per unit of use, affixed to the subject premises, within the site shall be limited to one square foot of sign area per lineal foot of frontage, up to a maximum of 100 square feet of sign area.
- C. Signs shall be located a minimum distance of 25 feet from the public street right-of-way line.
- D. No sign shall be set closer than 50 feet of a rear or side property line.

**§ 170-41. Portable or mobile signs.**

Portable or mobile signs and other similar advertising displays for special sales, announcements and related purposes shall be subject to the following provisions:

- A. Display area of temporary signs shall not exceed 32 square feet. Said area may be in addition to maximum areas specified in this article.
- B. No portion of the sign or its supporting structure shall occupy a public right-of-way.
- C. Permits for the placement of such signs shall be issued for a maximum of 90 consecutive days and may be renewed no more than one time during any consecutive three-hundred-sixty-five-day period.

**§ 170-42. Business location signs. [Added 11-11-1999 by Ord. No. 3-99]**

Signs erected to announce the general location of business sites that are not contiguous to nor visible from designated arterial routes shall be subject to the following:

- A. Location and siting shall be subject to the following provisions:
  - (1) Signs shall be permitted only in the A-1, C-1, C-2 and I Zoning Districts.
  - (2) Signs shall be limited to locations adjacent to U.S. Route 30 and Pennsylvania Routes 168 and 151.
  - (3) Written approval of landowners shall be required prior to erection of the sign on any property.
  - (4) Signs shall not be erected within a highway right-of-way.
  - (5) Signs shall be set back a minimum of 10 feet from all right-of-way lines.
  - (6) Signs shall not be permitted within 50 feet of a road intersection.
  - (7) Signs shall not be erected within 100 feet of any existing residence or the boundary of R-1 or R-2 Zoning Districts.
  - (8) Signs shall not obscure traffic sight lines or highway traffic control signs and signals.
  - (9) A minimum distance of 100 feet shall be maintained between business directional sign installations.
  - (10) The density (spacing) of business directional signs shall not exceed three signs within any given 1,000 lineal feet of highway right-of-way.
  - (11) Sign should not exceed a height of eight feet above the average cartway surface elevation of the adjacent roadway directly opposite from the mounting sight.
- B. Sign format shall be subject to the following provisions:

- (1) No sign shall be artificially illuminated or contain motion animation devices.
- (2) Signs shall have a reflectorized white legend and border on a reflectorized green background or a black legend on a reflectorized white background.
- (3) Not more than three business names shall be included on each sign.
- (4) Sign sizes shall be limited to the following criteria:
  - (a) Single line destination sign shall be 72 inches by 12 inches.
  - (b) Double line designation sign shall be 72 inches by 24 inches.
  - (c) Triple line designation sign shall be 72 inches by 36 inches.

**§ 170-43. Billboards. [Amended 11-11-1999 by Ord. No. 3-99]**

Business signs shall be permitted only when in conjunction with a business or industry located on the immediate premises, except for billboards. Billboards may be permitted as a conditional use when approved by the Board of Supervisors after submission, review and recommendation by the Planning Commission and further provided the following requirements are met:

A. Location.

- (1) Billboards shall not be erected within 50 feet of the right-of-way line of a public road. **[Amended 3-7-2011 by Ord. No. 2-2011, § I.A]**
- (2) Billboards shall be limited to A-1 Agricultural; C-2 Highway Commercial; I Industrial and C-1 Neighborhood Commercial Overlay. **[Amended 3-7-2011 by Ord. No. 2-2011, § I.B]**
- (3) Billboards shall not be erected within 100 feet of the boundary line of any R-1 or R-2 District or within 200 feet of the property line of any public or private school or church property.

B. Size and height.

- (1) Billboards shall have a maximum allowable cross surface area of 300 square feet per sign face. An advertising sign may have a maximum of two sign faces per billboard structure. As used in this section, "sign face" shall mean the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem or any figure or similar character together with any frame or other material, excluding necessary supports or uprights upon which such sign is placed. For signs utilizing individual letters or figures or characters mounted directly on a wall or a structure, the sign face shall be the entire area within a single continuous perimeter enclosing the extreme limits of the writing, representation, or other communication material.
- (2) The billboard's surface area shall not exceed 20 feet in total height or 40 feet in total length.
- (3) Billboard structures shall be limited to a maximum height or 40 feet above the curb of the roadway from which it is intended to be viewed.

C. Construction methods. Billboards shall be constructed in accordance with applicable provisions of the Township Code of ordinances. In addition thereto:

- (1) A billboard shall be independently supported and have vertical supports of metal that are galvanized or otherwise treated to prevent rust and corrosion or of some other durable material that is protected from deterioration. **[Amended 3-7-2011 by Ord. No. 2-2011, § I.C]**
- (2) Vertical supports shall be capable of enabling the entire sign face to be able to withstand a minimum eighty-mile-per-hour wind load.
- (3) All grading shall be in accordance with the Township ordinances.
- (4) No bare cuts are permitted on a hillside.
- (5) All cuts or fills must be permanently seeded or planted.
- (6) A billboard with display lighting shall be constructed so that it does not glare upon adjoining property and shall not exceed a maximum footcandle of 1.5 upon the adjoining property.
- (7) No billboard or display lighting shall move, flash, or emit noise. No display lighting shall cause distraction, confusion, nuisance, or hazard to traffic, aircraft or other properties.
- (8) The minimum front, side, or rear yard requirements applying to a principal use as set forth within a zoning district in which the billboard is to be located shall apply to each structure.
- (9) No billboard shall be erected in such a manner as to block the view from the road or street of any existing business sign, logo sign, residential or nonresidential structure.
- (10) No billboard shall be constructed within the clear sight triangle of the public street or road on which it is situated and shall not in any case obstruct or impede traffic safety.
- (11) The density (spacing) of billboard placement, regardless of the size of individual installations, shall not exceed two billboards per each lineal mile of public right-of-way.
- (12) Billboards may not be mounted on the roof, wall or other part of a building or any other structure.

D. Maintenance.

- (1) The aesthetic quality of billboards shall be maintained at all times.
- (2) Every three years the owner of a billboard shall have a structural inspection made of each such sign by a qualified Pennsylvania registered engineer or architect and shall provide to the Township a written certificate and report from the engineer or architect certifying that each advertising sign is structurally sound. **[Amended 3-7-2011 by Ord. No. 2-2011, § I.D]**

- (3) Billboards found to be in violation of this or any other Township ordinance shall be brought into compliance therewith or removed within 30 days upon written notification by the Township.
  - (4) Billboards using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure.
- E. Permits. No billboard shall be erected without first obtaining a permit from the Township and any other approvals, including but not limited to the Pennsylvania Department of Transportation. Applications for permits shall be issued in the name of all owners of the real estate on which the billboard is erected and the owner of the sign.
- F. Presently existing advertising signs.
- (1) No billboard existing in the Township as of the effective date of this chapter shall be expanded in any manner except as may be otherwise provided in this section.
  - (2) In the event a presently existing billboard is removed and a replacement sign is erected in its place, said replacement sign must be built in complete conformity with this section.
  - (3) Permits for the placement of such signs shall be issued for a maximum of 90 consecutive days and may be renewed no more than one time during any consecutive three-hundred-sixty-five-day period.

**§ 170-44. General standards. [Amended 11-11-1999 by Ord. No. 3-99]**

The following standards shall apply to signs in all zoning districts of the Township:

- A. No sign shall be located or constructed to obstruct or interfere with any traffic control signal, sign, device or intersection sight triangle.
- B. All signs shall be constructed of durable materials; shall be kept in good condition and repair; and shall not be permitted to become unsightly or dilapidated.
- C. No sign shall be permitted that is deemed to constitute a hazard of any kind.
- D. Signs shall not be attached to utility poles except when authorized for public purposes by the pole owner.
- E. A sign shall be removed within 30 days when the circumstances that led to its erection no longer apply or if safety violations occur. Circumstances that dictate sign removal shall include, but not be limited to, the following:
  - (1) The creation of a safety hazard.
  - (2) Dilapidation.
  - (3) Vacancy or termination of the subject business for more than 90 days.

- (4) Legal transfer of ownership of a property that involves a change of name or business activity.
- (5) The completion of an event, business transaction or other activity for which the sign was originally installed.
- (6) Any illegality under the provisions of this chapter or regulation of a duly constituted governmental authority.

**§ 170-45. Permit requirements. [Amended 11-11-1999 by Ord. No. 3-99]**

- A. A zoning permit shall be required for the erection of signs under this chapter, except that no permit shall be required for the following exclusions:
  - (1) Signs specified under § 170-37 of this chapter.
  - (2) Signs specified under § 170-38A(1), (2), (5), and (6) of this chapter.
  - (3) Signs specified under § 170-39A(1) of this chapter.
- B. Each application for a permit shall be accompanied by a drawing to scale showing the proposed sign, the size, general characteristics, method of illumination, the exact location of the sign in relation to the lot and structure involved and other data as may be required by the Zoning Officer.
- C. A fee shall accompany each application for a permit. Such fees shall be established by resolution of the Township Board of Supervisors.

ARTICLE XIII

**Parking and Loading Requirements**

**§ 170-46. Permit procedure.**

An application for a zoning permit for a new or enlarged building, structure, or use shall include therewith a plot plan, drawn to scale and fully dimensioned, showing off-street parking and loading facilities to be provided in compliance with the requirements of this chapter.

**§ 170-47. General requirements.**

- A. At the time of the erection of any main building or structure, or when any such building or structure is enlarged or increased in capacity, or when any private or public facility use permitted under this chapter is established, permanent off-street parking and loading spaces shall be provided as specified herein.
- B. Required parking spaces shall be located on the same lot as the use for which it is provided. An adjacent lot that is guaranteed for the use of off-street parking during the life of the use for which the parking is provided may be permitted, provided that

guarantees in legal form are acceptable to the Township Supervisors on the advice of the Township Solicitor.

- C. Where more than one use occupies a given lot, building or structure, off-street parking equal to the sum of that required for each use shall be required.
- D. No parking area, space or lot shall be located within a public right-of-way.

**§ 170-48. Schedule of minimum requirements for off-street parking.**

Off-street parking facilities shall be provided in the various zoning districts as specified herewith:

- A. For each dwelling unit there shall be provided a minimum of two parking spaces. This requirement shall apply to all housing categories including single, duplex, multi and conversion units.
- B. Home occupations shall provide a minimum of two off-street parking spaces. In no instance shall on-street parking be authorized in conjunction with a home occupation. Parking requirements for home occupations shall be in addition to the requirement specified above for dwelling units.
- C. Educational and religious uses shall provide off-street parking as follows:
  - (1) Educational. Primary, elementary or middle school: 1.5 spaces for each classroom; high school, institution of higher learning or private school: one space for each five students, based on design capacity of the facility.
  - (2) Stadium or similar places of assembly: one space for each four seats.
  - (3) Churches: one off-street parking space for each four seats in the sanctuary or other main assembly area of the church, whichever is greater in size.
- D. Funeral homes shall provide parking at the rate of one parking space for each 80 square feet of gross floor area, plus one space for each employee at maximum work levels and one space for each vehicle utilized at the site for business purposes.
- E. Group residential facilities shall provide parking at the rate of one parking space for each two clients in addition to the requirements specified in Subsection A, above.
- F. Hospitals, institutional facilities and related uses shall provide parking at the rate of one parking space for every three beds plus one space for every two employees.
- G. Manufacturing and industrial functions, shops for custom and repair work, building material sales, contractors plant and supply yards, warehousing and storage, transportation terminals and related heavy commercial activities shall provide parking on the basis of one parking space for each employee. In computing the number of employees, those on maximum shift shall be counted. A miniwarehouse shall provide three spaces plus one space for each multiple of 10 storage cubicles.

- H. Bed-and-breakfast and tourist homes shall provide parking at the rate of one parking space for each separate sleeping unit in addition to the requirements specified in Subsection A, above.
- I. Offices.
  - (1) Offices, banks and similar businesses shall provide parking at the rate of one space for every 250 square feet of net floor area.
  - (2) Medical, dental and related personal care offices and clinics shall provide parking at the rate of one space for each two employees plus four spaces for each doctor or practitioner.
- J. Public, private, noncommercial and commercial recreation and all municipal facilities shall provide off-street parking on the basis of one parking space for each three occupants or clients as determined by the maximum lawful capacity of any such facility or, if not applicable, by the estimated maximum capacity of the facility.
- K. Automotive service stations and facilities shall provide parking at the rate of one space for each 200 square feet of floor or site area devoted to repair or service facilities in addition to area required for normal vehicle storage.
- L. Retail and service business, sales and similar commercial land uses shall provide parking at the rate of one space for each 100 square feet of net floor area plus one space for each employee.
- M. Restaurants.
  - (1) Restaurants shall provide parking at the rate of one space for every three seats.
  - (2) Drive-in facilities, refreshment stands and similar uses shall provide parking at the rate of one space for each 100 square feet of floor area.
- N. For any use not specified above, the Township Supervisors, after recommendation by the Planning Commission, shall determine the parking requirement for the proposed use, and the amount of parking thus determined shall be the off-street parking requirement.

**§ 170-49. Schedule of requirements for off-street loading.**

In any district, in connection with a building, or building group or part thereof, that is to be occupied by commercial, public, industrial or other uses that rely on delivery or distribution of materials or merchandise, there shall be provided and maintained on the same lot with such buildings, off-street loading berths in accordance with the following standards:

Uses	Floor Area (total square feet)	Minimum Required Off-Street Loading Berths
Schools	-	1

Uses	Floor Area (total square feet)	Minimum Required Off-Street Loading Berths
Retail and service commercial	Under 3,500	0
	Over 3,500	1
Wholesale commercial and institutional	Under 10,000	1
	Over 10,000	2
Warehousing, storage, industrial	Under 10,000	1
	For each additional 20,000 or fraction thereof	1 additional

**§ 170-50. Standards for off-street parking and loading areas.**

**A. General standards.**

- (1) When determination of the required number of off-street spaces for parking or loading results in a fractional space, any fraction of 1/2 or more shall be interpreted as a whole space.
- (2) In no case shall the public right-of-way be used for loading or unloading of material or for meeting a required parking facility.
- (3) Loading and unloading facilities and parking lots shall be designed so that vehicles are not required to back onto the street right-of-way.
- (4) Nonresidential parking areas, parking accessways, driveways and loading areas shall be sited at a minimum distance of 10 feet from all property lines. Where commercial or industrial land uses abut residential districts, no such vehicular areas shall be closer than 25 feet to an adjacent residential parcel.
- (5) All lighting used to illuminate off-street loading and parking areas shall be designed so that light is reflected away from adjoining premises and public rights-of-way.

**B. Off-street parking standards.**

- (1) A required off-street parking space for an individual auto shall be a minimum dimension of nine feet wide by 20 feet long. Maneuvering and cross aisles shall be 20 feet wide for 90° parking. Aisle width for angle parking may be decreased in proportion to the parking angle, but no aisle may be less than 12 feet in width.
- (2) Driveways may be included as meeting the requirement for parking spaces for single-family and two-family dwellings.
- (3) Whenever possible, nonresidential parking areas and lots shall be level, except for necessary drainage purposes. If parking spaces are provided in areas which exceed 5% slope, all such spaces shall be parallel to the contour lines of the area.

- (4) All off-street parking areas shall be graded for proper drainage and, except for single-family use, if for five vehicles or more, shall be surfaced so as to provide a durable and dustless surface. Areas intended for less than five vehicles shall be covered with gravel, cinders, or other appropriate material in commercial and industrial districts.
- (5) Parking spaces for other than single-family use shall be clearly delineated by painted lines or markers for lots accommodating five or more spaces.
- (6) Stalls shall be provided with bumper guards or wheel stops when necessary for safety or protection to adjacent structures or landscaped areas.
- (7) Surface drainage shall be connected to the existing or proposed storm drainage system.

C. Off-street loading standards.

- (1) Off-street loading and unloading space(s) with driveway access from a street or highway, in conformance with Pennsylvania Department of Transportation standards for driveways, shall be provided on each lot as required in § 170-49.
- (2) Each loading and unloading space:
  - (a) Shall be at least 14 feet wide, 60 feet long and shall have at least a fifteen-foot vertical clearance;
  - (b) Shall have off-street maneuvering area sufficient for the intended use.

ARTICLE XIV  
**Supplementary Regulations**

**§ 170-51. General application.**

The provisions of this chapter shall be subject to such exceptions, additions or modifications as herein provided by the following supplementary regulations.

**§ 170-52. Additional dwellings and structures.**

- A. Except as specifically provided elsewhere in this chapter, no lot shall have more than one principal dwelling structure.
- B. Where a lot is used for a permitted commercial purpose, more than one principal commercial structure may be located upon the lot, but only when such structures conform to all land use, lot coverage and yard requirements for the district in which it is located.
- C. One additional single-family mobile home dwelling unit to be occupied by a relative, may be permitted in an A-1 District, provided a minimum site of two acres is delineated for each dwelling unit situated on the property.

- D. The Zoning Officer may grant a permit for a period not to exceed six months, renewable once, for the temporary placement of a mobile home, travel trailer, or motorized home to be used for living or housekeeping purposes under the following circumstances:
- (1) The mobile home, travel trailer, or motorized home is placed on a parcel that contains a single-family dwelling that was tendered uninhabitable by fire, storm, explosion, or act of God, and the applicant for the permit had been occupying the single-family dwelling as his primary residence at the time of the adversity;
  - (2) The single-family dwelling is in the process of repair or reconstruction at the time the permit is requested, or will be under repair or reconstruction within a reasonable period of time thereafter; and
  - (3) The temporary living unit is equipped with adequate provisions for sanitation and is properly anchored to withstand normal weather conditions.
- E. Temporary structures used in conjunction with construction work shall be permitted only during the period that construction work is in progress. Permits for temporary structures shall be issued for a maximum period of six months.

**§ 170-53. Area and yard requirements.**

- A. Notwithstanding the limitations imposed by any other provisions of the chapter, the Board of Supervisors may permit erection of a dwelling on any lot of record (in a district where permitted by this chapter) separately owned, or under contract of sale, and containing at the time of the passage of this chapter an area or width smaller than that required for a single-family dwelling.
- B. Side and rear yard. No structure, whether attached to the principal structures or not, including porches, garages, carports, balconies or platforms above normal grade level, shall project into any minimum side or rear yard.
- C. Front yard.
- (1) No structures whether attached to the principal structures or not, including garages, carports or balconies above normal grade level, shall project into any minimum front yard.
  - (2) Video satellite dish installations shall be established to the rear of the front building line, and no portion of the unit or its mounting shall be situated within any required minimum side or rear lot setback areas. No portion of the unit or its mounting shall be attached in any manner to another structure or building.
- D. Lots having frontage on more than one street shall provide the required building setback on every street.

**§ 170-54. Driveway regulations.**

- A. Driveways shall be designed in such a manner that would prevent the driveway material and associated stormwater from entering onto a public road.

- B. Residential driveways must be a minimum of five feet from property lines, subject to the right of adjoining property owners to enter joint driveway agreements, unless otherwise specified by the provisions of this chapter.
- C. Driveways for commercial and industrial uses shall have a minimum width of 20 feet unless specified otherwise by applicable regulations and must be a minimum of 10 feet from property lines.
- D. Access drives to and from off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well defined entrances and exits.

**§ 170-55. Environmental protection.**

- A. No excavation<sup>29</sup> that has an obvious or identified potential of creating adverse environmental circumstances, such as erosion, slip-slide areas, subsidence, significant watercourse changes, air or water pollution or similar conditions, shall be undertaken until a zoning permit has been issued by the Zoning Officer.
- B. The applicant for a permit to proceed with excavation shall obtain all permits and authorizations required by local and any other county, state and federal governmental agencies having jurisdiction over such matters, prior to approval of a zoning permit by local authorities.
- C. Normal agricultural activities, commonly and routinely engaged in by farm and residential residents in the municipality, shall not be considered excavations and shall not require permits.
- D. No cut or fill grade shall exceed a slope of 3:1 or 33 1/3%. This provision shall apply to all cuts and fills exceeding 100 square feet in exposed surface area including cuts or fills on land naturally exceeding 3:1 in slope.
- E. All lands steeper than 10:1 slope, from which structures or natural cover have been removed or otherwise destroyed, shall be appropriately graded and seeded within a reasonable time of such clearance activity. The phrase "a reasonable time" shall be interpreted to be within two weeks during the growing season and shall be rigidly applied to construction activities in order to accomplish the intent of keeping erosion to an absolute minimum.
- F. No cutting, filling or other disturbing of land and natural vegetation is permissible within 50 feet of the center line of natural drainage course except as permitted by action of the Zoning Hearing Board. In such cases, the Board may grant permission provided special precautions are taken to ensure against continuing erosion or other circumstances which may be harmful to the immediate watercourse or in any way pollute the stream. All such action shall be in accordance with PADEP rules and regulations.
- G. All earth moving activity shall comply with the erosion and sedimentation control amendment to the Pennsylvania Clean Streams Law of 1937, P.L. 1987 and P.L.

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29. Editor's Note: See Ch. 142, Streets and Sidewalks, Art. I, Excavations and Openings.

177,<sup>30</sup> all requirements of the Pennsylvania Department of Environmental Protection and other applicable federal, state, county or local agency or authority having enforcement jurisdiction.

**§ 170-56. Essential services.**

Essential services as defined in this chapter shall be permitted as special exceptions in all zoning districts, subject to restrictions approved by the Zoning Hearing Board with respect to use, design, yard area, setback and height. The Board shall consider the impact of the use, activity, or structure involved, on adjacent land uses in terms of safety, potential for property devaluation and related factors.

**§ 170-57. Height regulations.**

- A. Measurement of height shall be the vertical height from the average elevation of finished grade at the front of the structure to:
- (1) In case of flat-roof or domed structures: highest point of coping.
  - (2) In case of mansard-roof structures: deck line of roof.
  - (3) In case of gable or hipped roof: average height to top of roof.
- B. The height limitations of this chapter shall not apply to flagpoles, church spires, belfries, domes or similar projections not used for human occupancy, nor to chimneys, ventilations, skylights, water tanks, public utility facilities, bulkheads, silos, antennas and other necessary mechanical and operational apparatus usually carried above the roof level.

**§ 170-58. Performance standards.**

- A. All land use activities shall comply with the requirements of this section. The Township may require evaluation by a qualified consultant, whose cost for services shall be borne by the applicant, in cases where issues develop over the need for, or the adequacy of, compliance.
- B. Fire prevention. Fire prevention and fire control equipment acceptable to standards of the Board of Fire Underwriters or other appropriate regulatory agency shall be readily available where any activity involves the handling of flammable or explosive materials.
- C. Steady-state noise emanated from stationary equipment. Steady-state noise emanating from stationary equipment or sources, which will persist during indefinite or periodic intervals of time over a period of more than seven consecutive days onto adjacent real properties or to a receiving property within any district within the Township, shall not exceed the maximum noise levels prescribed in this section.

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30. Editor's Note: See 35 P.S. § 691.1 et seq.

- (1) Measurement.
    - (a) No person shall cause or permit any steady-state sound to emanate from a source property which exceeds the levels set forth in Subsection C(2) of this section when measured at the following locations:
      - [1] Within 25 feet of any receiving building located in any district; or
      - [2] At any point along the boundary line between the source property and the receiving property in the A-1, R-1 and R-2 Districts.
    - (b) Sound measurements shall be made at six feet above ground level.
  - (2) Maximum permissible noise levels are:
    - (a) Daytime (7:00 a.m. to 10:00 p.m.): 75 dBA.
    - (b) Nighttime (10:00 p.m. to 7:00 a.m.): 70 dBA..
  - (3) Sound measurements made to determine compliance with the conditions and standards of this section shall be made using a sound level meter which conforms to Type 1 or Type 2 as specified in ANSI Specifications S1, 4-1971.
- D. Odor. No malodorous gas or matter that is discernible on any adjoining lot or property shall be permitted except for normal farm operations carried on in the A-1 District.
- E. Air pollution. No pollution of air by fly ash, dust, smoke, vapors, or any substance that is harmful to health, animals, vegetation or other property shall be permitted.
- F. Erosion. No erosion by wind or water that will carry objectionable substances onto neighboring properties shall be permitted.
- G. Water pollution. Water pollution in violation of any standards established by the Pennsylvania Department of Environmental Protection shall not be permitted.

**§ 170-59. Storage and screening.**

- A. No lot or premises may be used as a storage area or dump for garbage, junk automobiles, appliances or storage or collection of any other miscellaneous items except as provided for in appropriate articles of this chapter or other applicable Township statutes.
- B. No more than two vehicles or other units of motorized equipment that are disabled, from which the wheels or engine have been removed, or which are not in operating condition or do not have a current motor vehicle license and/or inspection sticker attached, shall be placed, parked or stored for a period exceeding 90 days, in any district, nor shall any owner or occupant of the property in any district permit said property to be used for the parking or storage of such vehicles or equipment. The foregoing shall not prohibit the rental of space in a private or public garage, repairs in a permitted garage in a commercial district, or storage of vehicles in a junkyard.<sup>31</sup> This regulation is not meant to

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31. Editor's Note: See Ch. 106, Junkyards and Junk Dealers.

apply to operable classic or antique motor vehicles, farm tractors, racers and other vehicles not requiring state inspection.

- C. Any material stored outside an enclosed structure being used for commercial or industrial purposes, as an incidental part of the primary operation, shall be screened by opaque ornamental fencing, walls or evergreen plant material in order to minimize visibility if the storage area is readily visible from adjoining properties zoned R-1 or R-2. Materials shall not be deemed to include operable vehicles. In addition, bulk fuel storage shall be no closer than 200 feet to an existing dwelling, school, hospital or related residential use.
- D. Where required, a screen or buffer shall have a height adequate to achieve its purpose. Plant materials used for screening shall consist of dense evergreen plants. They shall be of a kind, or used in such a manner, so as to provide a continuous opaque screen within 24 months after commencement of operations in the area to be screened. The governing body shall require that either new planting or alternative screening be provided if, after 24 months, the plant materials do not provide an opaque screen.
- E. Mobile recreational vehicles, such as travel trailers, pickup coaches and motorized homes parked or stored in agricultural or residential districts may be used by family members or visitors at the on-site residence for temporary camping for periods not to exceed 90 consecutive days.

**§ 170-60. Single-unit mobile home installation.**

Individual mobile homes, not a part of a mobile home park, that are installed where permitted on private land as single-family residential dwellings shall comply with all regulations for conventional dwelling houses with respect to size, setback and side lines of the district in which it will be sited, and shall meet the following additional requirements:

- A. The mobile home shall be installed to conform with all front yard, side yard and rear yard setback lines applicable to housing in the district.
- B. The mobile home shall be installed upon, and securely fastened to, a frost-free basement, permanent footer or comparable stable and secure base as approved by the Township Supervisors.
- C. An enclosure (skirting) of compatible design and material shall be erected around the entire base of any mobile home installation when the base (as required in Subsection B above) does not completely enclose open spaces between the bottom of the mobile home structure and the ground level below said structure. Said enclosures shall provide for sufficient ventilation to inhibit decay and deterioration of the structure and to deter habitation by vermin.
- D. The owner shall provide a potable water supply and shall provide a sewage disposal system which meets all standards of the Pennsylvania Department of Environmental Protection.

**§ 170-61. Floodplain zoning regulations.** <sup>32</sup>

All development within flood prone areas of Greene Township shall conform to applicable requirements of the current floodplain regulations of the Township of Greene.

**§ 170-62. Swimming pools.**

- A. Every swimming pool, not including farm ponds, that has a below-ground depth of 24 inches or more, and every swimming pool that has a height of three feet or more at its highest point above ground, must comply with the side, rear and front yard setback requirements of this chapter.
- B. Every swimming pool that is permanent in nature (all inground swimming pools, pools installed partially or completely below ground level and a wooden and/or metal frame exterior with a plastic liner or other liner as is customarily used in the industry that is not normally taken down during the winter months) must be enclosed with a fence of a height no less than four feet above ground level, and said fence must completely enclose said pool. Gates must have an appropriate lock installed thereon to deter unauthorized entrance.
- C. Above ground pools with decks utilizing a step gate combination or a step or stairway to gain access to said pool must have a gate across the steps equipped with a workable lock, or if the steps or stairway is retractable, the same must be attached to a lock that is secured when the same are retracted.
- D. Aboveground nondecked pools four feet or more in height are exempt from the requirements of § 170-62B and C, above; however, all means of access and egress such as ladders, steps, ramps, platforms, embankments or similar facilities shall be removed or secured when the pool is unattended by responsible individuals.

**§ 170-63. Roadside stands.**

Roadside stands for the sale of produce and related farm products produced on site in A-1 Districts shall conform to the following minimum standards:

- A. Structures shall be a minimum distance of 15 feet from the highway right-of-way line.
- B. An off-street parking area must be provided for patrons.
- C. All parking areas shall be a minimum of 10 feet from the highway cartway.

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32. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 170-64. Residential agricultural uses.**

Home gardening is a permitted accessory use in all A-1, R-1 and R-2 Districts. Temporary roadside stands for the seasonal sale of locally grown agricultural products in R-1 and R-2 Districts are permitted but must be set back at least 30 feet from the cartway. All stands must be removed when seasonal use is terminated. At least two off-street parking spaces must be provided in addition to those required under regulations for residential parking and shall be a minimum of 10 feet from the highway cartway.

ARTICLE XV  
**Nonconforming Uses**

**§ 170-65. Continuation.**

Subject to the provisions of this article, a nonconforming lot, nonconforming building or structure or nonconforming use may be continued even though it does not conform with the provisions of these regulations for the district in which it is located.

**§ 170-66. Repair or restoration of unsafe structures.**

Nothing in this chapter shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

**§ 170-67. Alterations.**

A nonconforming building or structure may be altered, improved or reconstructed, provided the work does not make the structure any more nonconforming in any respect.

**§ 170-68. Restoration.**

Nothing in this chapter shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or act of God, provided reconstruction or repair is commenced within one year from the date of occurrence of the damage.

**§ 170-69. Extension.**

A. A nonconforming use may be extended as a special exception subject to the following:

- (1) The extension becomes an attached part of the main structure and does not utilize any additional or adjoining land area other than the original parcel.
- (2) The extension does not violate any lot, area, dimensional, off-street loading or parking requirements, or any other requirements of this chapter in the district in which the nonconforming use is located, or in any way extend the degree of dimensional nonconformance of any structure or building.

- (3) The extension is for the purpose of expanding the same classification of nonconforming use in existence at the time of chapter adoption.
- B. Extension of a lawful use to any portion of a nonconforming building or structure that existed prior to the enactment of the chapter shall not be deemed an extension of such nonconforming use.

**§ 170-70. Changes.**

No nonconforming use shall be changed to another nonconforming use, except that a nonconforming use may be changed to another nonconforming use of equal or more restrictive classification upon application to, and approval by, the Zoning Hearing Board. The Zoning Hearing Board may impose reasonable conditions to assure that any such change will not adversely affect the public interest.

**§ 170-71. Abandonment.**

A nonconforming use of a building or land that has been abandoned or discontinued shall not thereafter be returned to a nonconforming use. A nonconforming use shall be considered abandoned as follows:

- A. When the intent of the owner to discontinue the use is apparent.
- B. When the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within 90 days, unless other facts or circumstances show a clear intention to resume the nonconforming use.
- C. When a nonconforming use has been discontinued for a period of 12 months.
- D. When it has been replaced by a conforming use.
- E. When it has been changed to another use under permit from the Zoning Hearing Board.

**§ 170-72. District changes.**

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall apply to any nonconforming use conditions created therein.

ARTICLE XVI

**Administration and Enforcement**

**§ 170-73. Zoning Officer.**

- A. The Zoning Officer shall administer and enforce this chapter, including the receiving of applications, the inspection of premises and the issuing of zoning permits. No zoning permit shall be issued by said officer except where the provisions of this article have

been complied with. The Zoning Officer shall meet the qualifications established by the Township. The duties of the Zoning Officer shall include but not be limited to the following:

- (1) Receive applications required by this chapter.
  - (2) Inspect premises.
  - (3) Issue zoning permits.
  - (4) Maintain records of all official duties.
- B. All permits issued by the Zoning Officer shall be in accordance with the literal provisions of this chapter.
- C. The Zoning Officer shall be appointed by the Board of Supervisors of Greene Township, Beaver County, Pennsylvania, and shall not hold any elective office in the Township.

**§ 170-74. Zoning permits and occupancy permits.**

A. No building or structure, including mobile homes, shall be erected, added to, or structurally altered until a permit therefor has been issued by the Zoning Officer. All applications for zoning permits shall be in accordance with the requirements of this chapter, and unless upon written order of the Zoning Hearing Board, no such zoning permit shall be issued for any building where said construction, addition or alteration for use thereof would be in violation of any of the provisions of this chapter. Remodeling or improvement of an existing building that does not alter the basic structure, create additional lot area coverage or change the use of the parcel or building is exempt from this specific requirement. A zoning permit shall be required prior to any of the following:

- (1) The erection, construction or structural alteration of any building, structure, dwelling or portion thereof;
- (2) The moving of a structure into a district or from one place in the district to another;
- (3) The change in use of structure or land;
- (4) The change or extension of a nonconforming use or structure.
- (5) The operation of or cause to operate a sexually oriented business.
  - (a) The operation of or cause to operate a sexually oriented business, other than an adult motel, which maintains on the premises one or more viewing rooms for live performances, film or videocassette or other video or other image production or reproduction which depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:

- [1] The application for a permit to operate a sexually oriented business shall be accompanied by a floor plan and plot plan diagram of the premises showing a plan thereof specifying the location of one or more managers' stations, the location of all viewing rooms, partitions and doors and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A managers' station may not exceed 32

square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all interior areas of the premises to an accuracy of plus or minus six inches. The Zoning Officer may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

- [2] The application should be sworn to be true and correct by the applicant.
- [3] No alteration in the configuration or location of a managers' station may be made without the prior approval of the Zoning Officer or his designee.
- [4] It is the duty of the owners and operators of the premises to ensure that at least one employee is on duty and situated in each managers' station at all times that any patron is present inside the premises.
- [5] The interior of the premises shall be configured in such a manner that there is an unobstructed view from a managers' station of every area of the premises to which any patron is permitted access for any purpose, excluding rest rooms. Rest rooms may not contain video reproduction or viewing equipment. If the premises has two or more managers' stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view from at least one of the managers' stations of each area of the premises to which any patron is permitted access for any purpose. The view required in this subsection must be by direct line of sight from the managers' station. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a managers' station of every area of the premises to which any patron is permitted access for any purpose, excluding rest rooms. Rest rooms may not contain video reproduction or viewing equipment. If the premises has two or more managers' stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view from at least one of the managers' stations of each area of the premises to which any patron is permitted access for any purpose. The view required in this subsection must be by direct line of sight from the managers' station.
- [6] It shall be the duty of the owners and operators and it shall also be the duty of any agents and employees present on the premises to ensure that the view area specified in Subsection A(5) of this section remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to Subsection (A)(5)[1] of this section.
- [7] No viewing room may be occupied by more than one person at any time. No connections or openings to an adjoining viewing room shall be permitted.
- [8] The premises shall be equipped with overhead lighting fixtures of sufficient

intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one footcandle as measured at the floor level.

- [9] It shall be the duty of the owners and operators and it shall also be the duty of any agents and employees present in the premises to ensure that the illumination described above is maintained at all times that any patron is present in the premises.
- (b) A person having a duty under Subsection (A)(5) is guilty of a violation of this section if he knowingly fails to fulfill that duty.
- (c) Exemptions. It is a defense to prosecution under § 170-33E(3) and Subsection (A)(5) that a person appearing in a state of nudity did so in a modeling class operated:
- [1] By a proprietary school, licensed by the Commonwealth of Pennsylvania or a college, junior college or university supported entirely or partly by taxation.
- [2] By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college or university supported entirely or partly by taxation.
- [3] In a structure:
- [a] Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing.
- [b] Where, in order to participate in a class, a student must enroll at least three days in advance of the class.
- [c] Where no more than one nude model is on the premises at any one time.
- (d) Injunction. A person who operates or causes to be operated a sexually oriented business without a valid permit or in violation of this chapter is subject to an action in equity or suit for injunction as well as citations for violations of this chapter.
- (e) The lot, area and dimensional requirements set forth for the I Industrial District, in the Appendices for Chapter 170 shall be amended in accordance with the terms of this chapter.
- (f) Permit requirements.
- [1] Any person who operates a sexually oriented business without a valid permit issued by the Township is guilty of a violation of the Zoning Ordinance of the Township.
- [2] The applicant must comply with the provisions of this chapter and the premises must be inspected and found to be in compliance with the law by the Zoning Officer.
- [3] If a person who wishes to operate a sexually oriented business is an individual, he must sign the application for a permit as applicant. If a person

who wishes to operate a sexually oriented business is other than an individual, each individual who has 10% or greater interest in the business must sign the application for a permit as applicant. If a corporation is listed as owner of a sexually oriented business or as the entity which wishes to operate such a business, each individual having a direct or indirect interest of 10% or greater in the corporation must sign the application for a permit as applicant.

- [4] The fact that a person possesses other types of Township permits does not exempt the person from the requirement of obtaining a sexually oriented business permit.

(g) Issuance of permit.

- [1] The Township Zoning Officer shall approve the issuance of a permit to an applicant within 30 days after receipt of an application unless he finds one or more of the following to be true:

- [a] The proposed adult business does not conform to the Township ordinance.
- [b] An applicant is under 18 years of age.
- [c] An applicant or an applicant's spouse is overdue in his payment to the Township of taxes, fees, fines or penalties assessed against him or imposed upon him in relation to a sexually oriented business.
- [d] An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form.
- [e] An applicant is residing with a person who had been denied a permit by the Township to operate a sexually oriented business within the preceding 12 months or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding 12 months.
- [f] The premises to be used for the sexually oriented business have been reviewed and have been disapproved by the Zoning Officer as not being in compliance with applicable laws and ordinances.
- [g] The permit fee required by this chapter has not been paid.
- [h] An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this chapter.
- [i] An individual applicant or any individual holding a direct or indirect interest of more than 10% of a corporate applicant or any of the officers and directors of a corporate applicant, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; or the manager or other person in charge of the operation of the applicant's business, has or have been convicted of an offense involving sexual misconduct within the Commonwealth of Pennsylvania

including, but not limited to, prostitution, obscenity and possession of child pornography, or convicted of any offense in any jurisdiction other than the Commonwealth of Pennsylvania that would have constituted an offense involving sexual misconduct if committed within the Commonwealth of Pennsylvania. In order for approval to be denied pursuant to this subsection, the person or persons' convictions or release in connection with the sexual misconduct offense must have occurred within two years of the date of application in the event of a misdemeanor and within five years of the date of application in the event of a felony.

- [2] The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business. The permit shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.
- [3] The Zoning Officer shall complete his certification that the premises are in compliance or not in compliance within 20 days of receipt of the application. The certification shall be promptly presented to the applicant.

(h) Fees.

- [1] The annual fee for a sexually oriented business permit will be established by resolution by the Township.

(i) Inspection.

- [1] A permittee shall permit representatives of the Police, Fire Chief, Zoning Officer or other Township departments or agencies to inspect the premises of a sexually oriented business, for the purpose of ensuring compliance with the law, at any time that the sexually oriented business is occupied or open for business.

(j) Expiration of permit.

- [1] Each permit shall expire one year from the date of issuance and may be renewed only by making application as provided in Subsection(A)(5)(a). Application for renewal should be made at least 30 days before the expiration date, and when made less than 30 days before the expiration date, the pendency of the application will not prevent the expiration of the permit.
- [2] If the Township Zoning Officer denies renewal of a license, the applicant shall not be issued a permit for one year from the date of denial, except that after 90 days have elapsed since the date of denial, the applicant may be granted a permit if the Zoning Officer finds that the basis for denial of the renewal permit has been corrected or abated.

(k) Suspension of permit.

- [1] The Zoning Officer shall suspend a permit for a period not to exceed 30 days if he determines that a permittee or employee of a permittee has:

- [a] Violated or is not in compliance with any section of this chapter.

- [b] Engaged in excessive use of alcoholic beverages while on the premises.
  - [c] Refused to allow an inspection of the premises as authorized by this chapter.
  - [d] Knowingly permitted gambling by any person on the premises.
  - [e] Failed to staff managers' stations and/or maintain viewing rooms as set forth in Subsection A(5).
- (l) Revocation of permit.
- [1] The Zoning Officer shall revoke a permit if a cause of suspension set forth in Subsection (k) occurs and the permit has been suspended within the preceding 12 months.
  - [2] The Zoning Officer shall revoke a permit if he determines that:
    - [a] A permittee or any of the persons specified in Subsection (g)[1][i] is or has been convicted of the offenses specified in Subsection(g)[1][i].
    - [b] A permittee gave false or misleading information in the material submitted to the Township during the application process.
    - [c] A permittee or an employee of a permittee has knowingly allowed possession, use or sale of controlled substances on the premises.
    - [d] A permittee or an employee of a permittee has knowingly allowed prostitution on the premises.
    - [e] A permittee or an employee of a permittee knowingly operated the sexually oriented business during a period of time when the permittee's permit was suspended.
    - [f] A permittee or an employee of a permittee has knowingly allowed any specific sexual activities to occur in or on the permitted premises.
    - [g] A permittee is delinquent in payment to the Township or state of any taxes or fees related to his businesses.
  - [3] When the Zoning Officer revokes a permit, the revocation shall continue for one year and the permittee shall not be issued a sexually oriented business permit for one year from the date the revocation became effective, except that if the revocation is pursuant to:
    - [a] Subsection (l)[2][a] above, the revocation shall be effective for two years in the event of a misdemeanor or five years in the case of a felony.
- (m) Transfer of permit.

- [1] A permittee shall not transfer his permit to another person. A permittee shall not operate a sexually oriented business under the authority of a permit at any place other than the address designated in the application.

**[Added 3-7-2011 by Ord. No. 1-2011, § III]**

- B. There shall be submitted with all applications for zoning permits, two copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size, location and height of the building on the lot and accessory buildings to be erected, and other such information as may be deemed necessary by the Zoning Officer to determine and provide for the enforcement of this chapter.
- C. No permit shall be required for the following:
- (1) Minor repairs or maintenance.
  - (2) Nonstructural remodeling as specified in § 170-74A of this chapter.
  - (3) No permit shall be required for a residential accessory structure that has up to and including 150 square feet of floor area. Said accessory structures may be erected and maintained within 15 feet of a rear or side lot line to the rear of the front building line. **[Amended 6-7-2004 by Ord. No. 1-2004]**
- D. Zoning permits issued for the purpose of permitting construction, reconstruction, alterations, repairs, use or the like, shall automatically expire 12 months from the date of issue. Prior to the continuance of the activity, use or change for which the original permit was used, a new zoning permit must be obtained. If however, due to the extent and size of the subject project, it is impossible for the applicant to complete said process prior to the expiration of 12 months, or because of an act of nature, no new permit must be obtained. However, the applicant must advise the Zoning Officer of said expiration and the reason for failure to complete within the specified time. In the event said applicant fails to notify the Zoning Officer, the permit shall immediately expire and no further activity may take place unless a new permit is obtained.
- E. A copy of the permit shall be posted on the premises for public inspection during the prosecution of the work.
- F. Upon completion of the authorized new construction, alteration, remodeling, change of use of building or land under the provisions of a zoning permit, such building or land shall not be occupied until an occupancy permit has been issued by the Zoning Officer. Written request to the Zoning Officer shall be processed within one week of receipt of the request of the proposed use provided the use is in conformity with the provisions of this chapter and other effective and applicable ordinances. The Zoning Officer's refusal to issue an occupancy permit shall include a written statement to the applicant containing reasons for such denial. No premises, structure, or the like shall be used until such time as an occupancy permit has been granted. **[Added 10-6-1998 by Ord. No. 3-98]**
- G. Occupancy permits are required for the following: **[Added 10-6-1998 by Ord. No. 3-98]**
- (1) Occupancy of a new building.
  - (2) Occupancy and use of a building hereafter moved or altered so as to require a zoning permit.

- (3) Change in the use of an existing building other than to a use of the same type.
  - (4) Occupancy and use of vacant land.
  - (5) Change in the use of land except to another use of the same type.
  - (6) Any change in use of a nonconforming use.
  - (7) Occupancy permits shall be required for both initial and continued occupancy and/or use.
- H. Occupancy permits shall state that the building or the proposed use of a building or land complies with all applicable provisions of this chapter and authorizes use of the building and/or land so long as such building and use is in full conformity with the provisions of this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**
- I. No occupancy permit shall be issued until such time as the applicant has applied for the same, paid the application fee which shall be included as part of the zoning permit fee, and the premises have been inspected by the Zoning Officer or his delegate and, thereafter, a determination has been made that the premises are in compliance with this chapter. **[Added 10-6-1998 by Ord. No. 3-98]**
- J. No occupancy permit shall be granted until the subject project has been completed and the Zoning Officer has determined the same to be fit for the use intended by the applicant; except that: **[Added 10-6-1998 by Ord. No. 3-98]**
- (1) If the applicant desires to make use of the premises or project prior to its completion, the same is strictly prohibited until such time as an application has been made for an interim occupancy permit and all rules and regulations pertaining thereto have been determined by the Zoning Officer to have been met.
  - (2) If the project has not been completed and a partial use or occupation of the premises is desired by the applicant, the applicant must first make application to the Zoning Officer for an interim occupancy permit, pay a fee equal to the amount of the original cost of the permit, and thereafter, once the same has been examined by the Zoning Officer and has been determined by him to be fit for the limited or partial use intended, said applicant may use and/or occupy the premises; however, nothing contained in this provision shall be interpreted or used as an excuse or viewed as a waiver of any of the other terms contained hereinabove pertaining to the completion of the original project.
- K. No-impact home-based business permits.
- (1) Application. A no-impact home-based business shall obtain a permit therefore from the Zoning Officer. Said permit shall be renewed annually upon payment of a permit fee as established from time to time by resolution of the Board of Supervisors and subject to inspection by the Zoning Officer to determine continuous compliance with applicable standards. All permits shall be issued for a term of 1 year, beginning April 1 and ending March 31 of the following year.
  - (2) Scope. In cases where the Zoning Officer considers the application not within the scope of the no-impact home-based business criteria, the application will be denied. The Zoning Officer will make a decision and notify the applicant in writing within 30 calendar days of the date of application is received.

- (3) Voiding of permit. The Zoning Officer may void any no-impact home-based business permit for noncompliance with the criteria set forth in this Chapter. Revocation may take place at any time prior to the expiration of the permit. If the permit is revoked or it is not renewed, it becomes null and void, and said use shall be terminated.
- (4) Inspection. Applicants shall permit a reasonable inspection of the premises by the Zoning Officer to determine compliance with this chapter.

**[Added 2-1-2010 by Ord. No. 2-2009, § V]**

L. Home occupation permits.

- (1) Application. A request for a home occupation permit shall be applied for on a form provided by the Township at the same time as the application for a special exception use and shall be accompanied the prevailing filing fee established by resolution by the Township Board of Supervisors. Such permit will be issued by the Zoning Officer within 45 days after the special exception use is approved by the Zoning Hearing Board.
- (2) Scope. In cases where the Zoning Officer considers the application not within the scope of the home occupation criteria approved by the Zoning Hearing Board, the application will be denied. The Zoning Officer will make a decision and notify the applicant in writing within 45 calendar days of the decision of the Zoning Hearing Board.
- (3) Voiding of permit. The Zoning Officer may void any home occupation permit for noncompliance with the criteria set forth in this Chapter. Revocation may take place at any time prior to the expiration date of the permit. If the permit is revoked or is not renewed, it becomes null and void, and said use shall be terminated.
- (4) Renewal. Home occupation may be renewed annually provided there has not been any violation of the provisions of this chapter. Requests for renewals shall be submitted to the Zoning Officer in writing accompanied by the prevailing renewal fee, as established by resolution of the Board of Supervisors, one month prior to expiration of the permit. All permits shall be issued for a term of one year, beginning April 1 and ending March 31 of the following year.
- (5) Inspection. Applicants shall permit a reasonable inspection of the premises by the Zoning Officer to determine compliance with this Chapter.

**[Added 2-1-2010 by Ord. No. 2-2009, § V]**

**§ 170-75. Conditional use permit.**

An application for a zoning permit for a conditional use shall be filed with the Zoning Officer, and it shall:

- A. Identify and describe the property, its location and the present use.
- B. Reasonably describe present improvements and any intended additions and changes.
- C. Disclose the conditional use for which the application is being made; and show how the property, as it may be improved, meets the standards and criteria required.

- D. Upon receipt of such application for conditional use, the Zoning Officer shall forthwith refer the same to the attention of the Township Planning Commission. The Planning Commission shall arrange a date, time and place for a meeting with the applicant for the conditional use. Said meeting shall be held within 45 days of filing of the application with the Zoning Officer. The Planning Commission shall make a recommendation on the application to the Township Supervisors within 60 days of the original filing of the application with the Zoning Officer.
- E. The Township Supervisors may authorize conditional uses pursuant to express standards and criteria specified in this chapter for said uses and may attach such additional conditions and safeguards as it may deem necessary.
- F. The Township Supervisors shall hold a public hearing, pursuant to public notice, on the conditional use, within 75 days of the date of filing of the application with the Zoning Officer and shall issue a decision within 90 days of the date of application.
- G. The Zoning Officer shall be under a duty of issuance of a permit or order indicating the action of the Township Supervisors as a result of the hearing on the application, and shall notify the applicant.

**§ 170-76. Fees.**

- A. The Township Supervisors shall determine and adopt a schedule of fees, charges, and expenses, as well as the collection procedure for permits, variances, special exceptions, conditional uses, amendments and other matters pertaining to this chapter. Said schedule of fees shall be posted in the office of the Township Administrative Secretary/Treasurer.
- B. The Township Supervisors shall be empowered to reevaluate the fee schedule from time to time and make adjustments as deemed appropriate. Any such alterations shall not be considered an amendment to this chapter and may be adopted by resolution of the Township Supervisors at any legally advertised public meeting.
- C. Application for permits, approvals and other related matters pertaining to this chapter shall be accompanied by the designated fee and such other documentation specified by this chapter or considered necessary by the appropriate reviewing authorities or agencies.

**§ 170-77. Zoning Hearing Board.**

- A. Creation, appointment and organization. The membership of the Zoning Hearing Board shall consist of three residents of the municipality appointed by the governing body. Members of the Board may receive compensation for the performance of their duties, as may be fixed by the governing body, but in no case shall the rates of compensation exceed that paid to the governing body. Their terms of office shall be three years and shall be so fixed that the terms of office of one member shall expire each year. The Zoning Hearing Board shall promptly notify the governing body of any vacancies that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other office in the municipality.
- B. Alternate members. The governing body may appoint one to three residents of the municipality to serve as alternate members of the Zoning Hearing Board. Their terms shall be three years. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board, nor be compensated, unless

designated by the Chairman of the Board as a voting alternate member pursuant to Section 906 of the Pennsylvania Municipalities Planning Code (Act 247, 1968, as amended by Act 170, 1988).<sup>33</sup> Alternate members may hold no other office in the municipality.

C. Powers and duties.

[Text continued on p. 170:87]

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33. Editor's Note: See 53 P.S. § 10906.



- (1) The Zoning Hearing Board shall hear and decide appeals from any order, requirements, decision or determination made by the Zoning Officer in the administration of this chapter.
  - (2) The Zoning Hearing Board shall hear and decide all matters referred to or upon which it is required to pass under this chapter and other applicable laws of the Commonwealth of Pennsylvania.
  - (3) The Zoning Hearing 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 a valid ordinance or map or any valid rule or regulation governing the action of the Zoning Officer.
  - (4) The Zoning Hearing Board shall hear challenges to the validity of a zoning ordinance or map. In all such challenges, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.
  - (5) The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided the following findings are made where relevant in a given case:
    - (a) That there are unique physical circumstances or conditions, peculiar to the particular property, and that the unnecessary hardship is due to such conditions;
    - (b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
    - (c) That such unnecessary hardship has not been created by the appellant;
    - (d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
    - (e) That the variance will represent the minimum variance that will afford relief.
  - (6) The Zoning Hearing Board may authorize special exceptions where the governing body in this chapter has made provision for such procedures pursuant to express standards and criteria. The Board may attach such additional conditions and safeguards as it may deem necessary.
- D. Procedure. The procedure of the Zoning Hearing Board shall be governed by the provisions of applicable laws of the Commonwealth of Pennsylvania, and such rules, not inconsistent therewith, as the Board may adopt. In general, the procedure for appeal from action of the Zoning Officer shall be as follows:

- (1) Any appeal from the requirements of this chapter shall be taken by filing with the officer from whom the appeal is taken and with the Zoning Hearing Board a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the documentary material constituting the record upon which the action appealed was taken.
- (2) The appellant shall, at the time of filing his appeal, pay to the Township a fee as determined by the governing body to defray, or help defray, the required advertising costs.
- (3) Each case as provided for under this chapter shall be heard and/or tried on its merits at a public hearing. All hearings shall be conducted in accordance with the requirements of the Pennsylvania Municipalities Planning Code, as amended,<sup>34</sup> with respect to such proceedings. Notice of such hearing shall be given by publishing in a newspaper of general circulation in the Township in accordance with applicable law. Written notice shall be given to the applicant, the Zoning Officer and such other persons as the Township Supervisors shall designate by ordinance. The Board shall give the notices required by law to all parties in interest, and they may adjourn any hearing for the purpose of giving such further notice.
- (4) In addition, written notice of said hearings shall be conspicuously posted on the affected tract of land at least one week prior to the hearing. Also, the Board shall give written notice of all variance hearings to all property owners within 250 feet of the subject property at least one week prior to the hearing.
- (5) Hearings shall be held within 60 days from the date of the applicant's request, unless an extension of time has been agreed to in writing by the applicant.
- (6) The Planning Commission shall furnish all pertinent narrative material, maps, charts and other data relative to the problem for reference by all concerned. The Board may adjourn any hearing for the purpose of reviewing such data as may be pertinent to the problem and request interpretations of said data by a representative of the Planning Commission.
- (7) The Board shall decide each case within 45 days after the last hearing or as otherwise specified by appropriate statute. A copy of the final decision or finding shall be delivered to the applicant personally or mailed to him/her not later than the day following its date. Notice thereof shall be given to all parties in interest. The Board's decision shall be immediately filed in its office and be a public record. In the exercise of its functions upon such appeals or upon exceptions, the Board may in conformity with law, reverse or affirm wholly or partly, or modify the order requirement, decision or determination appealed from, or make such order requirement, decision, or determination as it determines.
- (8) A copy of the final decision or, where no decision is called for, the findings, shall be delivered to the applicant personally or mailed to him/her not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail

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34. Editor's Note: See 53 P.S. § 10101 et seq.

or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

**§ 170-78. Amendments.**

- A. Whenever the public necessity, convenience or general welfare indicates, the governing body may, by ordinance in accordance with applicable laws of the Commonwealth of Pennsylvania, amend, supplement, or change the regulations, restrictions, boundaries or classifications of buildings, structures, and land, as the same are established by this chapter, or may hereafter be made a part thereof.
- (1) Before voting on the enactment of an amendment, the governing body shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the municipality at points deemed sufficient by the municipality along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
  - (2) In case of an amendment other than that prepared by the Planning Commission, the governing body shall submit each such amendment to the Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations.
  - (3) If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the governing body shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
  - (4) At least 30 days prior to the public hearing on the amendment by the governing body, the municipality shall submit the proposed amendment to the Beaver County Planning Commission for recommendations.
  - (5) Within 30 days after enactment, a copy of the amendment to this chapter shall be forwarded to the County Planning Commission.
- B. Applications of petitions for any change or amendments to existing zoning districts shall be made to the Planning Commission and shall be accompanied with a fee as determined by the governing body, payable to the Township of Greene, and shall be deposited in the general fund. This fee is for the purpose of defraying the costs of preparing the necessary plats, maps, data, legislation and notices and all official publications required by the Township and shall not be refundable even though the application is disapproved by the governing body.
- C. The Township Supervisors may from time to time, on their own motion or petition, after public notice and hearing, amend the regulations and districts herein established, but no amendment shall become effective unless the same shall have first been submitted to the Greene Township and Beaver County Planning Commissions for review, and said

commissions shall have been allowed a period of at least 30 days for consideration and report.

- D. A landowner who desires to challenge on substantive grounds the validity of this chapter or Zoning Map or any provision thereof, that prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the Township Supervisors in accordance with provisions of the Pennsylvania Municipalities Planning Code.<sup>35</sup>
- (1) The governing body shall commence a hearing thereon within 60 days of the request. The curative amendment and challenge shall be referred to the Greene Township and Beaver County Planning Commissions for review and comment and notice of the hearing thereon shall be given as provided for in this chapter.
  - (2) If the Township Supervisors do not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for this entire chapter and Zoning Map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.
  - (3) The governing body may determine that a validity challenge has merit and may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment that will cure the challenged defects. The governing body shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:
    - (a) The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
    - (b) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to, and affordable by, classes of persons otherwise unlawfully excluded by the challenged provisions of this chapter or Zoning Map;
    - (c) The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features;
    - (d) The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and
    - (e) The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

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35. Editor's Note: See 53 P.S. § 10101 et seq.

- E. If the Township Supervisors determine that this chapter or any portion thereof is substantially invalid, they may initiate a municipal curative amendment in accordance with the provisions of the Pennsylvania Municipalities Planning Code.
- (1) Declare by formal action the chapter or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within 30 days following such declaration and proposal the governing body shall:
    - (a) By resolution make specific findings setting forth the declared invalidity of the chapter.
    - (b) Begin to prepare and consider a curative amendment to the chapter to correct the declared invalidity.
  - (2) Within 180 days from the date of the declaration and proposal, enact a curative amendment to validate, or reaffirm the validity of, the chapter.
- F. Zoning amendments shall not be enacted unless notice of proposed enactment is given. The notices shall include the time and place of the meeting at which passage will be considered, and a reference to a place within the Township where copies of the proposed ordinance or amendment may be examined either without charge or for a charge not greater than the cost thereof. The governing body shall publish the proposed ordinance or amendment once in one newspaper of general circulation in the municipality not more than 60 days nor less than seven days prior to passage. Publication of the proposed ordinance or amendment shall include either the full text thereof or the title and a brief summary, prepared by the Municipal Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:
- (1) A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.
  - (2) An attested copy of the proposed chapter shall be filed in the Beaver County Law Library.
  - (3) In the event substantial changes are made in the proposed amendment, before voting upon enactment, the governing body shall, at least 10 days prior to enactment, readvertise, in one newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

**§ 170-79. Interpretation; purpose; conflict.**

The interpretation and application of the provisions of this chapter shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. The chapter is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township of Greene, provided that where this chapter imposes a greater restriction upon the use of building or premises, or upon the height of a building, or requires larger open spaces than are imposed by other such rules, regulations or ordinances, the provision of this chapter shall prevail.

**§ 170-80. Remedies.**

In case any structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained and/or used in violation of this chapter, or any regulations made pursuant thereto, the Township Supervisors, in addition to specifically authorizing the Zoning Officer to obtain enforcement and in addition to other remedies, may institute in the name of the municipality by itself or through the Zoning Officer any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, land or use or to prevent in or about such premises any act, conduct, business or use constituting a violation.

**§ 170-81. Municipal liability.**

The granting of a zoning permit for the erection and/or use of a building or lot shall not constitute a representation, guarantee or warranty of any kind or nature by the municipality, or an official or employee thereof, of the safety of any structure, use or other proposed plan for any cause whatsoever, and shall create no liability upon or a cause of action against any such public official or employee for any damage that may result pursuant thereto.

**§ 170-82. Violations and penalties.**

Any person, partnership or corporation, who or which has violated or permitted the violation of the provisions of this chapter, shall, upon being found liable therefor in a civil enforcement proceeding commenced by Greene Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by Greene Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Greene Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the chapter 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 chapter shall be paid over to Greene Township.

# ZONING

**Township of Greene  
Lot, Area and Dimensional Requirements  
A-1 Agricultural Districts  
[Amended 3-3-1998 by Ord. No. 1-98; 8-4-1998 by Ord. No. 2-98;  
10-6-1998 by Ord. No. 3-98; 9-7-1999 by Ord. No. 2-99']**

Use Category	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
Agriculture	10	120	**	60	60	NA	NA
Single-family	*	120	**	20	30	35	NA
Single mobile home	*	120	**	20	30	35	NA
Municipal building/fire station	2	150	60	40	40	35	NA
Municipal recreation	NA	NA	50	20	40	35	NA
Churches/educational	2	150	60	40	40	35	35%
Cemeteries	NA	NA	60	20	20	35	NA
Commercial greenhouse	2	150	60	60	40	35	40%
Commercial kennel	2	150	60	60	40	35	40%
Commercial stables	2	150	60	60	40	35	40%
Garden centers	2	150	60	60	40	35	40%
Veterinary clinic	2	150	60	60	40	35	40%
No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § VI]							
[Amended 2-1-2010 by Ord. No. 2-2009, § II.A]							
<b>Conditional uses</b>							
Day-care, family	#	#	#	#	#	#	#
Day-care center	2	150	60	40	40	35	NA
Recreation/community, private	2	150	60	60	60	35	NA
Mobile home park	20		(Refer to Chapter 146, Article IX, Mobile Home Parks)				
Funeral home	2	150	60	40	40	35	NA
Group residential	#	#	#	#	#	#	
Planned unit residential	10		(Refer to § 170-13G of this chapter)				
Institutional facility	5	150	60	40	40	35	NA
Underground coal mining							
Mine facility	25	200	100	100	100	NA	NA
Adjunct facility	0.5	120	60	40	40	35	NA
Older adult daily home living facility			(Refer to § 170-13K of this chapter)				
Older adult daily living center			(Refer to § 170-13L of this chapter)				
Cellular communications antenna/tower			(Refer to § 170-13M of this chapter)				
Planned industrial district			(Refer to § 170-13H of this chapter)				
<b>Special exceptions</b>							
Bed-and-breakfast	#	#	#	#	#	#	#
Conversion apartments	2	#	#	#	#	#	#
Home occupation other than a no-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § VI]							

1. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).

**GREENE CODE**

<b>Use Category</b>	<b>Minimum Lot Area (acres)</b>	<b>Minimum Lot Width (feet)</b>	<b>Minimum Front Setback (feet from right-of-way)</b>	<b>Minimum Side Yard (feet)</b>	<b>Minimum Rear Yard (feet)</b>	<b>Maximum Building Height (feet)</b>	<b>Maximum Lot Coverage</b>
[Amended 1-22-2009 by Ord. No. 1-2009, § II.A]							

**NOTES:**

- NA Not applicable
- \* One acre with public sewer or approved community treatment systems; two acres with on-lot disposal systems.
- \*\* Local streets: 40 feet; collector streets: 50 feet; arterial streets: 60 feet.
- # Standards for principal use shall apply.

# ZONING

Township of Greene  
 Lot, Area and Dimensional Requirements  
 R-1 Suburban Residential Districts  
 [Amended 10-6-1998 by Ord. No. 3-98; 9-7-1999 by Ord. No. 2-99<sup>1</sup>]

Use Category	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
Single-family	*	120	**	20	30	35	NA
Municipal building/fire station	2	150	60	40	40	35	NA
No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § VI]							
[Amended 2-1-2010 by Ord. No. 2-2009, § III.A]							
<b>Conditional uses</b>							
Specialized animal raising	2	120		(Refer to § 170-17A of this chapter)			
Church/educational	2	150	60	40	40	35	35%
Older adult daily home living facility				(Refer to § 170-13K of this chapter)			
Older adult daily living center				(Refer to § 170-13L of this chapter)			
<b>Special exceptions</b>							
Day-care, family	#	#	#	#	#	#	#
Day-care center	2	150	60	40	40	35	35%
Conversion apartments	#	#	#	#	#	#	#

**NOTES:**

NA Not applicable

\* One acre with public sewer or approved community treatment systems; two acres with on-lot disposal systems.

\*\* Local streets: 40 feet; collector streets: 50 feet; arterial streets: 60 feet.

# Standards for principal use shall apply.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



## ZONING

Township of Greene  
 Lot, Area and Dimensional Requirements  
 R-2 General Residential Districts  
 [Amended 10-6-1998 by Ord. No. 3-98; 9-7-1999 by Ord. No. 2-99<sup>1</sup>]

Use Category	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
Single-family	*	120	**	20	30	35	NA
Duplex	***	150	**	20	30	35	NA
Municipal building/fire station	2	150	60	40	40	35	NA
No-impact home-based business [Added 2-1-2010 by Ord. No. 2-2009, § VI]							
<b>[Amended 2-1-2010 by Ord. No. 2-2009, § IV.A]</b>							
<b>Conditional uses</b>							
Multifamily housing	¶	150	60	40	40	35	35%
Older adult daily home living facility				(Refer to § 170-13K of this chapter)			
Older adult daily living center				(Refer to § 170-13L of this chapter)			

**NOTES:**

NA Not applicable

\* One acre with public sewer or approved community treatment systems; two acres with on-lot disposal systems.

\*\* Local streets: 40 feet; collector streets: 50 feet; arterial streets: 60 feet.

\*\*\* One-and-one-half acres with public sewer or approved community treatment systems. Note: Duplex units shall not be permitted with on-lot disposal systems.

¶ See § 170-21A.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).

170:A6

# ZONING

**Township of Greene  
Lot, Area and Dimensional Requirements  
C-1 Light Commercial Districts  
[Amended 10-6-1998 by Ord. No. 3-98<sup>1</sup>]**

Use Category	Minimum Lot Area (acres)*	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
Banks -- related	1	120	35	15	15	40	60%
Clinic	1	120	35	15	15	40	60%
Funeral home	1	120	35	15	15	40	60%
Municipal facilities	1	120	35	15	15	40	60%
Office	1	120	35	15	15	40	60%
Personal/professional services	1	120	35	15	15	40	60%
Recreation -- commercial indoor	1	120	35	15	15	40	60%
Restaurant	1	120	35	15	15	40	60%
Retail -- sales/service	1	120	35	15	15	40	60%
<b>Conditional uses</b>							
Older adult daily living center							(See § 170-13L of this chapter)
<b>Special exceptions</b>							
Ancillary residential	#	#	#	#	#	#	#
Car wash/auto service	2	120	35	15	15	40	40%
Drive-in	2	120	35	15	15	40	40%

**NOTES:**

\* All lots shall be a minimum of two acres if not serviced by an approved public or community sewage treatment system.

# Standards for principal use shall apply.

<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



# ZONING

## Township of Greene Lot, Area and Dimensional Requirements C-2 Highway Commercial Districts<sup>1</sup>

Use Category	Minimum Lot Area (acres)*	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
C-1 uses by right	1	120	50	25	25	40	50%
Automotive	1	150	50	25	25	40	50%
Building materials	1	150	50	25	25	40	50%
Car wash	1	150	50	25	25	40	50%
Distributing/bottling	1	150	50	25	25	40	50%
Garden center	1	150	50	25	25	40	50%
Light manufacturing	1	120	50	25	25	40	50%
Mini warehouse	1	150	50	25	25	40	60%
Packaging/delivery	1	120	50	25	25	40	50%
Printing/publishing	1	120	50	25	25	40	50%
Drive-in	1	120	50	25	25	40	50%
Shops/custom work	1	120	50	25	25	40	50%
Truck terminal	1	150	50	25	25	40	50%
Veterinary clinic	(Refer to lot, area and dimensional requirements for this use in A-1 District)						
Warehousing/storage	1	150	50	25	25	40	60%
Wholesale distribution	1	150	50	25	25	40	50%
<b>Conditional uses</b>							
Integrated business	5	150	100	50	50	40	40%
Institutional facility	5	150	60	40	40	35	NA
Recreation	2	150	60	60	60	35	NA
Shopping center	5	150	100	50	50	40	40%

**NOTES:**

NA Not applicable.

\* All lots shall be a minimum of two acres if not serviced by an approved public or community sewage treatment facility.

<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



## ZONING

Township of Greene  
 Lot, Area and Dimensional Requirements  
 I Industrial Districts  
 [Amended 6-7-1994 by Ord. No. 3-94; 8-4-1998 by Ord. No. 2-98<sup>1</sup>]

Use Category	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Front Setback (feet from right-of-way)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Building Height (feet)	Maximum Lot Coverage
<b>Permitted uses</b>							
C-2 uses by right	1	150	75	50	50	40	50%
Barge docking/repair	5	150	75	50	50	40	NA
<b>Conditional uses</b>							
Automotive recycling and material salvage yards [Added 1-22-2009 by Ord. No. 1-2009, § IV]	5	-	60	-	-	-	-
Landfill	75	500	250	250	250	40	NA
Waste recycling	5	250	150	150	150	40	NA
Underground coal mining							
Mine facility	25	200	100	100	100	NA	NA
Adjunct facility	0.5	120	60	40	40	35	NA
<b>Special exceptions</b>							
Integrated industry	5	150	75	50	50	40	NA
Junkyards	50	150	60	60	60	35	NA

**NOTES:**

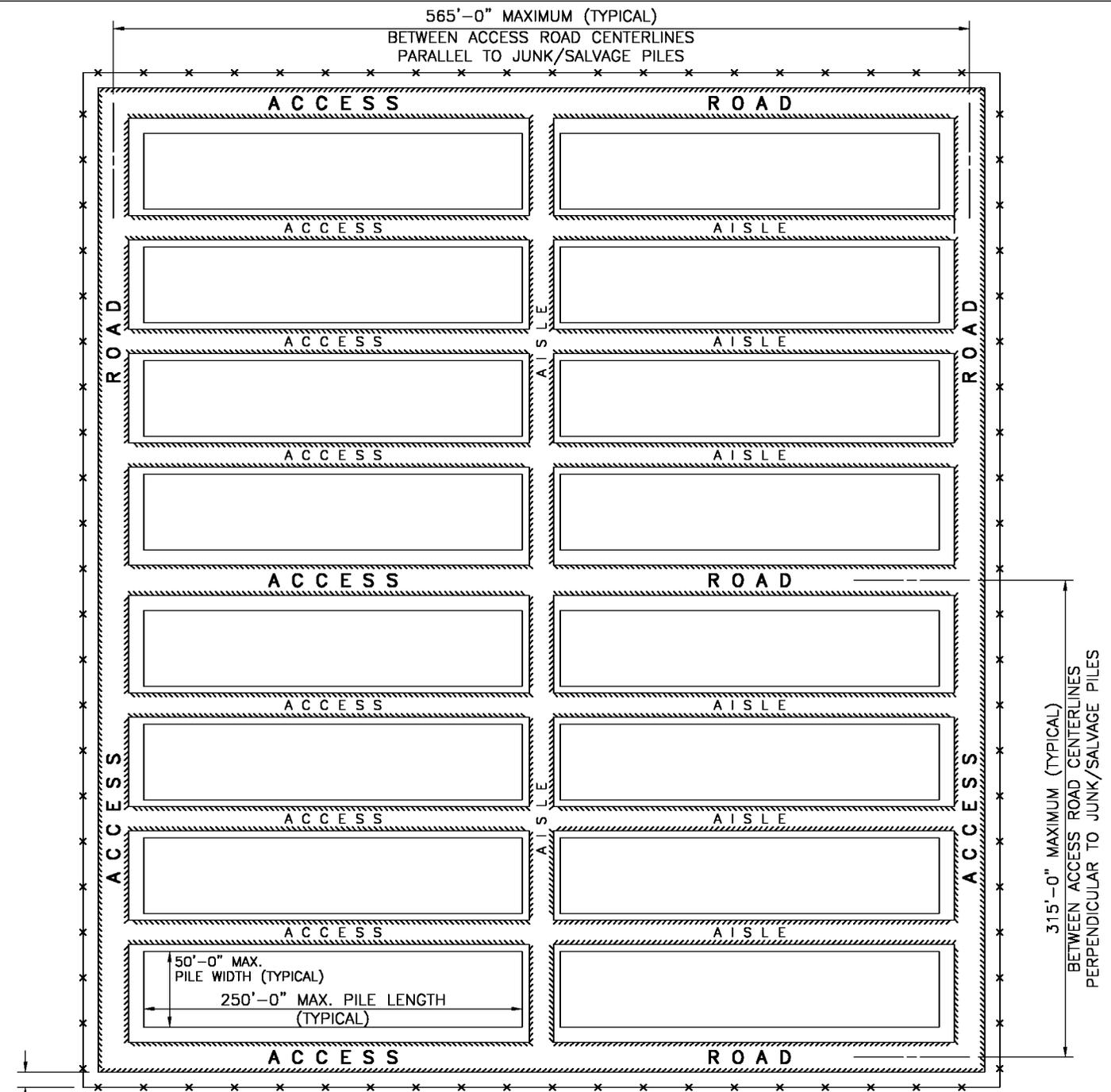
NA Not applicable

\* All lots shall be a minimum of two acres if not serviced by an approved public or community sewage treatment system.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

170:A12



**NOTES:**

1. MINIMUM WIDTH OF ACCESS ROADS SHALL BE 20'-0".  
MINIMUM DISTANCE BETWEEN PILES ALONG ACCESS ROADS SHALL BE 40'-0" MIN.
2. MINIMUM WIDTH OF ACCESS AISLES SHALL BE 16'-0".  
MINIMUM DISTANCE BETWEEN PILES ALONG ACCESS AISLES SHALL BE 25'-0".

ZONING ATTACHMENT 170:A13

**GREENE TOWNSHIP**  
Beaver County, PA

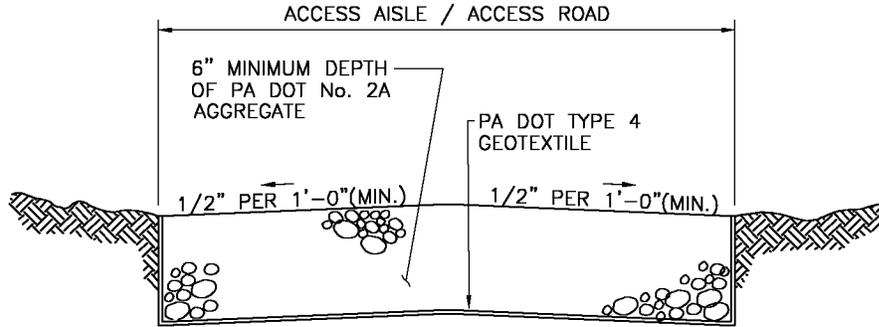
1128 State Route 168  
Hookstown, Pennsylvania 15050

Phone: (724) 573-1111 Fax: (724) 573-5690

**Auto. Recycling and Material Salvage  
Access Road/Aisle Layout**

REVISIONS				DRAWING
NO.	DATE	NO.	DATE	RD-01 Date: 09/15/08





NOT TO SCALE

ZONING ATTACHMENT 170:A15

**GREENE TOWNSHIP**  
Beaver County, PA

1128 State Route 168  
Hookstown, Pennsylvania 15050

Phone: (724) 573-1111 Fax: (724) 573-5690

## Auto. Recycling and Material Salvage Access Road/Aisle Section

REVISIONS				DRAWING
NO.	DATE	NO.	DATE	
				<b>RD-02</b> Date: 09/15/08

