

ARTICLE XII

GENERAL PROVISIONS

Section 1201. USE REGULATIONS

A. The following regulations shall qualify or supplement the district regulations appearing elsewhere in this Ordinance:

1. ADULT DAY CARE

Where permitted, or permitted as a special exception, adult day care facilities may be established subject to the following conditions:

a. Lot area shall be determined on the basis of building size, yard requirements, parking and access requirements, water and wastewater requirements and other applicable standards of this Ordinance.

b. A buffer yard and screen planting of no less than ten (10') feet in depth shall be established along rear and side lot lines in accordance with Section 1206 of this Article.

c. Off-street parking shall be provided in accordance with Article XIV herein. Off-street parking facilities shall provide a minimum of two (2) handicapped parking spaces or five (5%) percent of the required parking spaces, whichever is greater.

d. The facility shall be conducted and operated in compliance with all Pennsylvania Department of Public Welfare licensing/registration requirements and any other local, state or federal regulations.

2. AGRICULTURAL USES

All agricultural uses shall comply with the comply with the following provisions:

a. Poultry facilities designed to house more than 500 fowl shall have a front yard setback of no less than seventy-five (75') feet, and side and rear yard setbacks of no less than fifty (50') feet, provided however, that the facility shall not be located closer than five hundred (500')feet from all existing dwelling units other than the dwelling unit owned by the person operating the facility.

b. Structures designed to house more than twenty-five (25) head of livestock shall have a front yard setback of no less than seventy-five (75') feet, and side and rear yard setbacks of no less than fifty (50') feet, provided however, that the facility shall not be located closer than five hundred (500')feet from all existing dwelling units other than the dwelling unit owned by the person operating the facility.

c. All manure and agricultural facilities and buildings shall be managed in accordance with all federal, commonwealth and local regulations.

3. ANTENNAS, RADIO AND TELEVISION

Radio and television antennas, including but not limited to, satellite dish antennas, may be installed, erected and maintained within all zoning districts of the Township, as set forth in this Section. All antennas shall be subject to the following:

a. Satellite Dish Antennas: Satellite dish antennas shall be permitted as accessory structures in accordance with the provisions of Section 1205 herein.

b. Other Radio and Television Antennas: Other radio and television antennas, subject to licensing and/or regulation by the Federal Communications Commission, shall be permitted as accessory structures provided that:

(1) Any freestanding antenna shall be located at least fifteen (15') feet from any dwelling unit or principal structure on the lot.

(2) Antennas and associated structures which do not exceed thirty (30') feet in height shall be located at least fifteen (15') feet from any property line. Antennas which exceed

thirty (30') feet in height shall provide an additional one (1') foot of clearance for every one (1') foot of height in excess of thirty (30') feet.

(3) Antennas shall not be permitted in any front yard.

(4) The antenna and associated structures shall be securely anchored in a fixed position on the ground and the applicant shall provide qualified evidence that the proposed structure will withstand wind and other forces.

(5) The antenna and its associated supports, such as guy wires, or the yard area containing the structure, shall be protected and secured to guarantee the safety of the general public. Associated supports and guy wires shall not be located any closer than five (5') feet to any property line.

(6) Whenever it is necessary to install an antenna near power lines, or where damage would be caused by its falling, a separate safety wire must be attached to the antenna mast or tower and secured in a direction away from the hazard. Antennas and guy wires must be kept at least four (4') feet clear of telephone or electric wires.

(7) Every antenna must be adequately grounded for protection against a direct strike of lightning, with a ground wire of appropriate design. Ground wires shall be of the type approved for grounding masts and lightning arresters, and shall be installed in a mechanical manner with as few bends as possible, maintaining a clearance of at least two (2") inches from combustible materials. Lightning arresters, approved by the Underwriters' Laboratories, Inc., shall be used. Both sides of the line must be adequately protected with proper arresters to remove static charges accumulated on the line. When lead-in conductors of polyethylene ribbon-type are used, lightning arresters must be installed in each conductor. When coaxial cable or shielded twin lead is used for lead-in, suitable protection may be provided without lightning arresters by grounding the exterior metal sheath.

(8) In granting the use, the Zoning Hearing Board may attach reasonable conditions warranted to protect the public health, safety and welfare, including, but not limited to, fencing, screening and increased setbacks.

4. APARTMENT, ACCESSORY

Where permitted, or permitted as a special exception, an accessory apartment may be created in a single-family detached dwelling existing as of the effective date of the Ordinance, provided that:

a. The apartment will be a complete and separate housekeeping unit that can be isolated from the original unit.

b. Only one (1) apartment will be created within a single family detached dwelling unit.

c. The owner(s) of the residence in which the accessory unit is created shall occupy at least one (1) of the dwelling units on the premises, except for bona fide temporary absences.

d. The accessory apartment shall be designed so that, to the degree feasible, the appearance of the building remains that of a single-family detached dwelling. In general, any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the square footage of the original structure by more than ten (10%) percent.

e. The design and size of the apartment conforms to all applicable State and Township standards/codes including but not limited to Pennsylvania Department of Labor and Industry regulations.

f. Additions or alterations carried out in the last three (3) years prior to application that add more than the permissible ten (10%) percent to the previous floor area of the existing single-family detached dwelling shall not be considered in determining whether there is adequate space to install a accessory apartment.

g. The accessory apartment shall be no more than thirty (30%) percent of the structure's total floor area nor greater than eight hundred (800) square feet.

- h. A minimum of three hundred (300) square feet of floor area shall be required.
- i. At least three (3) off-street parking spaces are available for use by the

owneroccupant and tenant.

5. APARTMENT, CONVERSION

Where permitted, or permitted by special exception, any building existing at the effective date of this Ordinance may be converted to a dwelling for more than one (1) family, provided that:

a. The proposed conversion shall conform to the regulations for the district in which it is located. The minimum habitable floor area of such covered dwelling unit shall be provided in accordance with Section 1212 herein.

b. There is no exterior evidence of change in the building except as required by state or local building or housing codes or regulations.

c. Fire escapes, where require, shall be in the rear of the building and shall not be located on any wall facing a street.

d. Off-street parking shall be provided in accordance with the provisions of Article XIV.

e. The plans for the conversion of said building shall be submitted to the Wysox Township Zoning Officer/Board of Supervisors for review and approval.

6. APARTMENTS, GARDEN

Where permitted, or permitted as a special exception, all garden apartments shall comply with the following:

a. There shall be not more than twelve (12) dwelling units per building.

b. No garden apartment building shall be in excess of two (2) stories in height.

c. Lot area per dwelling unit shall not be less than the area required by the applicable district.

d. All other applicable provisions of this Ordinance.

7. BOARDING HOMES (includes Rooming and Lodging Houses)

Where permitted or permitted as a special exception, boarding homes may be established subject to the following conditions:

a. Lot area shall be determined on the basis of building size, yard requirements, parking and access requirements, water and wastewater requirements, and other applicable standards.

b. Accommodations shall be limited to no more than ten (10) guest rooms for rent.

c. Not more than twenty (20) guests may be accommodated at anyone time.

d. Meals for compensation shall be provided only to boarding home guests. No cooking facilities shall be provided or permitted in the individual guest rooms.

e. Guest rooms shall contain a minimum of two hundred fifty (250) square feet of habitable floor area per person.

f. Off-street parking shall be provided in accordance with Article XIV herein.

8. CHURCHES, SCHOOLS, AND OTHER PUBLIC BUILDINGS

Where permitted or permitted as a special exception, these uses shall meet the following requirements:

a. Lot coverage shall not be greater than that required within the respective district.

b. The lot width at the minimum building setback line shall be based on the building size and yard requirements, but in no case shall be less than one hundred (100') feet in width.

c. Each lot shall have yards not less than the following depths or widths:

(1) Front yard depth, thirty (30') feet.

(2) Side yard - two (2) in number, width not less than ten (10') each.

(3) Read yard depth, twenty-five (25') feet.

d. A buffer yard/screen planting of no less than ten (10') feet in depth shall be maintained along all property lines and shall be placed in accordance with Section 1206 contained herein.

e. Off-street parking shall be provided in accordance with Article XIV herein.

9. CLUBS, LODGES, AND FRATERNAL ORGANIZATIONS

Where permitted or permitted as a special exception, these and similar uses are restricted to those not conducted primarily for gain, although a dining room may be operated for the benefit of club members; provided that no permanent sign advertising the sale of food or beverages will be permitted. Buildings or structures hereafter converted or erected for such use are subject to all applicable regulations for the district in which the facility is to be located. A buffer yard/screen planting of no less than five (5') feet in depth shall be maintained along all property lines abutting a residential use.

10. CLUSTER SUBDIVISION/LAND DEVELOPMENT

Where permitted, a cluster subdivision and/or land development may be established in accordance with the following intent and regulations:

a. Intent: The intent the cluster-type development is to permit a procedure for development which will:

(1) Promote more economic site design;

(2) Encourage ingenuity and originality in total subdivision and individual site design;

(3) Preserve open space to serve recreational, scenic, and public service purposes, and preserve environmentally sensitive resources and areas in accordance with Section 1201.A31. herein.

b. Specifications: A cluster subdivision/land development shall meet the following minimum specifications:

(1) Single-family detached and semi-detached dwellings shall be permitted. Fifty (50%) percent of all units must be single-family detached.

(2) Minimum developable tract size shall be ten (10) contiguous acres for development. The following shall not be considered in calculating developable tract size:

(a) Fifty (50%) percent of all lands situated in the regulatory flood plain and identified wetland areas; and

(b) Fifty (50%) percent of all lands with slopes exceeding fifteen (15%) percent.

(3) Density shall be as follows:

(a) Residential Use: A maximum of two (2) units per acre in the R-1 District and four (4) units per acre in the R-2 and CR Districts. Density shall be based upon gross acreage (total land area) of tract.

(b) Nonresidential Use: For nonresidential uses the maximum floor area ratio shall be as follows:

Office/Service: .40

Retail: .30

Other Commercial: .30

Industrial: .40

Other: .40

(4) Public water and sanitary sewer or community systems approved by the Pennsylvania Department of Environmental Resources shall be provided.

(5) Lot size shall not be reduced by more than twenty-five (25%) percent of minimum lot size for a single family detached dwelling in the R-1 Residential District; twenty (20%) percent of minimum lot size for a semi-detached dwelling in the R-2 Residential and CR Limited

Commercial/Residential District. Lot size shall not be reduced by more than twenty (20%) percent for nonresidential uses.

(6) Yards dimensions shall be recommended by the Wysox Township Planning Commission and approved by the Wysox Township Board of Supervisors as part of the preliminary plat approval, except that each perimeter lot in a cluster development shall have a side or rear yard of not less than the required side or rear yard of the respective District. Yard setbacks for all lots fronting on public streets shall not be less than thirty (30') feet.

(7) Buffer yards of no less than twenty-five (25') feet in width shall be required along perimeter property lines where units in a proposed cluster development abut non-cluster residential development. All buffer yards shall be planted in accordance with Section 1206 of this Article. Where buffers are required, a plan shall be submitted showing the location, size, species and number of plant materials to be used.

(8) Minimum spacing between structures shall be twenty (20') feet.

(9) Separate garages and accessory buildings may be located in any rear yard, provided that they do not violate the coverage regulations herein set forth and that side yards of not less than two (2') feet, and a rear yard setback of not less than three (3') feet are provided. Separate garages with entrances fronting an alley or street shall be located not less than ten (10') feet from the alley or street.

(10) The maximum permitted impervious coverage shall be forty (40%) percent and shall apply to the developable tract area total rather than to individual lots.

(11) Dwelling units shall not exceed thirty-five (35') feet in height. All other buildings shall not exceed forty (40') feet in height.

(12) Off-street parking and access shall be provided in accordance with Article XIV herein and the Bradford County Subdivision and Land Development Ordinance, as amended.

(13) Open space areas shall be provided in accordance with Section 1201.A.32. Herein.

11. COMMERCIAL GREENHOUSES AND NURSERIES

Where permitted, commercial greenhouses and nurseries may be established subject to the following:

a. A minimum lot area of 20,000 square feet shall be provided in addition to the lot area required for other uses located on the same property. However, in no case shall the lot be less than the minimum lot area permitted in the District in which it is located and in no case shall the yards be less than the minimum yard requirements permitted in the District in which it is located.

b. A buffer yard/screen planting shall be provided in accordance with Section 1206 herein.

c. Greenhouse heating plants as or within accessory structures may be located to the side or rear of any main building, but not in the required side or rear yard, provided that the heating plant is not hazardous to others and does not create noise, dirt or heat flows of objectionable amounts or intensities.

d. A greenhouse operated for noncommercial purposes shall be considered as an accessory structure and shall comply with all applicable District provisions.

12. DAY CARE CENTERS

Where permitted, day care centers may be established subject to the following:

a. Operators are responsible for compliance with all Pennsylvania Department of Public Welfare licensing/registration requirements and any other local, state or federal regulations.

b. Outdoor play area shall be limited to the rear yard and be surrounded by a safety fence or natural barrier.

- c. Outside play shall be limited to the hours between 8:00 a.m. and 7:00 p.m.
- d. In a residential district, no day care center shall be located within five hundred (500') feet from another day care center or group day care facility.
- e. Off-street parking shall be provided in accordance with Article XIV herein.

13. DRIVE-IN USES (See VEHICULAR SERVICE STATION AND OTHER DRIVE-IN TYPE USES)

14. FAMILY CARE FACILITY

Where permitted or permitted as a special exception, family care facilities may be established subject to the following conditions:

- a. Lot area, width, and yard regulations shall be in compliance with applicable district requirements for single-family detached dwellings.
- b. Off-street parking shall be provided in accordance with Article XIV herein.
 - c. All other applicable provisions of this Ordinance.
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15. FAMILY DAY CARE HOMES/GROUP DAY CARE HOMES

Where permitted or permitted as a special exception, family day care and group day care homes may be established subject to the following conditions:

- a. Lot area shall be determined on the basis of building size, yard requirements, parking and access requirements, water and wastewater requirements and other applicable standards.
- b. A minimum of 100 square feet of usable outdoor play space and 40 square feet of usable indoor space must be provided for each child present at the facility, including resident children.
- c. Outside play shall be limited to the rear yard between the hours between 8:00 a.m. and 7:00 p.m.
- d. A buffer yard of no less than ten (10') feet in depth shall be established along rear and side lot lines in accordance with Section 1206 herein. Said buffer yard shall be provided in addition to required side and rear yards and shall not be included in determining usable outdoor play area.
- e. Operators are responsible for compliance with all Pennsylvania Department of Public Welfare licensing/registration requirements and any other local, state or federal regulations.
- f. Off-street parking shall be provided in accordance with Article XIV herein.

16. FARM-RELATED OCCUPATIONS

- a. Where permitted, farm-related occupations shall include the following accessory uses when operated on a farm and where the farm uses continue to operate:
 - (1) Retail sales of products principally produced on the farm. A minimum of fifty (50%) percent of all products sold shall be produced on the farm.
 - (2) Facilities for the processing, storage and wholesale distribution of goods produced by on the farm.
 - (3) Facilities for the service and repair of agricultural equipment and incidental sales of parts and services.
 - (4) Blacksmith and tool sharpening service.
 - (5) Carpentry.
 - (6) Woodworking, furniture, upholstery and cabinet making.
 - (7) Butchering.
 - (8) Clothes-making.
- b. All related occupations shall comply with the following requirements:

(1) Not more than fifty (50%) percent of total structure floor area shall be utilized.

(2) Not more than two (2) persons other than residents of the farm shall be employed.

(3) Signs shall be placed in accordance with the Wysox Township Ordinance controlling the use of Signs, as amended..

(4) Off-street parking shall be provided in accordance with Article XIV herein.

(5) When necessary, outside storage shall be provided in accordance with Section 11O3.G herein.

17. FUNERAL HOMES

Where permitted, funeral homes may be established subject to the following conditions:

a. The lot area shall be determined on the basis of building size, yard requirements, water and wastewater requirements, parking and access requirements and other applicable standards.

b. Minimum front, side, and rear yard setbacks shall be twenty-five (25') feet.

c. A buffer yard/screen planting of no less than ten (10') feet in depth shall be maintained along rear and side lot lines abutting a residential use.

d. Off-street parking shall be provided in accordance with Article XIV herein.

18. GROUP CARE FACILITY (Including HALFWAY HOMES).

Where permitted, or permitted as a special exception, group care facilities may be established subject to the following:

a. Lot area shall be determined on the basis of building size, yard requirements, parking and access requirements, water and wastewater requirements, and other applicable standards.

b. The minimum front, side, and rear yard setbacks shall be no less than twentyfive (25') feet.

c. Off-street parking shall be provided in accordance with Article XIV herein.

d. All other applicable provisions of this Ordinance.

19. GROUP DAY CARE HOME See FAMILY DAY CARE HOME/GROUP DAY CARE HOME.

20. HALFWAY HOUSE See GROUP CARE FACILITY

21. HOME OCCUPATION

Where permitted, or permitted as a special exception, home . occupations may be established subject to the following conditions.

a. The home occupation shall be carried on completely within the dwelling unit or accessory building.

b. Not more than one (1) person other than the occupants of the dwelling unit(s) shall be employed.

c. Not more than twenty-five (25%) percent of the floor area of the dwelling unit shall be devoted to a home occupation.

d. Articles sold or offered for sale shall be limited to those produced on the premises, for food served as part of a bed and breakfast establishment, or for a licensed distributorship conducted by the resident.

e. There shall be no exterior display or sign (except as permitted in the regulation of signs in this Ordinance), no exterior storage of materials, and no other exterior indication of the home occupation or variation of the residential character of the main building.

f. No offensive noise, vibration, smoke or other particulate matter, heat, humidity, glare or other objectionable effects shall be produced.

g. A home occupation may include, but is not limited to art studios; dressmaking or millinery; barbershop; beauty parlor; teaching, music or dance instruction limited to a single pupil at a time; real estate or insurance office; the professional office of a dentist, physician, lawyer, engineer, planner, accountant, architect; bed and breakfast establishments; or any other activities of a similar nature.

h. A home occupation shall, under no circumstances, be interpreted to include a commercial stable or a kennel.

i. Off-street parking shall be provided in accordance with the provisions of Article XIV herein.

j. Bed and breakfast establishments as a home occupation shall meet the following additional requirements:

(1) Sleeping accommodations shall be located only within the dwelling and shall be limited to no more than five (5) rooms for rent with a total size not to exceed thirty-five (35 %) percent, or 1,250 square feet, of the dwelling, whichever is less.

(2) Not more than ten (10) adult guests may be accommodated at anyone time. The length of stay per guest shall be limited to fifteen (15) days.

(3) Off-street parking shall be provided in accordance with Article XIV herein.

(4) Meals for compensation shall be provided only to guests of the bed and breakfast establishments.

(5) No more than one bed and breakfast establishment is permitted per lot.

22. INDOOR AMUSEMENT FACILITIES

Where permitted, or permitted as a special exception, indoor amusement facilities may be established in accordance with the following provisions:

a. Indoor amusement facilities shall be located at least one thousand (1,000') feet from school buildings and school playgrounds.

b. The facility, if accessory to a principal use, shall be locate in a separate room, separated from other uses on the premises and from pedestrian circulation to and from such other uses.

c. Readily visible signs shall be installed, with their location, size and text shown in plans submitted to the Planning Commission, stating that the use of machines by persons under sixteen (16) years of age shall be prohibited during normal school hours, and, where the consumption of alcohol is permitted, that the use of such amusements by persons under the age of twenty-one (21) is prohibited. at all times.

d. Off-street parking shall be provided in accordance with Article XIV herein

23. JUNKYARD (SALVAGE YARD)

Where permitted as a special exception, junkyards may be established in accordance with the following provisions:

a. Junk/salvage shall be stored in piles not exceeding eight (8') feet in height and shall be arranged so as to permit easy access for firefighting purposes.

b. All operations shall be screened from all rights-of-way and adjoining properties by a buffer yard and screen planting of no less than twenty (20') feet in depth established

along the perimeter lot line in accordance with applicable District regulations and Section 1206 herein.

c. No open burning shall be permitted.

d. Operations shall be conducted in compliance with performance standards of Section 1202 and other applicable standards established herein.

e. All junkyards shall meet the licensing and screening requirements of Pennsylvania Act 4 of Special Session Number 3 of 1966, prohibiting junk from being located within one thousand (1000') feet from the right-of-way of any interstates or primary roads (roads conveying traffic from one municipality to another). All other yards shall be provided in accordance with the regulations of the district in which the facility is located.

f. All junkyards shall be licensed by the Commonwealth of Pennsylvania.

24. KENNELS

Where permitted, an animal kennel may be established in accordance with the following provisions:

a. All kennels shall be licensed by the Commonwealth of Pennsylvania.

b. All buildings in which animals are housed and all runs shall be located at least two hundred (200)' feet from all lot lines. Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot be perceived at the lot line.

c. Outdoor runs may be provided if screening is provided in accordance with Section 1206 herein. No animal shall be permitted to use the outdoor runs from 8:00 p.m. to 8:00 a.m.

25. MEDICAL CENTERS

Where permitted, a building for use as a medical center may be erected and used provided that:

a. The building shall be occupied and used only by persons licensed to practice the healing arts in the Commonwealth of Pennsylvania, and their staffs.

b. The lot area shall be determined on the basis of building size, yard requirements, parking and access requirements, water and wastewater requirements and other applicable standards.

c. The minimum front, side and rear yard setbacks shall be no less than twentyfive (25') feet.

d. Lot width shall be determined by the size of the building and setbacks.

e. A buffer yard/screen planting shall be provided in accordance with Section 1206 herein.

f. Off-street parking shall be provided in accordance with Article XIV herein.

26. MIXED USES

When two (2) or more principal uses occupy the same lot but not the same building, all parking, lot area, lot width, building setbacks, height, and building area requirements shall be provided so that the requirements pertaining to each use will be met in full.

27. MANUFACTURED/MOBILE HOME PARKS:

Where permitted, manufactured/mobile home parks shall be subject to the following provisions:

a. A manufactured/mobile home park shall be developed and approved in accordance with regulations as set forth in the Bradford County Subdivision and Land Development Ordinance as amended.

b. Minimum tract size shall be not less than 5 acres.

c. Manufactured/mobile home lots shall be not less than sixty-five (65') feet wide measured at the minimum required setback line nor less than seventytwo hundred (7200) square

feet in area, per manufactured/mobile home unit exclusive of streets and other public areas.

- d. Minimum building setback line from the cart way line of a private street shall be twenty (20') feet.
- e. The minimum spacing between manufactured/mobile home units, including attached accessory structures, shall be no less than twenty (20') feet. On a corner lot, the side yard abutting the street shall have a width equal to the depth of the front yard required and shall be subject to all front yard requirements of this Ordinance.
- f. The minimum rear yard for each lot shall be ten (10') feet.
- g. Detached accessory structures shall be located on the lot no closer than five (5') feet from a manufactured/mobile home and shall comply with the required front, side and rear setback lines.
- h. Manufactured/mobile home units shall not be located closer than twenty-five (25') feet from the, park/subdivision property lines to the sides and rear not adjacent to a street. Units adjacent to public streets shall not be located closer than thirty-five (35') feet to the right-of-way line and shall contain a buffer yard in accordance with Section 1206 herein.
- i. Lots shall be served by both community or public water supply and sanitary sewerage collection systems.
- j. Off-street parking and loading spaces shall be provided in accordance with Article XIV herein.
- k. Not less than ten (10%) percent of the total land area shall be provided for usable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents. Open space areas shall be developed and maintained in accordance with Section 1202.A.31 herein.
 - l. Such open space shall be maintained with a durable vegetative cover that is capable of preventing soil erosion and the emanation of dust during dryweather.

28. MOTELS/HOTELS

Where permitted, motels/hotels shall be subject to the following:

- a. Off-street parking and loading spaces shall be provided for the motel/hotel, in addition to other accessory facilities developed as part of the motel/hotel premises, in accordance with Article XIV herein.
- b. Every unit shall be provided with complete bathroom facilities.
- c. The minimum front, side, and rear yard setbacks shall be no less than twentyfive (25') feet.
- d. Interior yards between structures shall be provided in accordance with Section 1205 of this Article.

29. MUNICIPAL USES

In any district, a building may be erected, altered or extended and land may be developed which is arranged, intended or designed for municipal uses, including municipal recreation uses, in accordance with applicable district provisions.

30. MUNICIPAL WASTE LANDFILL

Where permitted as a special exception, a municipal waste landfill may be established in accordance with the following provisions:

- a. Municipal waste landfills shall be constructed, licensed, and operated in accordance with the Bradford County Solid Waste Plan and all applicable Commonwealth laws and regulations.

b. Operations shall be conducted in compliance with performance standards of Section 1202 and other applicable standards established herein.

c. All activities shall be buffered and screened from adjoining properties and public rights-of-way in accordance with Section 1206 herein.

31. NURSING HOMES

Where permitted, or permitted as a special exception, a building for such use may be erected and used subject to the following:

a. The facility shall be constructed and operated in accordance with applicable Commonwealth laws and regulations.

b. The minimum lot area and lot width shall be determined by building size, yards and off-street parking requirements, and water and wastewater requirements, but in case shall the lot area be less than ten thousand (10,000) square feet plus five hundred (500) square feet for each patient over eight (8) in number.

c. The minimum front, side, and rear yard setbacks shall be no less than twentyfive (25') feet.

32. OPEN SPACE REQUIREMENTS

a. Where required, open space areas shall be developed to complement and enhance the man-made environment. In the selection of the location of such area, consideration shall be given to the preservation of natural and man-made features which will enhance the attractiveness and value of the remainder of the property to be subdivided or developed, including flood plains, streams and ponds, slopes equal to or greater than fifteen (15%) percent, natural permanent vegetation, historical amenities and other community assets.

b. The area shall be so located and designed that it is easily accessible to all residents including handicapped. Safe and easy access to common open space areas shall be provided either by adjoining road frontage, easements and/or paths.

c. Whenever possible, common open space areas shall be designed as a continuous system of usable area, which are interspersed among groupings of residential buildings. Provided, however, in those instances in which the total minimum required open space is less than two (2) acres in size, such areas shall be located in one parcel.

d. Such areas specifically designed for open space shall be fully usable and suitable for that purpose and shall be set aside by deed restriction.

e. Access-ways to the site shall be of a sufficient width so that maintenance equipment shall have reasonable convenient access to such areas. In all instances, such open space areas shall be maintained in a careful and prudent manner.

f. The Township may, at any time and from time to time, accept the dedication of land or any interest therein for public use and maintenance, but the Township need not require, as a condition of the approval of a development, that land proposed to be set aside for common open space be dedicated or made available to public use.

g. The landowner shall provide for and establish an organization for the ownership and maintenance of the common open space, and such organization shall not be dissolved nor shall it dispose of the common open space by sale or otherwise (except to an organization conceived and established to own and maintain the common open space) without first offering to dedicate same to the public.

h. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the development fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization and upon the

residents of the development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. The notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof. The notice shall also state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected. If the deficiencies set forth in the original notice or in the modification thereof are not corrected within thirty (30) days or any extension thereof, the Township, in order to preserve the taxable values of the property within the development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain the same for a period of one (1) year. Such maintenance by the Township shall not constitute a taking of the common open space, nor vest in the public any rights to use the same. Before the expiration of the year, the Township shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the residents of the development, to be held by Wysox Township Board of Supervisors or Planning Commission, at which hearing such organization or the residents of the development shall show cause why such maintenance by the Township shall not, at the option of the Township, continue for a succeeding year. If the Wysox Township Board of Supervisors or Planning Commission determines that such organization is not ready and able to maintain the common open space in a reasonable condition, the Township may, at its discretion, continue to maintain the common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter. The decision of the Township Board of Supervisors or Planning Commission shall be subject to appeal to the court in the same manner, and within the same time limitation, as provided for by this Zoning Ordinance.

i. The cost of such maintenance by the Township shall be assessed ratably against the properties within the development that have a right of enjoyment of the common open space, and shall become a lien on such properties. The Township at the time of entering upon the common open space for the purpose of maintenance shall file a notice of lien in the Office of the Prothonotary of the Court of Common Pleas of Bradford County, Pennsylvania, upon the properties affected by the lien within the development.

33. PERSONAL CARE BOARDING HOME

Where permitted as a special exception, personal care boarding homes may be established in accordance with the following provisions:

- a. The facility shall be constructed, licensed and operated in accordance with applicable Commonwealth laws and regulations.
- b. Lot area shall be determined on the basis of building size, yard requirements, parking and access requirements and other applicable standards.
- c. No more than two (2) persons at a time shall reside in any room designated for overnight visits.
- d. The minimum front, side and rear yard setbacks shall be not less than twentyfive (25') feet.
- e. A buffer yard of no less than ten (10') feet in width shall be established along rear and side yards abutting residential uses.
- f. Off-street parking shall be provided in accordance with Article XIV herein.

34. PROHIBITED USES

- a. Dwellings in the General Manufacturing District other than that provided for within the General Manufacturing District. '
- b. Primary living and sleeping quarters of dwelling units shall not be permitted

in cellars.

c. The following uses are prohibited in all districts throughout the Township:

(1) The incineration, reduction or storage of garbage, offal, animals, fish or refuse, unless by the authority of or under the supervision of the Township.

(2) The stripping of topsoil for sale, exclusive of the process of grading a lot preparatory to the construction of a building for which a Zoning permit has been issued.

35. PUBLIC UTILITY FACILITIES

Public utility facilities shall be permitted in any district without regard to the use and area regulations; provided, however, that buildings or structures erected for these utilities shall be subject to the following regulations:

a. Front yards shall be provided in accordance with the regulations of the district in which the facility is located. Side and rear yards shall be a minimum of ten (10') feet.

b. Height restrictions shall be as required by the district regulations.

c. Un-housed equipment shall be enclosed within a chain link fence six (6') feet in height topped with barbed wire.

d. When equipment is totally enclosed within a building, no fence or screen planting shall be required and the yards shall be maintained in accordance with the district in which the facility is located.

e. The external design of the building shall be in conformity with the buildings in the district.

36. RESOURCE RECOVERY FACILITIES

Where permitted, or permitted as a special exception, resource recovery facilities shall be subject to the following safeguards and regulations:

a. All facilities shall be operated and licensed in accordance with Pennsylvania Department of Environmental Resources rules and regulations.

b. All operations shall be screened from all rights-of-way and adjoining properties by a buffer yard and screen planting of no less than ten (10') feet in depth established along lot lines in accordance with Section 1206 herein.

c. The site shall be maintained free of litter and other undesirable materials and cleaned of loose debris daily.

d. Outside storage of materials shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Outside storage, excluding truck trailers, shall not be visible above the height of the screen planting.

e. Front, side and rear yards shall be provided in accordance with the regulations of the district in which the facility is located.

f. Off-street loading spaces or berths shall be provided on site for three (3) vehicles or the anticipated peak customer load, whichever is greater, to circulate and to deposit recyclable materials, except where the Zoning Hearing Board determines that allowing less loading facilities is compatible with surrounding lots and public safety. All loading spaces and berths shall be designed in accordance with Article XIV herein.

g. Power driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be permitted in accordance with the performance standards of Section 1202 and other applicable standards established herein.

h. Containers provided for after hours donation of recyclable materials shall be located at least fifty (50') feet from any property zoned, occupied or planned for residential use; shall

be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; be secure from unauthorized entry or removal of materials; and be clearly marked to identify the type of materials that may be deposited within them.

37. SHEDS

Sheds are subject to the setback lines that apply to any other building in a district. No fee is required for single story sheds with 200 square feet, or less, interior floor space, but a permit is still required. Sheds with more than 200 square feet interior floor space, or more than one story regardless of floor space are required to obtain a permit and pay a fee.

38. SOLID WASTE STORAGE FACILITIES

All multifamily, commercial and manufacturing/industrial buildings or uses shall include adequate facilities on-site for the proper storage of solid wastes in accordance with the provisions of the Township/County refuse collection regulations and as hereinafter provided:

- a. Storage areas shall have hardened, stabilized surfaces with outdoor areas constructed to prevent accumulation of storm-water runoff.
- b. Storage areas shall be located such that collection vehicles will not obstruct the public street or otherwise violate Township regulations while parked for collection of refuse and shall be provided with access-ways facilitating ready deposit and collection of refuse.
- c. Storage areas shall be of sufficient size to accommodate the container capacity required to store the refuse accumulation between collections, but shall not be less than four by eight (4' x 8') feet in size or of other dimensions providing an approved equal space.

39. STEEP SLOPE PROVISIONS

In all districts, development or earth moving activities occurring on tracts of eight (8%) percent or greater slope shall be required to meet the following additional standards, as approved by the Township Board of Supervisors:

- a. A map showing slope intervals of 8% to 15%, 15% to 25%, and over 25% shall be submitted.
- b. Slopes Exceeding:
 - (1) 8% to 15%: No more than forty (40%) percent of such tracts shall be altered, re-graded, cleared, or built upon.
 - (2) 15% to 25%: No more than thirty (30%) percent of such tracts shall be altered, re-graded, cleared, or built upon.
 - (3) Over 25%: No more than fifteen (15%) percent of such tracts shall be altered, re-graded, cleared, or built upon.
- c. Calculating Average Slope:

The following formula shall be used in conjunction with a contour map to determine the average slope of a tract:

$$S = \frac{.0023 \times I \times L}{A}$$

S = Average slope of subject parcel.

.0023 = Conversion factor of square feet to acres.

I = Contour interval (distance between contour lines on the map).

L = Total length of the contour lines within the subject parcel.

A = Area in acres of subject parcel (excluding areas with slopes greater than 25% or more).

40. SURFACE MINING/MINERAL RECOVERY

Where permitted as a special exception, surface mining and mineral recovery activities and facilities shall meet the following additional standards:

- a. Shall not be located within one hundred (100') feet of any public rights-of-way.
- b. Shall not be located within three hundred (300') feet of any property currently occupied or zoned for residential uses.
- c. Shall not be located within one hundred (100') feet of a stream.
- d. All activities shall be enclosed by a permanent fence of durable material at least six (6') feet in height, and shall be constructed so as not to have openings, mesh or gaps larger than six (6) square inches in any direction.
- e. All gates used in conjunction with fencing material shall meet the same specifications as the fencing itself and shall be locked when the establishment is not in operation.
- f. All side walls of the excavated area shall slope at an angle not to exceed one (1') foot of vertical e distance for every two (2') feet of horizontal distance.
- g. No materials or wastes shall be deposited upon a lot in such a form or manner that it may be transferred off the lot by natural forces, nor shall any potential water contaminating substance be allowed to enter any wetland, stream or watercourse.
- h. Operations shall be conducted in compliance with performance standards of Section 1202 and other applicable standards established herein.
- i. All activities and facilities shall be operated, maintained and resorted in accordance with applicable State and Federal laws and regulations.
- j. A surface mining plan shall be submitted to an approved by the Township

consisting of:

(1) Topographic map with contour intervals of not greater than five (5') feet showing:

- (a) All natural and man-made features;
- (b) Existing and proposed rights-of-way;
- (c) Existing and proposed easements
- (d) Property lines;
- (e) 100 year flood plain information; and
- (f) Location and cross sections of proposed surface mining areas.

41. SWIMMING POOLS

Swimming pools shall be a permitted as an accessory use in any district and shall comply with the following conditions and requirements:

- a. The pool is intended, and is to be used, solely for the enjoyment of the occupants of the principal use of the property on which it is located, including guests.
- b. It may not be located, including any walks or paved areas or accessory structures adjacent thereto closer than five (5') feet to any property line, nor shall it be nearer to any street line upon which the residence abuts than the existing setback line of the residence. In no case shall it be any closer than twenty (20') feet from any street line.
- c. All permanent swimming pools now existing or hereafter constructed, installed, established or maintained, shall be enclosed by a permanent fence of durable material at least four (4') feet but not more than six (6') feet in height, with the exception of atrium houses, and shall be so constructed as not to have openings, mesh or gaps larger than four (4) square inches in any direction. If a picket fence is erected or maintained, the horizontal dimension shall not exceed four (4") inches. All gates used in conjunction with the fence shall meet the same specifications as to the fence itself and shall be equipped with approved locking devices and shall be locked at all times when the swimming pool is not in use.

d. A dwelling unit, excluding atrium dwellings, or an accessory building may be used as part of such enclosure. However, height requirements for a fence shall not apply to the building.

e. The provisions regulating fencing shall not apply to pools having sides extending four (4') feet above grade, provided that the stairs, or other means of access to the pool, are removed or locked in such a position as to make it readily inaccessible when not in use.

f. All materials used in the construction of pools shall be waterproof and so designed and constructed as to facilitate emptying and cleaning and shall be maintained and operating in such a manner as to be clean and sanitary at all times.

g. Water may not be discharged from a swimming pool unless discharged so as not to flow onto adjacent properties or right-of-way.

h. Enclosed indoor pools must comply with applicable regulations pertaining to accessory structures.

i. Outdoor lighting, if any, shall be shielded and/ or reflected away from adjoining properties so that no beam of light, only diffused or reflected light, enters adjoining properties.

42. TOWNHOUSES

Where permitted, all townhouses shall comply with the following:

a. No more than six (6) units shall be attached.

b. All other applicable provisions of this Ordinance.

43. TRUCK FREIGHT TERMINALS

Where permitted, truck freight terminals shall comply with the following additional provisions:

a. No terminal or part thereof shall be located within two-hundred (200') feet of a wetland or within three-hundred (300') feet of a residential use or district.

b. Access to a public street shall be provided by a public industrial service road or a major collector. No direct point of access shall be provided from an arterial road and/or U.S. Route 6. Point of access shall be designed in accordance with the Bradford County Subdivision and Land Development Ordinance.

c. The layout of improvements must be such so as to provide for convenient forward movement of vehicles leaving and entering the site.

d. A minimum area of 1,320 square feet of surface, not including maneuvering area, shall be provided per loading berth.

e. Buffer yard/screen plantings shall be required in accordance with Section 1202 herein.

f. All parking, loading, maneuvering and storage areas shall be paved and site drainage provided in accordance with design and improvement standards of the Bradford County Subdivision and Land Development Ordinance.

44. USES NOT PROVIDED FOR

a. Uses of the same general character as the uses permitted by right or special exception in the District shall be allowed if determined by the Zoning Hearing Board that the impact of the use on the environment and adjacent streets and properties is equal to or less than any use specifically listed in the District.

b. Such use shall comply with all applicable area and bulk regulations and other applicable standards for comparable uses specifically listed in the District.

45. VEHICULAR BODY SHOP

Where permitted, or permitted as a special exception, vehicular body shops may be established in accordance with the following:

- a. All repair and paint work shall be performed within an enclosed building.
- b. Buffer yard/screen plantings shall be provided in accordance with Section 1202 herein.
- c. Vehicles being stored for future repair may remain on the lot no longer than sixty (60) days from the date of arrival.

46. VEHICULAR SERVICE STATIONS AND OTHER DRIVE-IN TYPE USES

Such uses, where permitted, or permitted by special exception, shall comply with the following:

- a. No equipment above ground for the service of motor vehicles shall be closer than twenty-five (25') feet to any side or rear property line.
- b. Canopies shall be located no less than ten (10') feet from the right-of-way line.
- c. Fuel pumps shall be located at least twenty-five (25') feet from any right-of-way or fifty (50') feet from the street centerline, whichever is greater.
- d. Vehicles being stored for future repair may remain on the lot no longer than sixty (60) days from the date of arrival.
- e. The width of any entrance driveway leading from the public street to such service station or other drive-in use shall not exceed thirty (30') feet at its intersection with the curb line or edge of pavement.
- f. No two (2) driveways leading from a public street to such service station or other drive-in use shall be within fifteen (15') feet of each other at their intersection with the curb or street line.

Section 1202. **PERFORMANCE STANDARDS**

All uses shall comply with the requirements of this Section. Compliance shall be determined by the Zoning Officer with respect to Permitted Uses and by the Zoning Hearing Board with respect to Special Exceptions. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the Township may obtain a qualified consultant's report, whose cost for services shall be borne by the applicant.

A. Vibration

Vibrations detectable without instruments on neighboring properties in any district shall be prohibited, with the exception of temporary vibrations associated with new construction.

B. Air Pollution

No pollution of air by fly-ash, dust, vapors, or other substance shall be permitted harmful to health, animals, vegetation or other property or can cause soiling of property.

C. Fire and Explosives Protection

Fire protection and fire fighting equipment, acceptable to the Board of Fire Underwriters, shall be readily available for any activity involving the handling or storage of flammable or explosive materials.

D. Glare and Heat

Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted. There shall be no emission or transmission of heat or heated air that is discernible at the lot line.

E. Non-Radioactive Liquid or Solid Wastes

There shall be no discharge at any point into any public or private sewage disposal system or stream, or into the ground of any liquid or solid materials except in accordance with the laws and regulations of the United States, Commonwealth of Pennsylvania, Bradford County and

Township of Wysox.

F. Radioactivity or Electrical Disturbances

No activity shall emit radioactivity at any point or cause electrical disturbance adversely affecting the operation of radio or other equipment in the vicinity.

J. Noise

Noise which is determined to be objectionable due to volume, frequency or heat shall be muffled or otherwise controlled, with the exception of fire sirens and related apparatus used solely for public purposes. Noise in excess of ninety (90) decibels, as measured on a decibel or sound level meter of standard quality and design operated on the A-weighted scale at a distance of twenty-five (25') feet from any property line of the property from which the noise source is located, shall not be permitted.

H. Odors

No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property with the exception of such odors associated with common farming practices.

I. Smoke

The maximum amount of smoke emission permitted shall be determined by the use of the Standard Ringlemann Chart issued by the U.S. Bureau of Mines. No smoke of a shade darker than No.2 shall be permitted.

J. Erosion

No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties. Erosion and sedimentation control plans shall be submitted and approved in accordance with provisions set forth within the Bradford County Subdivision and Land Development Ordinance.

K. Water Pollution

Water pollution shall be subject to the standards established by the Pennsylvania Department of Environmental Resources.

Section 1203. **HEIGHT REGULATIONS**

A. Unless otherwise provided, the height of a building may exceed the maximum permitted height by one (1) foot for each additional foot by which the width of the front, rear and side yards exceed the minimum yard regulation for the district in which the building is located. Except as provided in Subsection 1203(D) the building height shall not exceed the maximum permitted building height by more than fifteen (15%) percent..

B. For all residential uses, accessory buildings shall not exceed thirty-five (35') feet in height.

C. Height regulations shall not apply to spires, belfries, cupolas, or domes not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, utility poles or towers, solar collectors, and ornamental or necessary appurtenances.

D. Unless otherwise provided, within the M-1 General Manufacturing District, the height of a building may exceed the maximum permitted building height specified in section 1105(A) by up to one (1) foot for each ten (10) feet of distance between the building and the nearest boundary of an R-1, R-2, SRA or SRB residential district, provided that the building height in the M-1 General Manufacturing District shall not exceed one hundred ten (110) feet.

Section 1204. **AREA REGULATIONS**

A. On a lot held in single and separate ownership from adjacent land, which does not fulfill the regulations for the minimum area dimensions for the district in which it is located, a building may be erected, altered, and used thereon providing the side yard space is not less than the minimum specified in Section 1205.C herein, and further that the proposed water and wastewater systems are approved by the Township Sewage Enforcement Officer and/or

Pennsylvania Department of Environmental Resources as appropriate.

B. The area, width, and depth of lots shall provide adequate open space for off-street loading, unloading, and/or parking space.

Section 1205. **YARD REGULATIONS**

A. Where the street or streets upon which the lot abuts are less than eighty (80') feet in width, the front yard depth and the width of the side yard abutting the street shall be measured from a line parallel to twenty-five (25') feet from the center line of the street.

B. Front Yards

1. An accessory building shall not be erected or substantially altered within any front yard.

2. Parking shall not be permitted in front yards in residential districts except on driveways.

C. Side Yards

1. On corner lots, the side yard abutting the street shall have a width equal to the depth of the front yard required in the district and shall be subject to all front yard requirements of this Ordinance.

2. On a lot in a residential district held in single and separate ownership from adjacent land, at the effective date of this Ordinance, with a lot width less than required for the Zoning District, only one (1) single-family detached dwelling may be erected, and side yards shall be provided in accordance with the following requirements:

a. On interior lots with a width of eighty (80') feet or more, two (2) side yards shall be provided as required by the district regulations.

b. On corner lots with a width of eighty (80') feet or more, two (2) side yards shall be provided. The exterior side yard may be reduced by the number of feet by which the lot width is less than the district requires, but may not be reduced to less than that required for the interior side yard. The interior side yard shall be provided as required by the district regulations.

c. On lots less than eighty (80') feet but not less than fifty (50') feet in width, two (2) side yards shall be provided, each equaling twenty (20%) percent of the lot width.

d. On lots less than fifty (50') feet but not less than twenty (20') feet in width, the building shall be sixteen (16') feet in width and only one (1) side yard shall be provided, equaling in width the difference between the lot width and sixteen (16') feet. One (1) side wall of the building shall be constructed abutting the lot line without openings but shall not be constructed as a party wall.

e. On lots less than twenty (20') feet in width, a building shall be constructed the full width of the lot. Side walls abutting the lot lines shall have no openings and shall not be constructed as party walls. For such dwellings constructed to a depth of more than two (2) rooms, a court not less than six (6') feet in width shall be provided, abutting the side wall for all rooms beyond the second room.

3. On a lot, in a commercial or industrial district, held in single and separate ownership from adjacent land at the effective date of this Ordinance, with a lot width less than that required for the zoning district, the required side yards shall be determined by the Zoning Hearing Board upon application for a variance based on the same criteria as listed under Subsection C.2. above for residential structures.

4. Any accessory building may be erected within one of the side yards or within the rear yard provided:

a. Buildings and/or structures accessory to a residential use shall be located within the side or rear yard of the principal building or structure no less than fifteen (15') feet to any rear or side lot line. Where such side or rear yard is along an alley, the accessory building shall be located not less than five (5') feet from the alley. Private garages with entrances fronting an alley shall

be located not less than ten (10') feet from the alley.

b. On a comer lot in any Residential District, an accessory building shall not be erected within the minimum building setback line of the exterior side lot line (street line). Provided, however, that when the main buildings exist on both the corner lot and the lot abutting the rear of the comer lot, an accessory building may be erected at the average distance from the street line, established by the existing main buildings.

c. Buildings and/or structures accessory to a nonresidential use shall not be located within the required front yard and shall be located no less than fifteen (15') feet to any lot line.
d. No side yard setback shall be required where two (2) garages are designed to abut in semi-detached dwellings.

5. A carport, open on at least three (3) sides, by at least sixty (60%) percent on each side, may be erected within one of the side yards when attached to a main building existing at the effective date of this Ordinance, provided the carport shall be not less than five (5') feet from the side lot line.

D. Interior Yards (open space between structures)

1. When front to front, rear to rear, or front to rear, parallel structures shall have fifty (50') feet between faces for one (1) story in height, plus five (5') feet for each additional story. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten (10') feet at one end if increased by similar or greater distances at the other end. Where service drives, bank grade changes or collector walks are introduced in this space, the distance between structures shall be at least fifty (50') feet.

2. End to end, a distance of twenty-five (25') feet between structures for a one (1) story structure plus five (5') additional feet for each story in excess of one.

3. End to front, or end to rear, a distance of thirty (30') feet between structures for each one (1) story structure plus five (5') feet additional for each story in excess of one.

4. When adjacent structures differ in the number of stories, the required distance between structures shall be calculated on the taller of the structures.

5. The interior yard provisions of sections 1205(D)(1) through 1205(D)(4) inclusive, shall not apply within the M-1 General Manufacturing District to require a minimum separation between structures that are physically connected or functionally related as part of a single manufacturing or production process. This subsection shall allow businesses or facilities with integrated manufacturing, production, fabrication, assembly, treatment, or other operations that require connect structures or structures in close proximity, to efficiently serve their intended functions, to connect buildings and structures or to have them in closer proximity than permitted under the interior yard requirements sections 1205(D)(1) through 1205(D)(4) inclusive.

Section 1206. **BUFFER YARDS AND SCREEN PLANTINGS**

A. Buffer Yards

1. Unless otherwise provided, where a commercial or industrial use adjoins a residential district and where a multi-family use adjoins a single-family residential use, a buffer yard of not less than fifteen (15') feet in width shall be provided along the lot lines in addition to the yard required for the district in which it is located.

2. If a front yard is provided, the buffer yard may coincide with the front yard.

3. All buffer yard areas shall be planted and maintained with a vegetative material, and where required for multi-family, commercial and industrial uses, a screen planting shall be planted and maintained to the full length of side and rear lot lines which do not abut streets.

4. Buffer yards shall be maintained and kept free of all debris and rubbish.

5. No structure, manufacturing or processing activity, or storage of materials shall be permitted in buffer yards. However, access roads, service drives, and utility easements not more than

thirty-five (35') feet in width are permitted to cross a buffer yard provided that the angle of the centerline of the road, drive, or easement crosses the buffer yard at an angle not less than sixty (60) degrees.

6. No parking shall be permitted in buffer yards.

7. Prior to the issuance of a Zoning permit, plans for buffer yards shall be submitted for review and approval to the Zoning Officer. Said plans shall show the arrangements of all of the buffer yards and the placement, species, and size of all plant materials to be placed in such buffer yard. Said plan must be reviewed by the Planning Commission and approved by the Zoning Officer before a Zoning permit may be issued.

B. Screen Plantings

Where required, screen plantings shall be located in the exterior portion of the required buffer yards and shall be in accordance with the following requirements:

1. Plant materials used in screen planting shall be at least six (6') feet in height when planted, and be of suitable vegetation in order to produce, within three (3) years, a complete year-round visual screen of at least six (6') feet in height and within fifteen (15') feet of the property line;

2. The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one (1) year;

3. The screen planting shall be so placed that at maturity it will be not closer than three (3') feet from any ultimate right-of-way or property line;

4. A clear sight triangle shall be maintained at all street intersections and at all points where vehicular access-ways intersect public streets;

5. The screen planting shall be broken only at points of vehicular or pedestrian access;

6. Trees that shall not be used in planting of buffer yards are:

a. Poplars - all varieties

b. Willows - all varieties

c. White or Silver Maple (*Acer Saccharinum*)

d. Aspen - all varieties

e. Common Black Locust

7. Wherever possible, natural vegetation shall be maintained as the required screening material. Natural earth berming of at least six (6') feet in height may be included as part of the screening requirement.

8. Screen plantings shall be provided between the property line and any off-street parking area and any outdoor solid waste storage area for any multifamily, townhouse, commercial or manufacturing use where the parking or solid waste disposal area abuts a residential zoning district or a lot occupied by a residential use.

9. Any existing multi-family, commercial or industrial use shall not be required to comply with the screening requirements except in case of enlargement or exterior alteration of same.

Section 1207. **PROJECTIONS IN YARDS**

Solar collectors, flag poles, unenclosed ground-story terraces, decks, patios and porches may project into any required yard not more than one-half its required dimension and not more than ten (10') feet into any required setback. Chimneys, flues, columns, sills and ornamental architectural features may project not more than two (2') feet into a required setback.

Section 1208. **OBSTRUCTION TO VISION**

A. Walls, fences, signs or other structures shall not be erected or altered, and hedges, trees or other growth shall not be planted or maintained, which may cause danger to traffic on a street or road by obstructing the view.

B. A clear sight triangle of twenty-five (25') feet, measured along the street lines of intersecting streets, shall be maintained; within which such structures or planting shall be limited to a height of not more than three (3') feet or less than ten (10') feet above the street grade, excepting the trunks of street trees or other ornamental trees whose foliage is kept trimmed to a height of ten (10') feet above the street grade.

Section 1209. **FENCES AND WALLS**

A. Fences and walls may be erected, altered and maintained within the yards, excluding the required buffer yards, subject to the following standards and requirements:

1. Except as provided in section 1209(A)(3), such fence or wall in the front yard shall not exceed three and one-half (3½) feet in height, and any fence or wall on the side or rear yard shall not exceed six (6) feet in height unless it contains openings as specified in section 1209(A)(2).

2. Except as provided in section 1209(A)(3), any fence or wall exceeding six (6) feet in height shall contain openings therein equal to fifty percent (50%) of the area of that portion of the wall or fence that exceeds six (6) feet in height.

3. Within the M-1 General Manufacturing district, a fence or wall may be erected within the front, side or rear yard to a height not to exceed ten (10) feet, without openings as described in section 1209(A)(2), provided that plantings are installed on all sides which face an adjoining lot in any district other than the General Manufacturing District so that such plantings within five years screen from view at least 50% of the fence or wall area.

B. All yards used for the storage of any material needed for the operation or conduct of a manufacturing or commercial enterprise shall be enclosed by a solid wall, uniformly painted board fence, chain link fence in conjunction with a screen planting or screen planting on all sides which face upon a street or face upon a lot in any district other than the General Manufacturing District.

Section 1210. **SPACE REGULATIONS**

No yard or other space provided about any building or structure for the purpose of complying with this Ordinance shall be considered as a yard or other open space for another building or structure.

Section 1211. **COURTS**

Courts shall conform to the following requirements:

A. An open space in the form of an inner court or outer court shall be provided in connection with any building in any district wherever any room therein in which a person or persons live, work, sleep or congregate cannot be adequately lighted and ventilated from the street or yard. Such court shall be adjacent to such room, the windows of which shall open onto such court. This provision shall not apply to specialized commercial and/or manufacturing processes where controlled light and/or ventilation are required.

B. Outer Court

1. The width of any outer court upon which windows open from a living room, bedroom or dining room shall be not less than the height of any wall opposite such windows. However, when the depth of such court is less than six (6') feet, the minimum width shall be twice the depth.

2. The depth of an outer court formed by walls on three (3) sides shall be not greater than one and one-half (1 1/2) times the width.

C. Inner Court

1. The least dimension of an inner court shall be not less than the full height of the walls enclosing such court, but not less than fifty (50') feet for apartment buildings and not less than ten (10') feet for two-family dwellings.

2. An open and unobstructed passageway shall be provided for each inner court. Such passageway shall have sufficient cross-section area and headroom for the passage of

firefighting equipment and shall be continuous from the inner court to a yard or an unobstructed open area with adequate access to a street.

Section 1212. HABITABLE FLOOR AREA

A. The minimum habitable floor area of a dwelling unit hereafter established, with the exception of manufactured/mobile homes constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, effective June 15, 1976, shall be as follows:

1. Rooming unit (designed for one (1) person) 250 square feet
2. Efficiency unit 500 square feet
3. One bedroom 600 square feet
4. Two bedrooms 750 square feet
5. Three bedrooms 900 square feet
6. Four bedrooms 1,050 square feet
7. For five or more bedrooms, an additional 150 square feet per bedroom

B. The minimum habitable floor area for units within hotels, motels or other commercial lodging establishments for transients shall be two hundred (200) square feet for each room used for sleeping purposes, unless otherwise specified herein.

Section 1203. CONTROL OF TRAFFIC AND PROTECTION OF PUBLIC SAFETY

The application for a permit for any and all uses shall be accompanied by a site plan showing building location, service and parking areas and access to highways. Where a driveway or access road gives access to a State road or highway, approval by the Pennsylvania Department of Transportation shall be required.

Section 1204. REDUCTION OF LOT DIMENSIONS

The area, width, or depth of any lot shall not be reduced by subdivision, sale, or development so that the lot width, lot area, lot area per dwelling unit, courts and yards, or other spaces are smaller, or so that the coverage is greater than prescribed herein.