

**ARTICLE IV
DISTRICT REGULATIONS**

§ 130.7. General regulations.

These general regulations apply to all PRINCIPAL and ACCESSORY USES however authorized.

130.7.1. Unless a USE is specifically an AUTHORIZED USE in a ZONING DISTRICT, such USE is not permitted in that ZONING DISTRICT.

130.7.2. Except where specifically authorized by this chapter, MIXED USES on LOTS or in STRUCTURES are not permitted.

130.7.3. In the case of AUTHORIZED MIXED USES for which uniformly applicable requirements do not exist, the regulations for each AUTHORIZED USE apply to the portion of the LOT or STRUCTURE so used.

130.7.4. An AUTHORIZED USE may be stated as an activity or, when the activity is inherent in the STRUCTURE, the USE may be stated by reference to the STRUCTURE.

130.7.5. An authorized PRINCIPAL USE, approved as a CONDITIONAL USE, USE BY SPECIAL EXCEPTION or PLANNED DEVELOPMENT shall include the right to any ACCESSORY USE which is a PERMITTED USE BY RIGHT in the ZONING DISTRICT.

130.7.6. When the determination of PARKING SPACES required results in a requirement of a fractional PARKING SPACE, any fraction shall be counted as one (1) PARKING SPACE.

130.7.7. There shall be provided an unobstructed view across a CLEAR SIGHT TRIANGLE. **[Added 10-1-90 by Ord. No. 1453]**

130.7.8. Ingress, egress and internal traffic circulation on any LOT shall be designated to ensure safety and access by emergency vehicles.

130.7.9. Where a ZONING DISTRICT boundary splits a LOT, resulting in differing and nonuniform requirements for the LOT, the following provisions shall apply: **[Added 4-4-83 by Ord. No. 1024]**

130.7.9.1. Where the LOT is large enough to be subdivided into two (2) or more LOTS, each within a single ZONING DISTRICT, no ZONING APPROVAL will be given for any AUTHORIZED USE which would utilize any

portion of the LOT other than that portion of the LOT in which the PRINCIPAL USE is located. Further development will require SUBDIVISION.

130.7.9.2. Where a LOT cannot be subdivided in compliance with this chapter and Chapter 114, the AUTHORIZED USE permitted on the LOT is limited to those AUTHORIZED USES permitted in the ZONING DISTRICT in which the largest part of the LOT is located, and the smaller part of the LOT located in another ZONING DISTRICT will be subject to the Zoning Ordinance provisions, where the largest portion of the LOT is located. If this section creates an undue hardship, the ZONING HEARING BOARD has jurisdiction to grant such relief as the ZONING HEARING BOARD deems necessary.

130.7.10. No ZONING APPROVAL for a new or changed PRINCIPAL USE of a LOT will be issued unless the LOT meets the SUBDIVISION and LAND DEVELOPMENT requirements for utilities under Article V, §114.28. of this Code, and unless the LOT has a FRONT LOT LINE, in accordance with the standards of the ZONING DISTRICT in which it is located, on an existing PUBLIC STREET or has a FRONT LOT LINE on a STREET which meets or which will meet the requirements for PUBLIC IMPROVEMENTS under §114.27. of this Code. **[Amended 1-3-94 by Ord. No. 1608]**

130.7.10.1 When adjacent LOTS are in the same ownership but have different ZONING DISTRICTS, and where one LOT is an UNBUILDABLE LOT and the other LOT contains a PRINCIPAL STRUCTURE, the LOTS may be consolidated by SIMPLE SUBDIVISION in accordance with the requirements of Chapter 114, Subdivision and Land Development. The AUTHORIZED USE permitted on the consolidated LOT is limited to those AUTHORIZED USES permitted in the ZONING DISTRICT of the largest part of the consolidated LOT and those setbacks will apply. **[Added 10-1-07 by Ord. 1978]**

130.7.11. Route 19 DRIVEWAY Access. No LOT which has frontage on a road other than Route 19 (Washington Road) may have a DRIVEWAY access onto Route 19 (Washington Road). **[Added 10-1-90 by Ord. No. 1453]**

130.7.12. WETLANDS Permit. Any proposed CONSTRUCTION or DEVELOPMENT in a WETLAND must have a WETLANDS Permit under applicable state and federal laws prior to ZONING APPROVAL. **[Added 10-1-90 by Ord. No. 1453]**

130.7.13. Parking. No parking is permitted on any LOT or SITE other than in a PARKING AREA. **[Added 10-1-90 by Ord. No. 1453]**

130.7.14. Easements and RIGHTS-OF-WAY. No BUILDING or STRUCTURE may be erected in a TOWNSHIP easement except SIGNS, FENCES, PRIVACY FENCES, patios on grade, dumpsters and driveways where otherwise permitted by this

chapter. No BUILDING or STRUCTURE may be erected in a TOWNSHIP RIGHT-OF-WAY except a SIGN or a DRIVEWAY otherwise meeting the requirements of this chapter and a mailbox otherwise meeting the requirements of Chapter 112. **[Amended 1-3-94 by Ord. No. 1608]**

130.7.15. Steep Slopes. Grading and soil excavation are prohibited on any STEEP SLOPE. However, the total acreage of the LOT or SITE, including those portions with a slope greater than forty percent (40%) shall count for the purpose of determining DWELLING UNIT DENSITY on the LOT or SITE. If the permitted DWELLING UNIT DENSITY can not be achieved within the minimum LOT AREA requirements for the individual LOTS to be created after DEVELOPMENT, the minimum LOT AREA requirements for such individual LOTS may be adjusted by the BOARD OF COMMISSIONERS, but only pursuant to the procedures for a PLANNED DEVELOPMENT under Article VI. **[Added 10-1-90 by Ord. No. 1453, Amended 10-6-97 by Ord. No. 1750]**

130.7.16. Landscaping Maintenance. The owner and tenant of any LOT, and their agents are jointly and severally responsible for the maintenance of all landscaping in accordance with any LANDSCAPE PLAN approved by the TOWNSHIP. All landscaping must be kept in good condition so as to present a healthy, neat and orderly appearance and must be kept free of refuse and debris. **[Added 10-1-90 by Ord. No. 1453]**

130.7.17. General PARKING AREA and DRIVEWAY Requirements. **[Amended 1-3-94 by Ord. No. 1608]**

The following requirements are applicable to all PARKING AREAS and DRIVEWAYS:

130.7.17.1. No parking is permitted on any LOT or SITE other than in a PARKING AREA.

130.7.17.2. Ingress, egress and internal traffic circulation on any LOT shall be designed to ensure safety and access by emergency vehicles.

130.7.17.3. No LOT which has frontage on a road other than Route 19 (Washington Road) may have DRIVEWAY access onto Route 19 (Washington Road).

130.7.17.4. Every PARKING SPACE must be located on the LOT of the PRINCIPAL STRUCTURE or on the SITE of the PLANNED DEVELOPMENT that is being served by the PARKING AREA.

130.7.17.5. Every PARKING AREA must be connected to a STREET by at least one (1) DRIVEWAY.

130.7.17.6. In the R1, R2, R3, R4, R5, and R-LI Zoning Districts the following vehicles shall not be parked on any STREET or DRIVEWAY, unless engaged in the receiving or discharging of supplies and materials or the provision of service: dump truck, truck trailer, tandem truck, semitrailer truck, combination tractor-trailer truck, tow truck, or flatbed truck having a bed in excess of nine (9) feet. **[Added 11-4-96 by Ord. No. 1724]**

130.7.18. Additional PARKING AREA and DRIVEWAY Requirements. **[Added 1-3-94 by Ord. No. 1608]**

130.7.18.1. When the determination of the PARKING SPACES required results in a requirement of a fractional PARKING SPACE, any fraction shall be counted as one (1) PARKING SPACE.

130.7.18.2. Access must be provided from PARKING AREAS to the PRINCIPAL STRUCTURE by paved walkways.

130.7.18.3. Each required PARKING SPACE must open directly upon a DRIVEWAY.

130.7.18.4. PARKING AREAS must be designed and constructed in accordance with the standards of Chapter 99, Public and Private Improvements.

130.7.18.5. All DRIVEWAYS serving angle PARKING SPACES must be designed for one-way traffic movement.

130.7.18.6. PARKING AREA layout must conform with the standards set forth in Illustration 130-6. **[Amended 10-6-97 by Ord. No. 1750]**

130.7.18.7. All PARKING AREAS must be curbed in accordance with the standards of Chapter 99, Public and Private Improvements.

130.7.18.8. Wheelstops must be provided if curbs are not required where PARKING AREAS adjoin PUBLIC RIGHTS-OF-WAY, LOT LINES, BUFFER AREAS, or landscaped areas. Said wheelstops must be located not less than three (3) feet from the adjoining PUBLIC RIGHTS-OF-WAY, LOT LINES, BUFFER AREAS or landscaped areas and must be designed to the standards of Chapter 99, Public and Private Improvements.

130.7.18.9. Islands must be provided on all open PARKING AREAS in excess of ten thousand (10,000) square feet. Such islands must be not less than five (5') feet wide and must be located at DRIVEWAY intersections.

130.7.18.10. Dead-end DRIVEWAYS in PARKING AREAS must be designed according to the following minimum standards:

	<u>FEET</u>
Turnaround radii	13
Depth of turnaround area	13
Width of turnaround area	15

130.7.18.11. All PARKING AREAS must be properly marked by durable paint in stripes a minimum of four (4) inches wide and extending the length of the PARKING SPACE.

130.7.18.12. All open PARKING AREAS containing more than four (4) PARKING SPACES must provide the following:

130.7.18.12.1. Effective screening on each side adjoining a LOT in a residential ZONING DISTRICT, by a PRIVACY FENCE or densely planted evergreen hedge not less than six (6) feet in height. Where this provision conflicts with yard requirements, landscaping is to be used.

130.7.18.12.2. A landscaped area a minimum of three (3) feet in width surrounding the PARKING AREA.

130.7.18.12.3. At least one (1) tree per five (5) PARKING SPACES, or portion thereof, on the LOT or SITE.

130.7.18.13. All PARKING AREAS must be illuminated for night use. Illumination of PARKING AREAS with fifty (50) or more PARKING SPACES must be a minimum of one (1) foot candle.

130.7.18.14. All parking areas must be in accordance with the latest revision of ADA Standards for Accessible Design. **[Added 9-6-05 by Ord. No. 1946]**

130.7.19. General lighting. **[Added 1-3-94 by Ord. No. 1608; Amended 10-1-07 by Ord. No. 1978]**

130.7.19.1 General Lighting – Residential **[Added 10-1-07 by Ord. No. 1978]**

130.7.19.1.1. Residential lighting shall include any and all LUMINAIRE on the outside of a RESIDENTIAL BUILDING.

130.7.19.1.2. No LUMINAIRE shall be placed so as to cause harm or prove to be hazardous to traffic or conflict with traffic control signs or lights.

130.7.19.1.3. All light sources generated by single-family residential USES must not be reflected or directed toward any adjacent residential DWELLING.

130.7.19.1.4. All LUMINAIRE located on residential property shall be in accordance with the requirements of Chapter 99, Public and Private Improvements Code.

130.7.19.2. General lighting – Nonresidential [**Added 10-1-07 by Ord. No. 1978**]

130.7.19.2.1. All lighting generated by nonresidential USES must be reflected away from all adjacent LOTS in a residential ZONING DISTRICT.

130.7.19.2.2. All STREETS and DRIVEWAYS abutting nonresidential USES shall be illuminated adequately during the hours between sunset and sunrise, when the USE is in operation.

130.7.19.2.3. All LUMINAIRE located on nonresidential property shall be in accordance with the requirements of Chapter 99, Public and Private Improvements Code.

130.7.20. Loading berths. Vehicles making deliveries and pickups at any non-residential USE are limited to a size for which LOADING BERTHS are provided and shall not block any required PARKING SPACES or DRIVEWAYS. [**Added 1-3-94 by Ord. No. 1608**]

130.7.21. HOME OCCUPATIONS¹. [**Added 12-6-93 by Ord. No. 1605; Amended 8-3-09 by Ord. No. 2026**]

130.7.21.1. Permitted HOME OCCUPATIONS² [**Added 12-6-93 by Ord. No. 1605; Amended 8-3-09 by Ord. No. 2026**]

The following are examples of permitted HOME OCCUPATIONS:

Artist (studio only)
 Catering (with no storage of specialized vehicles on the LOT)
 Contractor (with no storage of equipment on the LOT)
 Computer programming/data processing/writing
 Dressmaking/sewing/tailoring
 Home crafts (studio only) (e.g. monogramming, flower arranging, model making,

¹ Insertion of new §130.7.21 on 8-3-09 by Ord. No. 2026 renumbered former §130.7.21 through §130.7.28 as §130.7.22 through §130.7.29.

² Formerly § 130.8.3.3.3.

rug weaving, cabinet making, pottery, quilts)
 Housekeeping/custodial services
 Interior Design
 Jeweler/watch repair
 Locksmith
 Mail order
 Manufacturer's sales representative (with no storage of retail goods)
 Photographers
 PROFESSIONAL OCCUPATIONS and bookkeeper, drafting, graphic services,
 consultant, clergy, and counselor
 Repairs of television and other electrical appliances (excluding major appliances
 such as refrigerators, etc.)
 Telemarketing
 Travel agent
 Tutoring or Instruction (e.g. arts and education)
 Word processing/typing/secretarial service

The acceptability of a HOME OCCUPATION not specifically listed above will
 be determined by the TOWNSHIP in accordance with the standards and
 provisions set forth in Section 130.7.22 entitled "General Standards for all HOME
 OCCUPATIONS." [Amended 8-3-09 by Ord. No. 2026]

130.7.21.2. Prohibited HOME OCCUPATIONS³ [Added 12-6-93 by Ord.
 No. 1605; Amended 8-3-09 by Ord. No. 2026]

The following activities are prohibited as HOME OCCUPATIONS:

Animal Grooming
 Automotive and mechanized equipment repairs
 Barbershops
 Beauty Shops
 Blacksmith
 Dance Studio
 Flea Markets
 Funeral chapel or funeral home
 GROUP HOMES, Group Dwelling or PERSONAL CARE HOMES
 MASSAGE THERAPY ESTABLISHMENT [Added 8-3-09 by Ord. No. 2026]
 Medical, Chiropractic, Optometric or Dental Offices, Clinics or Hospitals (or any
 similar profession which diagnoses and/or treats physical or mental
 illnesses, problems or conditions).
 Mortician
 Private Clubs

³ Formerly § 130.8.3.3.4

Restaurants/taverns
Retail or Wholesale Stores
Riding or boarding stable or kennel
Tanning salon
Taxidermy
Veterinary clinic or hospital
Any activity requiring a fire prevention permit under the BOCA Fire Code for the use of hazardous or flammable materials.

130.7.22. General Standards for all HOME OCCUPATIONS. [Added 12-6-93 by Ord. No. 1605]

130.7.22.1. A HOME OCCUPATION must be conducted entirely with the DWELLING UNIT.

130.7.22.2. A HOME OCCUPATION shall produce no noise, vibrations, smoke, odor, dust, heat, glare or electrical disturbance which creates any public or private nuisance; nor shall any HOME OCCUPATION interfere with radio or television transmission in the area.

130.7.22.3. A HOME OCCUPATION may be open to the public only between the hours of 8:00 a.m. and 9:00 p.m.

130.7.22.4. HOME OCCUPATIONS may not generate tractor trailer deliveries on a MINOR STREET designated as a local residential street.

130.7.22.5. Except for TEMPORARY HOME OCCUPATIONS, the HOME OCCUPATION shall not generate traffic including truck deliveries in any greater volume than would normally be expected in a residential neighborhood.

130.7.22.6. Any need for parking generated by the HOME OCCUPATION shall be met by off-street parking accommodations on the LOT's DRIVEWAY upon which the HOME OCCUPATION is located. No parking for the HOME OCCUPATION is permitted in the FRONT YARD, with the exception of DRIVEWAY and/or PRIVATE GARAGE. Parking shall be provided in accordance with provisions of this chapter.

130.7.22.7. No HOME OCCUPATION shall require structural alterations to the interior or exterior of the DWELLING UNIT which changes the residential character thereof.

130.7.22.8. No SIGNS are permitted in relation to the HOME OCCUPATION.

130.7.22.9. No goods or inventory used in the HOME OCCUPATION may be stored outside the DWELLING UNIT nor in a detached PRIVATE GARAGE or ACCESSORY STRUCTURE.

130.7.22.10. No exterior evidence of the HOME OCCUPATION is permitted.

130.7.22.11. There shall not be more than one (1) nonresident employee on the LOT where the HOME OCCUPATION is located at any time. Employees or persons affiliated with the HOME OCCUPATION, other than the permitted employee or person and residents, shall not physically report to or meet at the LOT where the HOME OCCUPATION is located.

130.7.22.12. A HOME OCCUPATION shall not be conducted from a residential NONCONFORMING USE. **[Added 4-1-96 by Ord. 1708]**

130.7.23. Standards for TEMPORARY HOME OCCUPATIONS. **[Added 12-6-93 by Ord. No. 1605]**

130.7.23.1. GARAGE SALES are permitted only in a PRIVATE GARAGE, BASEMENT or in the REAR YARD.

130.7.24. Parking and storage regulations for RECREATIONAL VEHICLES. **[Added 9-5-95 by Ord. No. 1681]**

130.7.24.1. RECREATIONAL VEHICLES may be parked or stored on the private property of the owner of such vehicle, subject to the following restrictions and regulations:

130.7.24.1.1. All RECREATIONAL VEHICLES shall be stored in a completely enclosed structure.

130.7.24.1.2. A RECREATIONAL VEHICLE'S wheels must at all times be blocked or otherwise rendered immobile so as to prevent any movement of the vehicle while it is in a stopped position.

130.7.24.1.3. Under no circumstances shall any RECREATIONAL VEHICLE be stored on any public street, and no RECREATIONAL VEHICLE shall be parked on any public street in violation of existing federal, state or TOWNSHIP regulations.

130.7.24.1.4. No RECREATIONAL VEHICLE shall be used for dwelling or habitation purposes while parked or stored on any owner's property.

130.7.24.1.5. The area in which any RECREATIONAL VEHICLE is to be parked shall not preempt any off-street parking space required to be provided by any provision of Chapter 130, Zoning.

130.7.24.1.6. Not more than one (1) RECREATIONAL VEHICLE may be parked on any private LOT in the TOWNSHIP unless any such vehicle in excess of one (1) vehicle is parked or stored in an enclosed garage.

130.7.24.1.7. Temporary parking of a RECREATIONAL VEHICLE is permitted for a period of ninety-six (96) hours, provided the continuity of a single period shall not be considered broken or terminated unless the RECREATIONAL VEHICLE involved shall have been removed from the TOWNSHIP or stored in accordance with the provisions of this chapter for a period of at least ninety-six (96) consecutive hours.

130.7.25. Regulations for CONSTRUCTION TRAILERS. [Added 9-5-95 by Ord. No. 1681]

130.7.25.1. The use of CONSTRUCTION TRAILERS in connection with site construction shall be permitted, subject to the following regulations and restrictions:

130.7.25.1.1. Such trailers shall be located on the LOT on which construction is progressing and shall not be located within twenty-five (25) feet of the boundary line of any abutting residential lot.

130.7.25.1.2. Such trailers shall be used only as temporary field offices and for storage of incidental equipment and supplies, and not for any dwelling use whatsoever.

130.7.25.1.3. Such trailers shall not be moved onto a construction site until the date on or after which construction actually commences and shall be removed from such site on or before the completion of construction. If construction is interrupted and ceases for more than sixty (60) days, the construction trailer shall be removed until actual construction commences again.

130.7.26. Compliance with Other Chapters of the Code of the TOWNSHIP. [Added 11-4-96 by Ord. No. 1724]

In the case of any Zoning Approval, the requirements of Chapter 130 and all other chapters of the Township Code shall be applicable.

130.7.27. Requirements for COMMUNICATIONS ANTENNAS not located in the COMMUNICATIONS ANTENNA OVERLAY DISTRICT. **[Added 8-3-98 by Ord. No. 1774]**

130.7.27.1. The APPLICATION requirements and general requirements shall be the same as those set forth for antennas located in the COMMUNICATIONS ANTENNA OVERLAY DISTRICT as detailed in Zoning Code sections 130.23.3.1. and 130.23.3.2.

130.7.27.2. Other specific requirements.

130.7.27.2.1. The COMMUNICATIONS ANTENNA shall not exceed five (5) feet in height, two (2) feet in width, and two (2) feet in depth, except that a whip antenna may be up to twenty (20) feet in height.

130.7.27.2.2. Any STRUCTURE or equipment necessary to the operation of the COMMUNICATIONS ANTENNA may be located either: (i) inside or on top of a PRINCIPAL BUILDING, (ii) on the ground, or (iii) underground. When such STRUCTURE or equipment is located underground, the yard requirements of the base ZONING DISTRICT shall not apply.

130.7.27.2.3. Any ground mounted STRUCTURE or equipment, other than wiring, necessary to the operation of the antenna shall be subject to the following requirements:

130.7.27.2.3.1. The STRUCTURE shall have a footprint of no greater than two-hundred fifty (250) square feet, and there shall be no protrusions from the STRUCTURE except for the roof overhang, beyond the STRUCTURE footprint.

130.7.27.2.3.2. The STRUCTURE shall be subject to the height and yard requirements for ACCESSORY STRUCTURES of the Zoning District in which the antenna is located.

130.7.27.2.3.3. The STRUCTURE shall be screened by an opaque, stained wood stockade fence no less than eight (8) feet in height and further surrounded by landscape screening comprised at a minimum of trees, bushes, and shrubs at least six (6) feet in height, in accordance with a LANDSCAPE PLAN. The LANDSCAPE PLAN shall call for the installation of plantings that provide year round screening. Additional screening measures may be required by the ZONING ADMINISTRATOR where topography or other circumstances so compel.

130.7.27.2.4. No outside storage of equipment or material is permitted.

130.7.27.2.5. A COMMUNICATIONS ANTENNA mounted on a BUILDING or STRUCTURE shall be of such type and scale so as to match and blend in with the BUILDING or STRUCTURE, and shall not protrude horizontally from a wall more than three (3) feet.

130.7.27.2.6. Construction of more than one PRINCIPAL and/or ACCESSORY STRUCTURE including poles to support COMMUNICATIONS ANTENNA shall be prohibited. **[Added 4-1-02 by Ord. No. 1859]**

130.7.28. Dumpsters must be enclosed or screened by a six (6) foot high, densely planted evergreen hedge, PRIVACY FENCE or other STRUCTURE. **[Added 3-3-08 by Ord. No. 1992]**

130.7.29. Rooftop mechanical equipment, not including antennas, must be enclosed or screened by a STRUCTURE. **[Added 3-3-08 by Ord. No. 1992]**

PAGES 103-110 RESERVED FOR FUTURE USE